

MINUTES OF THE  
EAST BRUNSWICK TOWNSHIP  
PLANNING BOARD

December 16, 2020

STATEMENT - Open Public Meetings Act

MOMENT OF SILENCE

ROLL CALL -

PRESENT:

ABSENT:

Shawn Taylor, Chairman  
Laurence Bravman  
Charles Heppel  
Brad Cohen, Mayor  
Joseph Criscuolo  
Sharon Sullivan  
Laurence Reiss  
Steve Philips  
Muhammad Hashmi  
Julie Clarke  
Rachel Cohen

ALSO PRESENT:

Lawrence B. Sachs, Esquire  
Loren Morace, Secretary  
John Kriskowski, Engineer  
James Lambert  
Malvika Apte, Planner

RESOLUTIONS

Resolution recommending the proposed amendments of the Route 18 corridor redevelopment plan to the East Brunswick Township Council. Motion to adopt resolution by Ms. Sullivan, second by Mr. Heppel. Resolution adopted.

NEW BUSINESS

Application #20-15 - 39 Edgeboro Road Urban Renewal, LLC - Proposed parking lot to be utilized by the

warehouse located at 39 Edgeboro Road, block 834, lots 4.17, 4.19, and 4.23, in the IM zone. Mandatory date January 15, 2021. Motion to approve by Mr. Heppel, second by Mr. Criscuolo. Application approved.

#### ADJOURNMENT

Motion to adjourn by Mr. Taylor. Next meeting is January 13, 2021.

THE CHAIRMAN: Good evening. This is the December 16, 2020, meeting of the East Brunswick Planning Board. With our inclement weather, I certainly hope that everyone watching is snug at home just like we all are as members of the planning board. Be safe and get your cars off the streets so our wonderful public servicemen and women can do their job and clear the streets for us all.

The township is using a telephone meeting format in an effort to mitigate the chance of exposure to the Covid-19 as part of the township's ongoing efforts to slow the rate of transmission and avoid overwhelming our treatment centers. The dial-in information again -- and that number is 646-558-8656 -- and the agenda have been posted on the township web site and are posted on EBTv for the members of the public. Members of the public can call in with that number provided -- and once again, that's 646-558-8656 -- and ask any questions they have of planning board members. Each individual will have 3 minutes to speak. Should you have further questions, you can always contact the planning and engineering office. They are always available by e-mail or phone. And each member of the public shall only have one opportunity to speak during the public portion because of the limited time we have and because of the nature of the Zoom call.

Thank you in advance for your patience as we really implement this new technology. Unfortunately, we've been using it far too long. And East Brunswick I know will continue to move forward during this health emergency, and thank God we do see some light at the end of the tunnel, but we must remain vigilant.

So with that being said, let me just

pull up my agenda. The first item is the pledge of allegiance. In lieu of that, I would ask everyone for a moment of silence for all of those who have suffered and are continuing to suffer with this horrible, horrible pandemic, and let's all pray that it ends sooner rather than later and that all these promising vaccines work out and get distributed to all Americans. Moment of silence, please.

(Moment of silence)

THE CHAIRMAN: Thank you. Loren, will you please call the roll.

MS. MORACE: Miss Cohen.

MS. COHEN: Here.

MS. MORACE: Mr. Hashmi.

MR. HASHMI: Here.

MS. MORACE: Mr. Philips.

MR. PHILIPS: Here.

MS. MORACE: Mr. Reiss.

MR. REISS: Here.

MS. MORACE: Miss Clarke.

MS. CLARKE: Here.

MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Here.

MS. MORACE: Miss Sullivan.

MS. SULLIVAN: Here.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Here.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Here.

MS. MORACE: Mayor Cohen.

MAYOR COHEN: Here.

MS. MORACE: Chairman Taylor.

THE CHAIRMAN: Here.

Our first item of business is the resolution recommending the proposed amendments to the Route 18 corridor redevelopment plan to the East Brunswick Township Council. As members will recall, resolutions are items that we have previously acted upon and we are adopting them tonight in their formal fashion, and we all remember we dealt with this just last week.

Mr. Sachs, resolution in order for us to vote on this evening?

MR. SACHS: Yes, Mr. Chairman. If the board will recall, we actually heard a presentation last week from Francis Reiner of DMR Architects, and just to go over the timeline here, the East Brunswick Redevelopment Agency recommended some amendments to the Route 18 corridor redevelopment plan to the town council in October of 2020. At the

November 9 council meeting, the township council adopted resolution number 16932 requesting that the planning board review these proposed amendments. We did that at the December 9 meeting, which was last Wednesday. We heard the presentation from Mr. Reiner, and this planning board voted to recommend that the township council adopt these amendments by ordinance. So this is the resolution that you're voting on this evening.

THE CHAIRMAN: Thank you. Does any board member have any final questions on this resolution before I entertain a motion?

Hearing none, what's the board's pleasure with this resolution?

MS. SULLIVAN: So moved.

MR. REISS: Second.

THE CHAIRMAN: So moved. Moved and seconded. Any further discussion?

Hearing none, Loren, please call the roll.

MS. MORACE: Miss Cohen.

MS. COHEN: Yes.

MS. MORACE: Mr. Hashmi.

MR. HASHMI: Yes.

MS. MORACE: Miss Clarke.

MS. CLARKE: Yes.

MS. MORACE: Mr. Philips.

MR. PHILIPS: Yes.

MS. MORACE: Mr. Reiss.

MR. REISS: Yes.

MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Yes.

MS. MORACE: Councilwoman Sullivan.

