

**In The Matter Of:**  
*Planning Board Minutes*

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*July 14, 2020*

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*M. Virginia Guinta*  
*Certified Court Reporters*  
*P.O. Box 184*  
*Rocky Hill, New Jersey 08553*  
*(609) 477-9342*

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**Min-U-Script®**

1 Minutes of the Virtual Meeting of the  
2 Linden Planning Board July 14, 2020, 7 P.M.

3 BOARD MEMBERS PRESENT:

4 JOSEPH LaPLACA, CHAIRMAN  
5 ARMAND FIORLETTI, VICE-CHAIRMAN  
6 BARRY JAVICK, COUNCILMAN  
7 NICHOLAS J. PANTINA  
8 FELIPE CABEZAS  
9 NOYO EDEM  
10 MICHAEL ANDERSON  
11 ALEX LOSPINOSO, MAYOR'S DESIGNEE  
12 FRANK HETEM

13 ANTHONY D. RINALDO JR., BOARD ATTORNEY  
14 PAUL RICCI, BOARD PLANNER  
15 LEE KLEIN, TRAFFIC CONSULTANT

16 Mr. Pantina called the meeting to order in  
17 accordance with the Open Public Meetings Act. Flag  
18 salute. Roll call.

19 Mr. Fiorletti made a motion to accept the  
20 minutes of the previous meeting, seconded by Mr.  
21 LaPlaca, Mr. Anderson abstained. Minutes adopted.

22 Mr. Pantina made an announcement that JMV  
23 Sales Corporation will not be heard tonight but  
24 possibly in September.

25 With regard to Resolution SP-1117-20 Linden  
Harmony Development, LLC, resolution was adopted  
upon motion by Mr. Fiorletti to approve the  
resolution, seconded by Michael Anderson, all  
voted in the affirmative, Mr. Hetem not voting and  
Mr. Anderson abstained.

With regard to Resolution SP-1118-20, West  
Price Street North, LLC, upon motion by Mr.  
Fiorletti to memorialize the resolution, seconded  
by Mr. Cabezas, all voted unanimously, Mr. Hetem  
not voting and Mr. Anderson abstained, resolution  
memorialized.

At this time, Mr. Ricci presents two  
studies, the first Study Block 309 Lots 1, 2, 3,  
21, and Study 22 Dewitt Street, Block 85, Lots 12,  
13, 14; John Street.

No public appeared. Mr. Ricci described  
the area and referred to an aerial. He stated he  
prepared a Redevelopment Study to evaluate whether  
this first property referenced qualified as An  
Area In Need of Redevelopment under the Local

1 Redevelopment and Housing Law. And he proposed  
2 several criteria that they do. He stated that a  
3 full report has been prepared as of April 15, 2020  
4 and has been on the website for review. He spoke  
5 in detail about Criteria A, B, D. He included Lot  
6 22 in the Redevelopment Area since it's a single  
7 parcel surrounded by commercial development and  
8 stated that criteria is met.

9 Mr. Rinaldo stated the report that Mr.  
10 Ricci presented is listed on the website and  
11 published in the newspaper and has been on file  
12 since 4/15.

13 Upon motion by Mr. Fiorletti to conclude  
14 the area as an Area In Need of Redevelopment to be  
15 determined from the foregoing analysis in  
16 conjunction with the Redevelopment and Local  
17 Housing Law, and that the Linden Planning Board  
18 should recommend to the City Council to adopt a  
19 resolution declaring the study area or any portion  
20 thereof An Area In Need Of Redevelopment.

21 Mr. Pantina seconded the motion and by roll  
22 call vote, all members voted in the affirmative,  
23 Mr. Javick not responding.

24 Mr. Ricci then reported and presented the  
25 criteria on the Redevelopment Study and  
26 Preliminary Investigation for Block 85, Lots 12,  
27 13, 14, and this area could be used for off-street  
28 parking and to increase the opportunity for  
29 commercial aspects of the property.

30 Mr. Ricci stated this is a non-  
31 condemnation redevelopment area, that the property  
32 needs to be acquired through negotiation and not a  
33 condemnation process.

34 There were no questions from the public or  
35 the Board.

36 Upon motion by Mr. Fiorletti that the  
37 criteria has been met and the study area has been  
38 found to meet the requirement to be designated as  
39 An Area In Need of Redevelopment, Linden Planning  
40 Board recommends a resolution to City Council,  
41 seconded by Mr. Cabezas, roll call, all members  
42 voted in the affirmative.

43 APPLICANT: Amazon.com Services, LLC

44 ADDRESS: 1800 Lower Road

45 TO PERMIT: Amazon Last Mile Delivery Station

46 Joseph Paparo, Esquire appeared for the  
47 applicant and opened to the Board. Samantha Mazo  
48 and Jessica Schumer are sworn and described the

1 site and its use as a fulfillment center. (Refer  
2 to transcript.)

