

**METUCHEN PLANNING BOARD
MINUTES**

February 2, 2023

The meeting was called to order at 7:36pm by Eric Erickson, Chairman, who read the statement in accordance with the Open Public Meetings Act.

ROLL CALL:

Present:	Alan Grossman	Shannan Foat-Gelber, Alt. II
	Jason Delia, Councilmember	Robert Renaud, Attorney
	Jonathan Lifton	Robert Mannix, Engineer
	James Griffin	Christopher Cosenza, Planner
	Lauren Cohn, Alt. I	Denise Hamilton, Secretary
	Eric Erickson, Chairman	

Late: Ellen Clarkson 9:41pm

Absent: Melissa Perilstein, Administrator
Jonathan Busch, Mayor
William Love, Mayor's Designee
Lynn Nowak

RESOLUTIONS:

22-13341 212 Durham Urban Renewal LLC – Applicant seeks preliminary and final major site plan approval with exceptions and waivers to demolish the existing buildings and construct a single five-story structure containing 272 residential units, 364 parking spaces, site improvements, and public access drive on Parcel B, with landscaping and parking on Parcel A. The proposal is in accordance with the Gulton Tract Redevelopment Plan. (Appv. 12.15.22).

212 Durham Avenue Bl: 37 Lots: 5.12, 5.22, 6, 7.01, 7.02, 13, 14, 15.01, 16.02, 16.03, 17.02
Bl: 42 Lots: 1 – 7

Mr. Renaud stated that the Resolution was still under review by the Applicant and approval will be included on the next agenda.

22-1329 Thomas Mullins, Jr – Applicant is seeking minor subdivision approval to merge a portion of the rear yard of 57 Oak Avenue into the rear yard of 67 Oak Avenue. Both are two single family dwellings. (Appv. 1.19.23)

57 & 67 Oak Avenues Block: 103 Lots: 1 & 4

Motion to approve was made by Mr. Erickson and seconded by Mr. Griffin. Councilmember Delia, Mr. Griffin and Mr. Erickson voted yes. Motion was approved.

NEW BUSINESS:

21-1304 HES Equity, LLC – Applicant requires approval for variances and waivers to construct a two-story addition to the existing warehouse structure. Proposal requires several variances, including existing non-conformities of minimum lot area, minimum lot width, front yard setback and side yard setback. There will also be 11 parking spaces that would require a design waiver.

100 Prospect Street Block: 152 Lots: 51.01 & 51.02

7:41pm. Ellen Clarkson arrived.

Mr. John Wiley, Attorney, stated that Applicant proposes using the building at the corner of Prospect and High Street as a storage facility.

Mr. Dihui (Anthony) Hew, Applicant, was sworn in by Mr. Renaud. Mr. Hew confirmed that he is the property owner of HES Equity and shares co-ownership of Bayridge Electric Supply with his brother. Bayridge is based in New York and supplies electrical equipment to electricians. The warehouse would be used for storage and stocking. The property was purchased in 2020. The business was started in 2017 and is in need of additional storage due to expansion. The proposal for expansion is to the rear of the building. The warehouse would service the larger retailers that frequent the area now for about two hours per day. A 16ft box truck is utilized now for transit. Materials are transported from Metuchen to Bayridge, Brooklyn for distribution in that area. Deliveries by 18ft wheelers with 40ft containers are projected with the expansion. The frequency of these containers will be about once every three months. It is the overstock of smaller items that will be delivered to Metuchen by these 18ft wheelers.

The Board asked for clarification on the change in hours of operation since the use remained the same.

Mr. Wiley confirmed that the hours of operations would be Monday through Friday 7:00am – 5:00pm and Saturday 8:00am -12:00pm.

The Board asked about the number of employees anticipated.

Mr. Hew responded that the facility would mostly be empty with the exception of delivery drivers. There is a possibility for one to two employees with the expansion, possibly a warehouse manager and maintenance employee.

The Board requested additional clarification on the number of employees proposed. While the application lists five employees the proposal has ten to eleven.