MS. SULLIVAN: Yes.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Abstain. I wasn't here.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Yes.

MS. MORACE: Mayor Cohen.

MAYOR COHEN: Yes.

MS. MORACE: Chairman Taylor.

THE CHAIRMAN: Yes. This resolution is adopted.

Moving on to the next item of business, it's new business. It's application number 20-15, 39 Edgeboro Road Urban Renewal, LLC. Is there someone here on that application?

MR. HEHL: Yes, Mr. Chairman, Stephen Hehl representing the applicant. How are you? Great to see you all again.

THE CHAIRMAN: Good. How are you?

MR. HEHL: Good. Good. Larry, how are you?

MR. SACHS: I'm good, Steve. Good to see you. Would you like to --

THE CHAIRMAN: Just before we begin, Mr. Sachs, do we have -- are we able to hear this application tonight and have jurisdiction?

MR. SACHS: Yes, thank you, Mr. Chairman. I did review the affidavit of publication and the proof of service provided by Mr. Hehl's office, and we -- the board does have jurisdiction to consider this matter this evening.

THE CHAIRMAN: Then, Mr. Hehl, the floor is yours.

MR. HEHL: Great. Thank you very much, Mr. Chairman. Again, great to see you all, and it's -- Loren, as I noted, it's great that this is a virtual hearing because I'm sure it would have been cancelled.

MR. SACHS: That's true.

MR. HEHL: Hope everyone stays safe and healthy. So this is an exciting continuation of a redevelopment project. As you know, the applicant was before the board last year for a subdivision and the approvals for a 500,000-and-change-square-foot warehouse and office complex. What we're proposing now is to expand that project onto several lots owned by the Middlesex County Utility Authority to provide extra parking for this -- for the building that's -- that is being constructed. There's going to be no change in the size of the previously approved building, and we did work -- and we appreciate all the efforts East Brunswick working with the applicant, both your redevelopment and your council, in expanding the redevelopment area to the Authority property, and I think we've indicated in our application that we just -- that now FedEx won't be coming to this site as the tenant, and it's exciting -- again, exciting redevelopment process and what I -- what we are doing is, again, the applicant is going to be leasing those -- portion of those lots from the Authority and incorporating them for additional parking to facility FedEx's operation at this site.

We generally comply. There's a few minor deviations from the redevelopment plan that both our engineer and planner will address, but we have had the opportunity to review all of your departmental comments, including the letter

forwarded to us by CME, and we'll be addressing all of those during our presentation.

So that's an overview, Mr. Chairman and board members, of our application, and if there are no preliminary questions from the board, I'd like to move -- to have our engineer, Mr. Gregory Oman, take us through the existing conditions and what's proposed by way of improvements. Mr. Oman did appear last year at the hearing and was the engineer presenting the case, and he's on my screen somewhere.

MR. SACHS: I see him.

THE CHAIRMAN: And he's on mine. He's in the box right next to you on my iPad.

Mr. Oman, welcome.

MR. OMAN: Thank you.

THE CHAIRMAN: Please raise your right hand and be sworn. Do you swear to tell the whole truth, so help you God?

MR. OMAN: I do.

THE CHAIRMAN: Just state your name, spell your last name, and give us a bit of your CV.

MR. OMAN: Sure.

THE CHAIRMAN: Although we've known -- we know that you've testified here in the past.

MR. OMAN: Certainly. Gregory Oman, O-m-a-n, 261 Cleveland Avenue, Highland Park, New Jersey, 08904. I am the president and owner of Menlo Engineering Associates, have been employed by Menlo for over 20 something years. I am a licensed professional engineer in the State of New Jersey now for over 18 years and also licensed in the state of Pennsylvania, and I have testified in front of this board numerous times. As a matter of fact, my very first hearing was in front of this board. I don't know how many members were on that back some 18 some years ago, but I was --

THE CHAIRMAN: Yeah. Well, welcome. We actually happy to accept you as an expert this evening, and, you know, I know that no other planning board quite approaches the East Brunswick experience, so we may have spoiled you for all the rest, but always nice to see you. Welcome back.

MR. OMAN: Thank you. I can't promise my testimony has gotten any better over the 18 years. You'll have to suffer through it.

THE CHAIRMAN: It was always good. No, it was always good, so, you know.

MR. OMAN: Thank you. Thank you.

MR. HEHL: Thank you very much.

THE CHAIRMAN: Always thorough and good. Please.

MR. HEHL: All right. So, Mr. Oman, if you can now, as I indicated, please take the board through the existing conditions and what was previously approved and then what's proposed by this amendment.

MR. OMAN: Certainly. If I can, I would like to share my screen so this way I can bring up the renderings.

THE CHAIRMAN: Great. Thank you.

MR. OMAN: Can everyone see this?

MR. SACHS: Yes.

MR. OMAN: We're off to a good start. Okay. This is -- this is our Exhibit A-1 entitled existing conditions exhibit with today's date. It's basically just an aerial photo showing the property limits, the surrounding uses.

For all exhibits that are going to be utilized tonight, north is to the right side of the sheet.

So this is a 39-acre parcel that we're looking at here, combination of four lots. It's identified on the township's tax map as block 834, lots 3411, 4.17, 4.19, and 4.23. The property falls within the Edgeboro Road redevelopment zone. Warehouse, which is previously approved and constructed, is a permitted use. The site is bound by Edgeboro Road to the west, the MUA property to the north, and to the east you can actually see a portion of the landfill on the eastern -- it's on the lower portion of my exhibit -- and an existing industrial uses to the south and on the west side of Edgeboro Road.