3 Ms. Schumer described in detail the life  
4 cycle of the packages, that the delivery station  
5 operates 24/7.

6 Ms. Mazo testified the site is very  
7 important to Amazon to be used as a delivery  
8 station for Amazon for the area. Ms. Schumer  
9 testified there are times when the station has low  
10 activity, that jobs will be created and manager  
11 positions are available.

12 Ms. Mazo testified the first set of drivers  
13 leave between 9:30, ten o'clock AM and more vans  
14 go out to delivery routes every 20 to 30 minutes,  
15 that it is a well-timed cycle. That there is an  
16 opportunity to avoid rush hour, that packages come  
17 in overnight and go out in vans and there will be  
18 no 18 wheeler trucks involved.

19 In answer to Mr. Klein's question, Amazon  
20 will stipulate or make it a condition of a  
21 resolution that the area will be restricted to box  
22 trucks and vans and passenger cars.

23 Ms. Schumer testified the only time a van  
24 comes back early is if there's a problem with a  
25 delivery regarding a dog or a van breaks down.

Scott Wurl, Progressive Architecture  
Engineering, 1811 4 Mile Road, Grand Rapids,  
Michigan 49525 is sworn and qualified and  
explained the loading process in detail for the  
delivery station. Floor Plan is marked A-1.

He testified there's a break room, toilet  
facilities, managers' offices and there will be no  
major changes to the building. There will be a  
canopy over the employee entrance.

He reviewed the report from the Fire  
Department and stated the appropriate HVAC  
ventilation and detectors will be through the  
building, that there is no objection to complying  
with the requests of the Fire Department.

Ms. Schumer testified the area of delivery  
is within a 45 minute drive time radius of the  
site. There were no further questions from the  
public or the Board members.

Joshua Manion, Civil Engineer, 1811 4 Mile  
Road, NE, Grand Rapids, Michigan 49525, is sworn  
and qualified. He described the existing site  
conditions and proposed improvements, that the  
footprint will not be changed, the east side of  
the site will be used for overnight storage of

1 vans. He referred to parking for employees, and  
2 that the peak season is November to January, that  
there will be resurfacing for parking and  
restriping.

3 With regard to the west side, there  
4 will be paving for twelve more parking spots, and  
overhead doors with a ramp will be installed. A  
5 few fire hydrants will be relocated and Jersey  
barriers will be installed with regard to the  
parking lot.

6 With regard to Mr. Ricci's report of  
7 July 9, 2020, there are no issues removing the  
dead trees and replacing them and they would  
8 supplement the perimeter of the property with  
landscaping.

9 With regard to Mr. Ricci's comments on the  
Lower Road frontage, there is a gas main and water  
main present and the applicant is hesitant to  
10 install more street trees along that portion.

11 Mr. Ricci stated the requirement is to  
maintain trees in the parking area not the Jersey  
divider. The witness stated Amazon would be open  
12 to using a guardrail.

13 Mr. Klein suggested a rod iron fence or  
picket fence type and the witness stated they are  
open to that.

14 A discussion ensued with regard to usage  
during the year and it was stated since this is a  
15 period of time during COVID that they are not  
sure. Mr. Klein requested an after study be done  
16 and it was agreed that would be a condition of  
approval.

17 Mr. Paparo agreed the applicant will work  
with Mr. Pantina's office to find a substitute for  
18 the Jersey barriers and work with the city  
planner's office.

19 Mr. Rinaldo also suggested working with the  
Shade Tree Commission and Mr. Paparo agreed.

20 With regard to the report on the stormwater  
management, June 15, 2020, the witness stated  
21 there are no issues with complying with that  
report.

22 Mr. Manion said he has no difficulty  
complying with Mr. Pantina's report and that  
23 Avenue C access will not be used.

24 Ms. Mazo testified since there's no  
information presently regarding the activity on  
the site from November, December, January or  
25 February through October, that that information

1 will be provided.

2 Joseph Fishinger, Jr., NV5 Engineering, 800  
3 Lanidex Plaza, Parsippany, New Jersey 07054, is  
4 sworn and qualified and testified he performed a  
5 traffic analysis as part of the application and  
6 responded to Mr. Klein's letter and testified how  
7 the vehicles come in and out of the site and  
8 doesn't anticipate very many vehicles using the  
9 street and is not expecting a large amount of  
10 distance traffic to be traveling through the area.

11 He testified there are no objections to Mr.  
12 Klein's recent comments, that if Amazon were to  
13 leave the facility and a different user came in,  
14 that new user would have to come before the Board,  
15 and he testified the site is not open to the  
16 general public.

