

In The Matter Of:
Planning Board Minutes

July 14, 2020

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Certified Court Reporters
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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
5 in Planning Area 1, recharge is waived and the
6 panels and ballasts generate no pollutants, and
7 the requirements for quantity, quality is waived.

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

15 No one questioned from the public or the
16 Board members.

17 Upon motion by Mr. Firoletti to approve the
18 application, seconded by Mr. Javick, all Board
19 members voting in the affirmative, the application
20 is approved.

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

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

Respectfully submitted,

Secretary