This actually still shows the old existing conditions prior to the construction occurring on lot 3411. What this does also include are the new three lots in which we are including in this application that is currently owned by the MUA -- the MCMUA. You can actually see a portion that they are going to retain at the southeast corner. The site is completely fenced in by a chain link fence with barbed wire at top, a lot of brush, low quality trees that exist on site today, a couple of pockets -- there's three pockets of wetlands that exist on site today of approximately .63 acres.

I'd like to move on to --

MR. HEHL: If I can just interrupt for a second and we can submit the exhibits, and, Loren, I believe this is A-1 as we submitted to the board.

So we'll just identify, Greg, if you could each -- or I will say which one it is, because we have A-1, 2, 3, and 4.

MR. OMAN: Correct. So the existing conditions is A-1. Can everyone see the next exhibit?

THE CHAIRMAN: Yes.

MR. SACHS: Yes.

MR. OMAN: Perfect. Okay. So this is A-2, entitled previously approved site plan exhibit, again with today's date. This is what was utilized early last year for the previous application, and I'm just going to run through the board, just kind of bring them up to speed of what was approved, what was constructed, et cetera.

So the approval was for a 513,240-square-foot warehouse building with two office components located at the northwest and southwest corners. There are two full-movement driveways off of Edgeboro Road. The northern driveway was a shared access, not only for the warehouse, but also for the MCUA. We're proposing parking stalls on the northern and southern sides of the building, a total of 280 parking stalls, 9 feet in width by 18 feet in depth. Thirteen of those were --

(Audio interruption)

MR. OMAN: Thirteen of those parking stalls were ADA compliant. Along the western and eastern sides of the building, we are proposing our loading docks, and we received approval for 112 docks along with 150 trailer storage spaces, which were directly across the drive aisle from each of those loading dock locations.

We had an underground detention basin that was installed at the southeast corner, which handled all the stormwater management necessary for the property, installed LED lightings throughout the entire development, and also completed the landscaping. If you've been out to the site, they have completed the landscaping, including our street trees along the frontage of Edgeboro Road and shrubs that kind of give a nice separation between the roadway and our development.

I will now move forward with A-3, and I just want to kind of -- we've gone through the review letters, and I want to make sure that I'm also hitting some of the testimony that was recommended.

THE CHAIRMAN: Yes, I was just going to

ask you that.

MR. OMAN: So I apologize if I missed anything in that letter, but I tried to include everything in my outline. So I wanted to kind of explain some of FedEx's operations of what they're anticipating at this particular location.

So FedEx is going to be a 24/7 operation. They're anticipating three shifts. Times for those shifts have not been determined. What we typically see is somewhere, you know, 7 in the morning until 3 in the afternoon, 3 to 11, and then 11 to 7, and then repeat. They're anticipating approximately 200, 210 employees that are going to be hired, and basically, FedEx will be their employee. They'll be working inside the warehouse, itself. On top of that, they're anticipating about an additional 150 independent contractors that will be accessing the site, as well. Now, the independent contractors are actually the men and women who drive the trucks, the vans, who actually deliver the products to your house. So if you order something from Amazon and you have somebody drop it off, that's actually an independent contractor, not an employee of FedEx. So all in all, we're anticipating about 350, 360 people who will be here spread across the three shifts. That's total amount of employees.

The way FedEx looks at their parking is they always plan for the worst case, and now is the worst case, right now. Between Thanksgiving and New Years is their peak season. That's when they need the most amount of employees, deliveries, et cetera. So they're parking, and what we're proposing on this site is to maximize and meet that peak demand. So, you know, in other areas where you have a mall, shopping mall, sometimes you don't always design for that holiday shopping. They take that into account, and that's what they max. So for the most part, most of the year, a lot of the parking stalls, a majority of the parking stalls in the rear will not be utilized because it's just not going to be needed.

They do not have outdoor storage. Everything is maintained inside the building. They do not have outside storage of any kind of materials, product, et cetera. Empty trailers rarely exist on the site. When they do, it's probably not more than a day because it is immediately moved over a dock, filled, and on its way, so there is no anticipation of there being many

empty trailers located on site.

And then finally -- I'll touch on this a little built later -- FedEx's standards is to have a security fence that surrounds basically all their truck and loading and storage spaces on site. Typically what they request is an 8-foot-high chain link fence with a foot above of barbed wire for security purposes. It's one of their main priorities is concern of the security, not only for people from the outside, but people on the inside. They want to make sure the product -- if we order something, we want to make sure it gets to us and there's no security issues. So that is something that they typically have nationwide and many locations in New Jersey.

So what I'm going to do now is I'm going to start just kind of comparing some of the changes that we made on lot 3411 from the previous approval and what was constructed for this particular application. As Mr. Hehl had indicated, the building square footage has not changed at all. The location is staying the same.

The access points. We have two access points that were previously approved and constructed. They are remaining the same. The only change in the access at the southwest corner is that was a full-movement driveway. That is being converted to a one-way-out driveway now for security reasons.

What I'd like to do that I think would help the board, if I can zoom in and I'll work around the building and explain some of the changes.

So starting on the west -- the left-hand side of the property facing Edgeboro Road, the western side, we have eliminated a couple of the dock spaces in terms of the need for a compactor. We have a generator and some transformers. We're proposing a total of 44 spaces now on the western side, a total of 85 trailer storage spaces facing and adjacent to Edgeboro Road.

