

MINUTES OF THE PLANNING BOARD REGULAR MEETING OF PISCATAWAY TOWNSHIP HELD ON JUNE 9, 2021.

The Regular Meeting of the Piscataway Planning Board was called to order at 7:30 P.M. on Zoom (online), Piscataway, New Jersey by Chairperson Smith.

Chairperson Smith stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- *Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- *Notice published in the Courier News;
- *Notice sent to The Star Ledger;
- *Notice made available through the Township Librarians.

ROLL CALL: Mayor Wahler, Councilwoman Gabrielle Cahill, Dawn Corcoran-Gardella, Carol Saunders, Rev. Henry Kenney and Chairperson Brenda Smith.

ABSENT: Michael Foster & Dennis Espinosa

Also present: Thomas Barlow, Esq., Laura Buckley and Steve Gottlieb, PP

It was determined that a quorum was present by roll call.

Thomas Barlow, Esq., states that he would like to place on the record that we are doing this meeting through an online meeting platform in light of the COVID-19 pandemic. In keeping with the guidelines that have been disseminated by the Department of Community Affairs, the Planning Board has tried it's best to comply with the open public meeting act and the Governor's guidelines in dealing with the current situation. In addition, the applicant whose matter will be heard this evening had the login information for the online meeting platform put forth in their notice; members of the public who wish to be heard will be afforded an opportunity as if we were in an actual, physical space. He believes we have done our absolute best to comply with the DCA guidelines and the open public meetings act.

4. PLEDGE OF ALLEGIANCE

5. SWEARING IN OF PROFESSIONALS: Steven Gottlieb, CME Associates

6. CHANGES TO THE AGENDA: Mr. Barlow states that application 20-PB-06, Nathan A. Yates, has been postponed until July 14, 2021; no further notice required. 21-PB-09/10V, Paul Rabouin, has been postpone to July 14, 2021; no further notice required.

7. ADOPTION OF AMENDED RESOLUTION TO MEMORIALIZE ACTION TAKEN ON MAY 12, 2021:

- (a) **21-PB-03/04V Goldman Rutgers Land/Limited Partnership- Preliminary & Final Site Plan; Bulk Variances Block 4202, Lot 7; Zone: LI-5 30 Duke Road**
Applicant was approved.

MOTION was made by Ms. Saunders to memorialize the resolution for Goldman Rutgers; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

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- (b) **19-PB-33/34V** **17 Plainfield Avenue, LLC**
Preliminary & Final Site Plan, Bulk Variance
Block 6809, Lot 6, Zone: C
17 Plainfield Avenue
Application was Approved.

MOTION was made by Ms. Saunders to memorialize the resolution for 17 Plainfield Avenue, LLC; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

- (c) **21-PB-01/02V** **BRNSONS, LLC**
Preliminary & Final Site Plan, Bulk Variance
Block 8604, Lot 1; Zone: GB
1401 Stelton Road
Application was Approved.

MOTION was made by Ms. Saunders to memorialize the resolution for BRNSONS, LLC; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

8. ADOPTION OF THE MINUTES FROM THE REGULAR MEETING OF MAY 12, 2021.

MOTION was made by Ms. Saunders to memorialize the minutes from the May 12, 2021 meeting; seconded by Rev. Kenney. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

- 9. 19-PB-33** **90 Hancock Road, LLC**
Preliminary Major Subdivision
Block 6501, Lot 12; Zone: R-10
90 Hancock Road
The applicant proposes to subdivide the property into four (4) lots.

VARIANCES REQUIRED:

No variances are required at this time.

* Any proposed soffit, overhang or roof projection over 18 inches or any steps, one-story open porches, or bay windows projecting more than 5 feet needs to comply with the required setbacks for the zone or a variance will be required.

Action to be taken prior to July 8, 2021
Attorney: Richard Mongelli

Richard Mongelli, Attorney, is here to represent the applicant. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Rev. Kenney to approve the application; seconded by Councilwoman Cahill. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

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SITE PLAN

12. 21-PB-16/17V

CLIO, LLC

Preliminary & Final Site Plan, Bulk Variance

Block 9301, Lot 54.05; Zone: LI-1

141 Ethel Road West

Applicant proposes to install a transformer and six condensers.