17 Amazon is agreeable to doing an after study  
18 requested by Mr. Klein.

19 With regard to Avenue C, Mr. Paparo stated  
20 if there are any problems that the vans will be  
21 rerouted.

22 Upon motion by Mr. Fiorletti to grant the  
23 Amazon application with all the conditions stated,  
24 seconded by Mr. Javick, a vote was taken and the  
25 application was unanimously granted.

26 APPLICANT: Linden Hawk Rise Solar, LLC  
27 PREMISES: 1451 Lower Road, 1801 Lower Road  
28 TO PERMIT: Preliminary and final site plan

29 Stephen Hehl, Esquire, appeared for the  
30 applicant and opened to the Board. He stated that  
31 the project is in a redevelopment landfill that's  
32 been closed since 2000, that it is non-productive  
33 and being turned into a productive facility for  
34 the site and surrounding area.

35 John Ervin, Director Linden Hawk Rise  
36 Solar, is sworn and testified that he is the  
37 Director of Development at C S Energy, an  
38 affiliate of Hawk Rise Solar. He testified the  
39 current landfill requires continual maintenance  
40 and if the application is granted, there will be  
41 lease agreements bringing in revenue and bringing  
42 a green energy site to an industrial area, that  
43 the project will support 800 houses and 51 percent  
44 will be set aside for overall savings for the  
45 people who participate.

46 He answered Mr. Ricci's and Mr. Pantina's  
47 reports stating there will be monitoring of the  
48 site after construction and after the site is

1 operational, that it will be done remotely.

2 There are no cameras proposed on the site.  
3 There's no need for lighting since it is  
4 operational during daylight. He testified  
5 maintenance is minimal and there will be a  
6 monitoring system about once a quarter on average.

7 He described the area to be used for a site  
8 trailer staging area as far as material  
9 deliveries. There will be a six month  
10 construction period.

11 The applicant is expecting all approvals  
12 and a permit application to be done by the end of  
13 September and construction started in October.  
14 There were no other issues with the professionals'  
15 reports.

16 Thomas J. Fik, Carroll Engineering 105  
17 Raider Boulevard, Hillsborough, New Jersey 0884 is  
18 sworn and qualified and testified to an overview  
19 of the existing conditions at the site and what is  
20 proposed by way of improvement. An aerial is  
21 marked A-1. (Refer to transcript.)

22 He described the landfill completely with  
23 regard to the gas extraction system and leachate  
24 collection system. He described the proposed  
25 solar development. He referred to A-2 and A-3  
26 sheets and testified the solar array occupies 10.7  
27 acres on top of the landfill, that the lease area  
28 is 23.88 acres. He testified the design of the  
29 solar development is not to penetrate the cap and  
30 it is very critical the liner is not disturbed.

31 The system will be connected to a conduit  
32 system that's going to be above ground that runs  
33 parallel to the exiting drive. The driveway width  
34 will not be disrupted. A Jersey barrier will be  
35 installed to protect the above ground conduit from  
36 being damaged by the vehicles. The top of the  
37 landfill will be filled in certain areas to smooth  
38 the area out. Soil will be brought into the site  
39 and compacted.

40 All the recommendations in the geotechnical  
41 report will be followed. There is a perimeter  
42 fence surrounding the entire system and a security  
43 gate for access. There are 10,719 panels proposed  
44 and the cap limit is 4.5 megawatts.

45 He testified there are no issues with Mr.  
46 Pantina's letter and the NJDEP is reviewing the  
47 application and that approvals are expected  
48 shortly.

49 He referred to Mr. Ricci's report and

1 addressed the recommendations and testified they  
2 are providing an ADA turnaround area and there is  
no need for a substantial amount of parking.

3 He testified with regard to stormwater,  
4 given the size of the project, because the site is  
in Planning Area 1, recharge is waived and the  
5 panels and ballasts generate no pollutants, and  
the requirements for quantity, quality is waived.

6 He testified the natural drainage patterns  
are being preserved. Somerset Union Soil  
7 Conservation is reviewing the plan and the  
applicant will coordinate with them. He testified  
8 there are no issues with the reports and the  
applicant is willing to comply with all the  
reports.

9 No one questioned from the public or the  
Board members.

10 Upon motion by Mr. Firoletti to approve the  
application, seconded by Mr. Javick, all Board  
11 members voting in the affirmative, the application  
is approved.

12 At this time, a motion is made to adopt a  
resolution that was previously posted on the  
13 website. A motion was made by Mr. Fiorletti to  
adopt the resolution, seconded by Chairman  
14 LaPlaca, all Board members voting in the  
affirmative, resolution is adopted.

15 At this time, since Marilyn Coplan, long  
time Recording Secretary of the Board is retiring,  
16 Chairman LaPlaca thanked her for all her years of  
service and sent her the best wishes in the years  
to come.

17 Respectfully submitted,

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Secretary

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