The compactor again located at the southwest corner. They generally have this as a private hauler. They determine the frequency of how often it needs to be emptied. All their recycling is done inside. They have balers inside that takes care of the plastics and their cardboard. They actually maintain all that. The bales are stored inside until a truck comes and which they load the trailer, and then that, the recycling, is brought off site. This is done by a private hauler for the

compactor as need be. They have no other dumpsters located on site. This is the only location of their trash pickup.

Now, in reviewing the CME letter and looking over the redevelopment ordinance, there's a requirement that dumpsters and the trash areas not be visible from the roadway or from an adjacent property, and which I completely agree with, you know, how many times you go past a site and you see a dumpster just kind of -- if they are fenced in, the doors are open or the dumpster is just kind of, you know, in a parking stall. We have a little bit different situation here, and I think in my opinion, the combination of all these features help provide that what I would consider a necessary buffer and not be an issue and comply with the ordinance. The first part is that we are probably approximately 180 feet away from the roadway with the location of the compactor. The elevation of this area of the loading dock is anywhere from 4 to 6 feet down in elevation compared to Edgeboro Road. We have our street trees and our double row of shrubs along the property line. But more importantly, the compactor, itself, has no access from the outside. It's strictly inside. It's self-contained. If you've ever driven past a warehouse and you see one, you may actually think it's part of the building. It kind of blends in. It either looks like part of the building or it looks like a trailer. It doesn't have trash outside. So it's a clean look, and it kind of blends right in. So in my opinion, I think we meet the intent of the ordinance because we don't have a dumpster. We don't have something that could have -- be left open where there's garbage around. This is kind of handled all internally.

As I had mentioned, we're also proposing a generator, emergency generator, centrally located along the western facade. The generator is certainly going to have to meet all local and state noise requirements. I know there typically exempt from when they're running, but when there is maintenance, usually they run once a week or so to make sure it's all oiled. That must meet the noise standards at the property lines during the day and night. Certainly, the FedEx will be working with the construction official to make sure that is in compliance.

THE CHAIRMAN: Greg, if I might just for one second.

MR. OMAN: Certainly.

THE CHAIRMAN: Staff, are we okay with the compactor and its present setup and the proposed setup and it's not going to be screened or --

MS. APTE: Mr. Chairman, this is Nika Apte. Based on the testimony just provided and looking at where the compactor is going to be located away around 180 feet from the public right-of-way, I believe the applicant is providing or at least trying to meet the intent --

THE CHAIRMAN: Meet the intent of the --

MS. APTE: -- of the redevelopment plans, so that's my recommendation.

THE CHAIRMAN: Okay. Thank you.

MR. OMAN: Thank you.

THE CHAIRMAN: Go ahead, Greg.

MR. OMAN: Thank you. Moving on now to the south side of the building, we have eliminated all the car parking, which was previously constructed, approved and constructed on the southern side. We are striping 38 stalls along the southerly property line for tractor storage locations. We have also eliminated some of the lighting within this area, which I'll get to in a few minutes, and we're also proposing an additional 48 dolly parking spaces down at the southeast corner.

On the eastern side of the property, we're maintaining the loading docks that were previously constructed. We are proposing 69 trailer storage spaces within this location. No other changes are occurring on the eastern side.

The northern side of the building has the largest change on all four. Where we previously had car parking on the northern side, that has completely been eliminated, and we are now adding an additional 26 loading spaces on the northern side. So this grade is going to be dropped 4 feet down to provide the necessary truck -- number of truck bays that FedEx requires. These truck bays are a smaller size. They're utilizing smaller deliveries, smaller vehicles. Directly across that we have 12 additional spaces for trailers. Where they're typically 55 to 60 feet in length, we're proposing these to be 28 feet in length. So in order for these trucks to maneuver in this area, we're utilizing smaller bays, smaller parking spaces. The redevelopment ordinance requires a 15-foot-by-60-foot truck dock space. The previous approval we received a waiver for a 13-foot-by-60-foot dock space. Thirteen feet is

industry standard for warehouse. These northern bays, these 26 spaces, are 13 feet wide by 55 feet in depth, so they're 5 feet shorter than what was previously granted, but again, we're utilizing smaller trucks. The trailers are roughly half the size, you know, of an oversized tractor trailer, so there's no issue with trailers sticking out into the parking lots, et cetera. We feel confident that this is something that the board could grant an approval on.

THE CHAIRMAN: Just, Larry, would that be a condition of the approval? Larry Sachs.

MR. SACHS: Yes, yes.

THE CHAIRMAN: Okay. Thank you.

MR. OMAN: So in total, we're proposing now a total of 135 loading spaces around all four sides of the building.

Moving on now to the northern portion of the site, these are the three lots that are owned by the MCUA that is going to be leased by FedEx. Starting at the northwest corner is where all the car parking which was previously on the northern and southern sides of the building is being relocated. We're proposing a total of 424 car spaces, 9 feet in width by 19 feet in depth, and 25-foot-wide drive aisles. We're required 231 parking stalls. Again, FedEx likes to plan for their peak season so we're proposing 424.

Nine of those parking spaces are ADA compliant. They're located at the southern end of that parking field directly across the main drive aisle from the office space. Two of those ADA spaces have electric charging stations along with an additional 17 parking stalls at the southeast corner for a total of 19 electric vehicle charging stations are being proposed.