VARIANCES REQUIRED:

21-627C.1/3 Required – all outdoor mechanical equipment shall be screened by evergreen plantings or screened by fencing or other enclosures

Proposed – no screening

21-1102 Required – 302 parking spaces

Proposed – 118 parking spaces

21-1103(d) Required – three electric vehicle charging stations

Proposed – no electric vehicle charging stations

Action to be taken prior to September 16, 2021

Attorney: Aravind Aithal

Bob Smith, Attorney, is here to represent the applicant. Greg Oman, Menlo Engineering, is sworn in to testify. Mr. Oman states that he does not have any exhibits this evening, he will just share his screen and show a sheet that has already been submitted to the Board. Court stenographer present; transcripts are on file in the Community Development Office.

MOTION was made by Councilwoman Cahill to approve the application; seconded by Ms. Saunders. Cahill. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

13. DISCUSSION: IN NEED STUDY FOR REDEVELOPMENT FOR BLOCK 5901, LOT 3.23. ALSO KNOWN AS 10 CONSTITUTION AVENUE, LOCATED ON MAP PAGE 59 ON THE PISCATAWAY TOWNSHIP TAX MAP.

Steven Gottlieb, CME Associates, will do the presentation for the in-need study. He shares his screen which is an aerial view of the site. Mr. Gottlieb states that he will explain the overall purpose of the study. Back in December of 2020, CME was asked by resolution to conduct an area in-need of redevelopment study for block 5901, lot 3.23 to determine if the property meets the requirements to be determined an area in-need of redevelopment. The requirements are based on the NJSA 40A:12A-6 and 40A:12A-5. This study was conducted as a non-condemnation area in-need study.

Should the Board determine that this property is an area in-need of redevelopment, they will make a recommendation to the Township Council for them to determine if they want to proceed with the preparation of a redevelopment plan for the site. Once Council has determined that it needs a redevelopment plan, then it comes back to the Planning Board for discussion and adoption.

Mr. Gottlieb states that the property is located at the turn of the east side on Constitution Avenue and it is approximately 17.2 acres in size. There is an existing two story building on site that is about 110,000 square feet in area. Back in 2019 the Planning Board did approve a minor subdivision for this site which separated this property into two lots and there is currently a warehouse under construction on what is

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now the adjoining lot. It is surrounded by warehouse and office uses to the northeast and west, to the south is the Randolphville Elementary School and further south there are some single family residential lots. To the northeast there is some Township open space.

The property does contain some freshwater wetlands, it has not been determined whether those wetlands will require a transition area. Any potential development would require wetland permits from the State of New Jersey. Additionally, there are some environmental issues on the property; there was some soil contamination that is currently under the guidance of a LSRP and doesn't seem to be too significant of an issue. DEP is also overseeing this issue. The existing building currently has a hearing aid company inside and the building is semi-occupied but a lot of that was due to the pandemic but it still is under occupied.

Mr. Gottlieb states that most of the area is mostly industrial in nature with the exception of the Randolphville School to the south. The current zoning of this property is the LI-5 zone, light industrial which allows of a variety of industrial uses; this could change with a redevelopment plan. The site currently meets the use requirements of the LI-5 zone. There are some goals of the Master Plan, using redevelopment plans as tools to ensure the goals of the Master Plan. The 2020 Master Plan Reexamination report, which was adopted in December of 2020, uses redevelopment for older areas in the Township. The State Plan designates Piscataway Township in the PA-1 zone which is an area in the State that encourages development and redevelopment for the economy of the State.

As part of the redevelopment law, NJSA 40A:12A-5, the criteria that the determination is based on are Eight (8) separate items. Mr. Gottlieb reads in to record all eight criteria for the Board. He states that he looked at the analysis of the site and the building was only partially occupied and it still seems to be underutilized. The loading areas were obsolete and didn't function in accordance with today's standards. The building appears to be obsolete, it is primarily office. The site has some dead end parking areas and there is a lot of equipment and dumpsters throughout the parking area.