Mr. Wiley stated that the information on the application was incorrect.

Mr. Cosenza had several inquiries: 1) clarification regarding employees on the site, 2) loading of the 18ft wheelers on Prospect or High Street, 3) subletting to another business, 4) and continued use of 40ft trucks on High Street.

Mr. Hew responded that three to four employees may be on site when there are 18 wheelers to unload. The maximum number of employees will be four to five with the expansion. The most cars in the rear will be two to three. The trucks would load from High Street. The truck would drop off the container where it would remain overnight. The cabin would not block the sidewalk when being unloaded. There is no unloading on the street. There would be no subletting. Residents would not see a tractor trailer on High Street.

Mr. Frederick Schmitt, Architect, was sworn in by Mr. Renaud. He had testified several times before the Board and was accepted as an expert witness. He stated that Mr. Hew had expressed interest in adding to the existing structure. In existence is a 10k ft one-story building with an office portion above a mezzanine. It is a warehouse. There is a 99sf addition proposed. The loading dock on High Street was changed. There would be 11 parking spaces on site including ADA spaces. There is a small dispatch office and breakroom proposed. They would remove the offices on the first floor for additional storage space. It is designed for low intensity occupancy. The mezzanine is not considered a second floor. The second floor would be gutted. There is no specific design for employees at this time. For deliveries, the High Street dock would be restricted to vans and box trucks, and none would be parked overnight. The overhead door on Prospect would be used for in and out. Nothing would be staged for over a week. It should be a 15-minute stop. The third loading function would be a depressed loading dock. Buildings would be stucco finish with a new entrance for van access to be added. No signs are being requested.

Mr. Wiley stated that the building would operate with two separate parts; the front which is existing, and the new rear addition proposed. The intent is to use the High Street entrance, with access to the front by the side entrance. The facilities in the rear would service the new addition.

Mr. Hew stated that the grill and cemented windows visible to the public were for security purposes.

Mr. Schmitt stated that the hours of operation may be adjusted. Also, the number of employees were not pertinent in the design.

The Board voiced concern that the application submitted differed from the presentation. Truck deliveries, number of employees, and hours of operation lacked consistency. The use of the site is questionable. The property may be used more intensively than what is being proposed.

Mr. Wiley stated that as a condition, the subsequent buyer would have to comply with the decisions set forth in the resolution.

The discussion continued with the Board, Mr. Wiley, Mr. Schmitt, and Mr. Hew regarding inconsistencies with the presentation versus the application. The impervious coverage may also propose a problem.

Mr. Cosenza requested clarification on the firewall.

Mr. Schmitt responded that the issue was not resolved.

The Board stated that specificity would be required.

Mr. Cosenza stated that additional information may be required, including a break room for employees as that information was omitted.

Michael Manelli, Engineer and Rutgers graduate was sworn in by Mr. Renaud. He has been a professional Engineer for over 17 years and a licensed professional in New Jersey. He was accepted as an expert witness. He stated that the building has two separate elevations requiring multiple access points. The building is 10sf. A tractor trailer would have to reverse in from High Street at that location and would be used on a bi-monthly basis. The side access point would possibly be used twice per week. They anticipate the inventory would double over the next year. The intent is to have one or two employees to manage

operations. The property size is .76 acre and located in the light industrial zone. The loading dock is on the north east corner of High Street with drive-in at the Prospect frontage. It is a permitted conditional use. There is a 9,99sf addition proposed that meets the conditional use. The grade is very low at the High Street frontage. The building addition meets the height requirement. The gate location has been moved further south to accommodate a loading zone. Twenty-five parking spaces are proposed, which would be adequate for 10-11 employees. High Street loading dock would no longer be used for tractor trailers, but instead for the box trucks. The 18ft wheelers would travel on Prospect Street and reverse in. The one exception is the driveway opening. It is for a larger opening proposed to accommodate the tractor trailers.