We do have a single crosswalk that occurs from the handicapped, which allows the employees to come and cross over into the building and there was a recommendation in the CME letter that we provide, you know, additional crossings, and we looked at this, and from a safety standpoint, I didn't want to have too many crossings. I'd like the truck drivers when they enter to know where they anticipate people to be crossing, but I also agree with CME that we probably should at least add one more crossing, so my suggestion was that we would shift this crosswalk to the east and line it up with the bottom of this sidewalk and then possibly add a second one. So right in this area generally, we

would have two crosswalks where these people could funnel down through. Again, we're not going to have 400 some people coming all at one time that are going to be utilizing this, but I think at least two crosswalks makes sense for this particular use to access the building.

There was also some concern about the distance from some of these parking stalls to the main building, and when we looked at this, the furthest parking stall away is approximately 800 feet, and I've had this before in other applications where we have similar tenants that like to have this kind of split parking away from the facility, and an average person walks anywhere from 3 to 4 miles an hour, so for that distance, we're looking at anywhere from 2 to 3 minutes from the farthest parking stall. Me, myself, I could use the exercise. My Fitbit would love to have all those extra steps. I don't envision a lot of people parking way back here unless it's really being used during the peak seasons, but in my opinion, that is not a long distance or time to get to the building.

THE CHAIRMAN: Greg, I was going to jump in and say that would take me about an hour and a half. I'd have to show up for the earlier shift to go into the -- but anyway, we can move on.

MR. OMAN: Thank you. On the eastern half of this parcel that we're proposing here, we have a second access point in that's going to have gates to allow trucks in and out. We're proposing 76 van parking spaces 12 feet in width by 40 feet in depth and an additional 143 full-sized tractor trailer storage spaces. Again, those are full-size that match the sizes of previously approved. This allows nice easy circulation in and out and a secure gate location for them, which I'll get to right now actually.

Let me just switch to the next -- we did not mark this next plan as an exhibit because this was submitted. This is one of the submitted documents. It was entitled security fence exhibit.

MR. SACHS: All right, so, Greg, just reference this -- just give us a reference for it. That's fine.

MR. OMAN: Sure. It's entitled Security Fence Exhibit by my office. It's dated November 24, 2020.

MR. SACHS: Okay.

MR. OMAN: This plan basically just shows in red the location of the proposed fence that

we're proposing, 8 feet height chain link within the foot above for barbed wire. Looking at this exhibit, this is certainly a huge advantage of having a remote hearing because I hope that all the board members can easily see the red in this compared to trying to see it across the room.

So starting at the northwest corner of the building, the fence will start there, head towards Edgeboro Road. There will be a gate there that allow access in and out. It will continue along the frontage of Edgeboro Road, come into the site again to a second gate for the exiting traffic, at the southwest corner, follow the southern curblin, then follow the eastern curblin again, kind of encompassing all of the paved and storage areas on site, until it hits at the northeast corner of the building, there is going to be an additional gate. This is going to be the main gate for access for the trucks. The trucks are going to come in off of Edgeboro along this northerly shared driveway and then access the site through this gate. The fence will then continue up towards Edgeboro Road and then eventually tie back into the building.

I'll go back to A-3, and I will talk about stormwater management. On the previous design, we utilized an underground detention basin. It's working. No reason to change it. So what we're going to do to handle the additional impervious area in which we're proposing here is to construct another underground detention basin located on the southern end of where we're proposing all these parking stalls. It will be located underground. Within the rest of the impervious area, we're going to utilize a standard collection -- stormwater collection system comprised of inlets and underground piping that will convey any rainfall to the basin. Prior to that water getting into the basin, the water will pass through manufactured treatment devices, which will provide the 80 percent TSS or total suspended solid removal rate to provide the necessary water quality to meet the township, county, and state requirements. The underground detention basin has been designed accordingly to reduce the rate of runoff from it to not overburden the existing drainage line that runs throughout the property. We tie our underground detention basin into that, and that system is actually the same system that our underground detention basin currently ties in, just further downstream. So this stormwater collection line collects all of the water

from the surrounding areas down and conveys this all the way down to the water body entitled South River.

We're proposing no other utilities for this application other than a recommendation made by the township engineer to provide an additional hydrant within the parking area, which we will certainly comply with. So we're going to have to run a water line tap-off to provide water to that hydrant. Other than that, the only other utilities are probably going to be electric for the gates and for the light poles that are being proposed out to the north.

For lighting, we're proposing LED fixtures. We're matching the fixtures that were previously approved and constructed on lot 3411. We have had to make a couple of changes, and I'm going to start with lot 3411 and explain the changes. We previously got an approval from this board for a waiver for allowing building light fixtures where they're not permitted per code, and the justification and reasoning was, from the face of the building to the back of the trailer storage spaces is 190 feet, and with our site lighting along Edgeboro Road facing towards the building, without the building fixtures, we could not meet the .5 foot-candle minimum necessary to meet the ordinance and provide safe light levels for pedestrian and vehicular circulation. So we obtained a waiver from this board for the lights to be mounted on the building on the western side and on the eastern side. We didn't have building lights on the northern or southern side because at that time, we had car parking and islands that we were able to use a standard type light fixture within those islands. Well, now we've gotten rid of those parking areas so now we're kind of -- it's not as big of a throw, but we still have that situation where we have a great distance, and in order to meet that .5 foot-candles, we need to provide six building mounted fixtures on the southern side and four on the northern side. So again, we're looking for the waiver for building lights for an additional 10 fixtures.

THE CHAIRMAN: Let me just ask for one second, Greg.

MR. OMAN: Sure.

THE CHAIRMAN: The comments that were made on drainage, there are 22 recommendations or comments made by CME in the report.

MR. OMAN: Yup.

THE CHAIRMAN: I would just ask staff,

are those -- have those all been addressed by Greg's testimony, or do we need to go through them individually?