The building has begun to deteriorate and there was evidence during inspection of potential discoloration of the exterior walls of the building. It is not ADA compliant and most of the utilities are unscreened and again just equipment up against the building or just in the parking areas. There is limited public areas, no onsite amenities for employees. The landscape and lighting are aging and deteriorating, the pavement is crumbling and cracked in many locations. That are some of the items that they saw with their site inspection. The layout is obsolete and the building has a lot of upgrades that need to be conducted.

In conclusion based upon these factors, they have determined that the A, D and H criteria have been satisfied as part of this study. Under the "A" criteria, the condition is somewhat substandard and could be unsafe and unsanitary. The existing building does not have pedestrian circulation connections, does not have sufficient public areas, potential of hazardous materials such as mold. Under the "D" criteria, the site based upon the condition of the parking area, the condition of the utilities on the site, the condition of the landscaping, the lighting and other factors that appear that the site is deteriorating and the layout is obsolete. The "H" criteria applies as well for the simple reason that Piscataway is within the PA-1 planning area for the State Plan and based on that, the area is smart growth designated and it does encourage the use of redevelopment. In conclusion, all three criteria's do apply and should the Board agree that the area should be designated a non-condemnation area in need of redevelopment. Chairperson Smith asks the Board if they have any comments or questions. Rev. Henry Kenney states that in the zone area it makes the Township look bad and this is for a non-condemnation area to be developed. The property is not going to get any better unless something is done by the Town.

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Councilwoman Cahill asks if we know how old the building is on the land and also, it was mentioned that there may be an issue with asbestos and the asbestos removal. Mr. Gottlieb states that the building was originally approved back in the 1980's and it wasn't unusual back then to use asbestos for insulation for interior duct work. They also found out that there is asbestos in the building. He suspects it is for the insulation around the duct work or conduits. Councilwoman Cahill asks if there is anyone still using the building; Mr. Gottlieb states yes, the company is called Sivantos, it's the office for a hearing aid company.

Public portion open: Brain Rak, 1247 Brookside Road, is sworn in. He states that he thought you just leave asbestos alone and cover it up. Mr. Gottlieb states that is one way to address it. Mr. Rak states that he assumes that the Town wants another warehouse next to the school. Mr. Gottlieb states that there has not been any determination as of yet as to what type of use will occur on the property. Mr. Rak states that how can you hold a property that was built up to the standards at the time it was built to the standards now; you can do that with any house too. Mr. Gottlieb states that they are talking about this particular property. Public portion closed.

MOTION was made by Mayor Wahler to approve the in-need study for 10 Constitution Avenue; seconded by Rev. Kenney. Cahill. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Rev. Kenney and Chairperson Smith voted yes on the motion.

14. DULY AUDITED BILLS TO BE PAID

MOTION was made by Councilwoman Cahill to pay the bills; seconded by Carol Saunders. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Carol Saunders, Dawn Corcoran-Gardella, Dennis Espinosa, Rev. Kenney and Chairperson Smith voted yes on the motion.

15. ADJOURNMENT:

MOTION made by Rev. Henry Kenney to adjourn; seconded by Ms. Saunders; All in favor.

The meeting was adjourned at 9:18 P.M.

**NEXT SITE PB/WORKSHOP BOARD MEETING – JUNE 23, 2021 AT 2:30 P.M.
NEXT PLANNING BOARD REGULAR MEETING – JULY 14, 2021 AT 7:30 P.M.**

Respectfully Submitted,

Laura A. Buckley
Planning Board Clerk for Carol A. Saunders, Secretary

I certify that the foregoing is a true and correct copy of the Minutes of the Regular Meeting of June 9, 2021, same having been fully adopted by the Planning Board of Piscataway on July 14, 2021.

CAROL A. SAUNDERS, Secretary
PISCATAWAY TOWNSHIP PLANNING BOARD