Mr. Mannix requested an exit plan for trailers and the Applicant's engineer was agreeable to that request.

Mr. Manelli stated that a dumpster enclosure on the southwest corner of the building is included. Refuse would be handled privately as needed. Additional sidewalks are proposed for the Prospect Street frontage. ADA accessible ramps across are proposed for both driveways, as well as, replacement of existing apron at the northeast corner. Improvements to the landscaping and lighting are proposed to meet standards. They are all LED fixtures. Storm water management grading runs from south to the north. Piping will connect into the existing system on Prospect Street.

Mr. Mannix requested a storm water management system to restrict the flow. The connection to the existing system is insufficient with the proposal to increase pervious coverage.

Mr. Manelli stated that the non-conformance in existence would remain.

Mr. Renaud responded that adding to a non-conforming lot area, without adequate storm water management, is not an appropriate response. The site is not vacant. There is an existing undersized building with the proposal to expand, which would exceed the building coverage and maximum impervious coverage.

Mr. Manelli stated that the variances being sought are existing non-conforming conditions; front yard setback on Prospect is 15 feet where 40 feet is required, front yard on High Street is 9.9 feet where 40 feet is required, side yard 4.6 ft where 20 feet is required. New bulk variances: building coverage 57.7% where 50% is permitted, impervious coverage 78.9% proposed where 70% is permitted, with fence height and material proposal for 8ft chain link, where 6ft non-chain link is permitted. Exceptions for relief include parking for the front yard. The first parking space setback proposed is 5.5ft where 10% is required. Additional landscape is proposed. Decorative lamp posts are required in the zone, and they are proposing two light posts to the rear of the property. Parking set back is 0 feet where 15ft is required, driveway width max permitted is 35ft, where 41ft 2in (41'2") proposed. They are seeking parking relief for 11 parking spaces where 25 is required. Variance is needed for loading docks. A facility of this size requires four loading docks. A driveway parking buffer measuring 5ft is proposed where 10ft is required.

The Board inquired about trailers being parked in the lot.

Mr. Hew responded that trailers are temporarily moving materials.

The Board continued a discussion regarding the size of trailers and frequency of deliveries with the expansion of the property. The duration of tractors on the property for a day or two was of concern. Street parking would not be allowed.

Mr. Cosenza commented that a condition could be included prohibiting a tractor from parking on the street or overnight. He is awaiting comments on his plan review.

9: 11pm - Mr. Erickson announced a brief recess.

9:20pm – Mr. Renaud announced that the Applicant has made the decision to carry the application. The Board is requiring a revised narrative on what is being proposed, a drainage plan for storm water management, and responses to the professionals’ memos. The application would be carried to March 2, 2023, in the courtroom, and no additional notice would be given. Public comments are allowed.

PUBLIC PORTION:

Mr. Erickson opened the floor to the public for questions/statements.

Residents inquired about the Ordinance rules, public notices, frequency of trailer traffic and deliveries. There is also a school bus stop that should be taken into consideration although it was not mentioned.

Mr. Renaud stated that notices are given to residents within 200ft of the property at least 10 days before the hearing and published in the newspaper, a required by law.

Mr. Cosenza will research the rules regarding delivery times.

Mr. Manelli stated that tractor trailers utilize the High Street access every two to three months, but with the expansion, that would increase traffic on the dock to Prospect Street every one to two months. Usage would be based on necessity, and only a couple of tractor trailers would be needed over a smaller period of time. The hours could be restricted to normal business hours.

Mr. Eric stated that the Applicant will return with a revised application and residents may attend the hearing.


CORRESPONDENCE:

Minutes: December 15, 2022

Motion to approve was made by Mr. Lifton and seconded by Mr. Griffin. Voice vote, with all in favor, the minutes were approved.

ADJOURNMENT:

The motion to adjourn was made by Mr. Lifton and seconded by Mr. Griffin. Voice vote, with all in favor, the meeting was adjourned at 9:35pm.

Respectfully submitted,

D. Hamilton, Secretary