MR. OMAN: I was at the end going to just address the letter.

MR. SACHS: We can do that, Shawn.

MR. OMAN: We're going to comply with just about everything unless there was testimony that I missed.

THE CHAIRMAN: Okay.

MR. SACHS: I'm sure the stormwater you're going to comply with everything --

MR. OMAN: Correct.

MR. SACHS: -- or mostly everything. That's fine.

MR. OMAN: Okay. Moving on to the north, again, same exact light fixtures that were previously approved and installed. We're utilizing 220-watt LED fixtures mounted 24 and a half feet high along the perimeter of the northern section, and then in the engineering where we have these longer runs, again, needing to get that .5 foot-candle minimum, we have fixtures again mounted 24 and a half feet high, but these fixtures vary in wattages from 280 to 315 watts to hit those light levels. All the fixtures on the property are downward oriented, zero up-light fixtures, no sky glow, compliant, very friendly for adjacent property owners. I know that is a big thing that a lot of people look at is whether there is any up-light and there are not on these fixtures.

In terms of landscaping, we're going to continue the same design across the frontage. We have no new access points out to Edgeboro Road to the north here. So we're going to have our street trees approximately 35 feet on center with our double row of hollies and shrubs along to kind of do a nice separation, and then internally is just a standard mix of trees and shrubs within the parking islands.

Overall for the entire project, we have 244 trees, 1,210 shrubs, and 947 ground cover -- cover, which comprise of day lilies and fountain grasses, which are found, you know, closer to the office space at the monument signs, et cetera, where we want to add a little pizzazz.

In terms of outside agency approvals, we will require Middlesex County Planning Board approval. We are disturbing over 5,000 square feet so we will require a Freehold Soil Conservation

District. Any other township office, including fire, police, will be necessary, and because we are filling these three small pockets of wetlands at the western end, we will require an NJDEP general permit, which has been filed with them.

I think I went through the waivers, but I just want to make sure I list them again so this way it's clear. We're asking for the reduced loading dock depth where 60 feet is required. For these 26 spaces, we are requesting 55 feet in length.

We are requesting the additional 10 light fixtures that are being mounted to the building, and then our light levels, we previously received a waiver that because we are exceeding the .1 foot-candle maximum at the property line and a .75 average within the development, we are requesting that waiver again for the northern parking area as we do have some areas -- and it occurred along the MCUA property on the previous application, and it's happening again on this application. It's mostly along the eastern property line because of proximity to the property line -- that we're exceeding that .1. We're closer to 2, 2 and a half in a couple of spots, and our average has increased over the .75. Again, when we have this remote parking, we like it a little bit brighter, a little bit more secure. When you have it closer to the building, you usually have the combination of those lights to help with that security. So we'd like it a little bit brighter within that particular area.

We are asking for one variance. It is for the fence, the security fencing. We are permitted a 4-foot-high fence. We're proposing an 8-foot-high plus the foot of barbed wire. So there is a variance that is being requested for that. As I had mentioned, that is a standard that FedEx desires at their facilities, not only in New Jersey, but across the country. They have several in Jersey that they have this and something that they would prefer to have from a security standpoint.

Now, moving on to the review letters, I've had the opportunity to review the December 11, 2020, CME review letter. We agree to all comments and recommendations that were made in that letter. I just want to explain to the board there are some comments in there regarding details like retaining wall. Because this was kind of an amended application, we left those original details that

were utilized for phase 1 I'll call it on there, so we can easily remove them to clarify and make it a little cleaner for the board engineer for review. We're not proposing any bumper blocks.

A perfect opportunity to talk about it with the snow we're having tonight was the -- was mention of how we're going to handle snow removal, and that's a great question when you have this much impervious area and not a lot of areas, islands to kind of stack it. So what we generally see on these type of facilities where you have a large impervious area is that the most remote parking areas are utilized for the snow storage, so we're looking at the northernmost end, north northeast end of where most of the storage is going to be had, being conscious that it's not going to be put in an area that's going to be in a low area of the grading where it's going to block an inlet. I've seen that, as well. We've gotten a phone call and you take a ride out there, and you say, well, you know, your maintenance guy put a big snow pile over the two inlets that drain the whole area; of course you got flooding. So FedEx is conscious that they're going to have their maintenance guys kind of direct them where the snow piling has to be done.

The last thing I have was reviewing the Environmental Commission review letter. I have had an opportunity to review that, and I'd like to just put on some brief testimony on how we're going to address that. If there are any specific questions regarding environmental, we do have an LSRP that is available to answer any questions. We did file, as I had mentioned, a DEP application, but the Environmental Commission is recommending that we also get a letter of interpretation, an LOI, which we will agree to do. The air quality is something that is being improved daily because the federal emission standards get more stringent. So there's nothing that specifically can get done site by site, but globally and across the country, it is being handled by the government, and we're seeing that. Truck emissions are getting better and better every day. We are willing to add some No Idling signs within the storage areas to help promote and stop any kind of truck idling that may occur.

There was a comment regarding wildlife in this particular area. In reviewing with the DEP mapping and our review of the property, it was an existing disturbed area. We have disturbance around our property daily with the MUA, and per the DEP

mapping, the bald eagle and osprey is located further north and further east down by the waterway where you would expect it, not within this area. We're probably going to see a bunch of seagulls maybe in this area, but other than that, I don't see anything else in terms of wildlife that's going to be on site.

FedEx at this point is not proposing anything regarding solar, but they have looked at it. It's definitely in their mind. The building is set up that it can handle it, so I'm not saying that's not something that's going to occur in the future, but right now, they're not proposing anything in terms of solar.

We are looking at some green infrastructure for the building -- for the parking area -- I apologize -- to the north. The DEP is probably going to ask us for some additional low-impact development, which would allow, you know, require us to maybe reduce a couple of the size of these stalls and still comply with the township ordinance to provide a little, you know, ditch here or there to provide a little bit more water quality, something that we'll certainly address if the DEP requires, but right now, the design meets the requirements of the town, county, and DEP.

Last two things. We're looking to increase the canopy size on some of the trees. We'll certainly do that to help from an environmental standpoint.

And to address the last comment regarding lighting, as I had mentioned, every fixture is downward oriented with zero up light. So that's something I believe that the Environmental Commission would be looking for.

THE CHAIRMAN: Thank you, Greg. Are there any (audio disruption) witness?

MR. SACHS: Shawn, before we go to board questions, I just want to make sure just so it's easier for me to do the resolution. I just want to just quickly go over the site plan -- I have some questions I have on site plan review recommendations, just a couple questions.

So, Mr. Oman, if you can turn to page 8 of the report. You have that?

MR. OMAN: I do.

MR. SACHS: Okay. All right. So you've covered most of what's in here. Maybe I didn't hear you, but as to paragraph 2, what's the reason -- is there any way of putting these ADA spaces any

closer?

MR. OMAN: There -- we can't -- based on having their operations on how they have the trucks come in and out of the site with the security fence, we just can't have the ADA parking stalls any closer to the office component than where we're showing it.

MR. SACHS: Okay.

MR. OMAN: Where we're showing it is actually no different than a standard retail. It's across the main drive aisle --

MR. SACHS: Right.

MR. OMAN: -- and then you're right there at the door, so they are really pretty close to the --

MR. SACHS: Okay. All right. I just wanted to get some testimony on that.

MR. OMAN: Sure.

MR. SACHS: All right, number 6. I think you addressed number 6. That's fine.

Number 9, are there any protective covenants or deed restrictions that are involved here?

MR. OMAN: There's none that I know of, but I'll turn to Steve and see if he has any.

MR. HEHL: No, other than the standard, and I think we include that in the package as far as some environmental, but I'll send those over to you, Larry.

MR. SACHS: Okay, that's fine. Okay. Thanks, Steve. All right. All right. Greg, going back to number 10, what type of materials are going to be recycled? I'm assuming it's cardboard --

MR. OMAN: Cardboard, plastics, yeah, and like I said, they're going to use a baler, and they'll take that out on trailer, themselves.

MR. SACHS: Okay. Number 13, detail for the proposed -- for the proposed generator. Can you just cover 13 in maybe a little bit more in depth.

MR. OMAN: Thirteen, yeah. As of right now, there's no anticipation of having to put a sound attenuation enclosure around the generator. They have not chosen whether it's going to be a natural gas or diesel generator at this time, so I can't answer about the fuel end, but as I testified, it's going to -- it has to meet the noise standard not only locally but from the state. If for some reason they can't have that, then they may have to look at some kind of special enclosure, but we've seen this before with generators closer to property line that they can generally get that to work.

MR. SACHS: Okay.

MR. OMAN: We have to work with the code official when they file for that permit anyway.

MR. SACHS: All right, fine. Number 16, bumper blocks.

MR. OMAN: We were not proposing. We're going to take them off the plan.

MR. SACHS: All right, so that's off the plan. Okay. Great. Let's see. Number 17.

MR. OMAN: That was for a wall that occurred that was already constructed, so we can remove that from the plan, as well.

MR. SACHS: All right, so remove from plan. All right. Let's see. Number 1 on the minor subdivision recommendations.

MR. OMAN: Yeah, right now there's no intend -- no plans on having the three lots consolidated. It is going to remain under MCUA's ownership, but as of right now, we're not proposing a consolidation of the three lots.

MR. SACHS: Okay. Got you. I'm assuming all the storm water comments which Mr. Taylor mentioned, 1 through 22 will be complied with?

MR. OMAN: Correct.

MR. SACHS: All right. Let's see. Utility I think you covered. Traffic, I know we're going to wait for your traffic engineer.

MR. OMAN: Yup.

MR. SACHS: Environmental, I know you said you have a witness who can address these. Is that -- Steve, are you going to -- are you going to put that witness on to address this?

MR. HEHL: I think Greg probably covered it, but, Greg, you want to touch on those, and then we'll see if we need further testimony.

MR. SACHS: I know you're going to be filling in the wetlands. What about the Phase 1? Let's just go through it real quickly. Number 1, obviously, you've testified as to the filling of the wetland. Number 2 is obviously acceptable I would assume.

MR. OMAN: Yeah, the report just needs to be signed and sealed.

MR. SACHS: It's going to be signed. Let's see. Why don't we just quickly address 3, 4, and 5 real quickly.

MR. OMAN: Okay. Three we're going to need to have our expert talk about. For 4, there's the any -- they'll talk about 4, as well. The

building where there is talk about possible intrusion of the vapor intrusion is actually occurring within the northern end of the property, not where the building is constructed, but again, we have somebody that can testify to that.

MR. SACHS: Okay.

MR. OMAN: And then the noise impact, except for the generator for number 5, as I indicated, it's going to have to meet the local and state standard.

MR. SACHS: Okay. Fine. All right, so you'll have your expert address 3 and 4. And then landscaping I think you've addressed, and lighting you've addressed. So I think that's it. So it's really just the traffic and those several environmental comments. Okay. Thank you.

THE CHAIRMAN: Thank you, Larry. I'm sorry. Go ahead.

MS. APTE: Sorry, Chairman Taylor. Because Mr. Sachs was talking about it, I just want to clarify two other things.

Mr. Oman, is there any change in signage? I believe it's not, but we just need that confirmation.

MR. OMAN: We are not proposing any changes. I'm sure FedEx is going to want a building sign, but it will be in compliance with what the ordinance allows.

MS. APTE: Thank you. And the last comment, you would be complying with any of the township's affordable housing ordinance, I guess the mandatory development fees?

MR. OMAN: Yes, we would.

MS. APTE: Thank you. Thank you, Mr. Sachs. Thank you, Chairman.

MR. SACHS: Thank you.

THE CHAIRMAN: You're welcome. The contribution I know is going to be handed over willingly and eagerly.

Any board questions, though, for this witness. Mr. Bravman, looked like you had a question.

MR. BRAVMAN: Thank you, Mr. Chairman. Mr. Oman, could you -- I guess A-3 is still on the shared screen?

MR. OMAN: Right.

MR. BRAVMAN: Can you enlarge the area, the traffic, the walkway between the park -- yup, that area in there.

MR. OMAN: Yup.

MR. BRAVMAN: Okay. I know you mentioned you're also working with staff to relocate I guess the walkway proposed possibly into two. Can you provide some testimony as to the lighting that is around this area as well as any traffic control devices that it's going to regulate the traffic. I know you said that there aren't going to be the 400 people crossing all at one time, but I guess during the evening hours, the shifts that we talked about, 3 to 11, 11 to 7, when it's dark and you have the trucks coming in, this is the only I guess the ingress and the egress --

MR. OMAN: Correct.

MR. BRAVMAN: -- and we're going to have people who are handicapped coming across. Can you just provide, unless it's going to be one of the other witnesses, lighting, whether we need any control devices, both for traffic or perhaps like, you know, I've seen them where you hit a button and it actually flashing lights in the walkway, you know, something to show the walkway or lighting up the area, please.

MR. OMAN: Certainly. So we are not proposing anything in terms of traffic control within this area. The light levels in this general vicinity are rather bright. Because of that reason -- and you bring up a great point -- we will have our typical signage that we have as you're approaching that, you know, crosswalk, Yield to Pedestrians Within the Crosswalk. It's something that we could look at to see if there's something that maybe that the pedestrians can hit a button that can flash the light. Certainly, if we're going to be doing the electrical work, that wouldn't be something very difficult to install, and it would be --

MR. CRISCUOLO: Mr. Chairman, I'd like to see that. I mean, when I was the BA in Piscataway, we put them all along Hoes Lane West where the students and the medical staff are crossing Hoes Lane West. I think it's a wise decision, and I applaud Mr. Bravman's comments to do that, that hit a button. It could be as simple as flashing lights. I know Dupont over on -- in Sayreville --

THE CHAIRMAN: Sayreville.

MR. CRISCUOLO: -- actually has a traffic light there that people can hit and so on. So I think it's fair to do the flashing lights, and I agree the button, especially on a, you know,

three-shift operation. Also, I'd like to see the walkway striped with the highly reflective thermal crosswalk and signage on all directions, you know, yielding to pedestrians in the crosswalk, and even further up, you know, a sign with the crosswalk ahead, and then encourage your employees to push those buttons in order to cross from the parking facility to the building. So I agree a hundred percent, and I've used those in the past, and I find them necessary in this type of environment.

THE CHAIRMAN: I assume that's acceptable to the applicant?

MR. OMAN: Yes.

THE CHAIRMAN: Great.

MR. OMAN: The only --

THE CHAIRMAN: I'm sorry, Joe. Go ahead.

MR. CRISCUOLO: It's still on Larry's dime so I'll wait my turn.

MR. BRAVMAN: No, no, go ahead, Mr. Criscuolo.

MR. CRISCUOLO: Vehicle charging stations?

MR. OMAN: Yes.

MR. CRISCUOLO: Where are they located at?

MR. OMAN: So there are two located within the ADA parking stalls and then the other 17 at the southeast corner of where we're proposing the car park.

MR. CRISCUOLO: And I'm sorry, I meant to say for any other tractor trailers that eventually -- and usually this is Mr. Bravman's specialty area, so, Larry, certainly, use some of your assistance on this one.

MR. BRAVMAN: I believe we talked about this -- maybe it wasn't this application, but I thought we did that a lot of the --

MR. SACHS: Tices Lane.

MR. CRISCUOLO: Tices Lane we did.

MR. BRAVMAN: Okay, yeah, a lot of the tractor trailers now are also becoming electric, and therefore, there should be tractor trailer bays that have the charging stations for them, as well. I do not believe there are any shown on your plan.

MR. OMAN: We are not proposing any, that's correct.

MR. BRAVMAN: But I have to believe that especially FedEx as the operator is going to, if they don't already, have the electric battery

operated trucks.

MR. OMAN: Steve, that would be a question for FedEx.

MR. CRISCUOLO: Well, I'd like to see a minimum amount put on the site because you are going to have a lot of truck traffic, and it's always easier to install them when you're building the site rather than come in later on and trying to put them in, so I don't think, you know, it's a heavy lift to do that, and it is much cleaner energy and so on, so we're hoping that, you know, you would work with our professionals to come up with a number that makes sense.

MR. HEHL: Yeah, we can certainly when we proceed do that with our team.

MR. SACHS: You know what, I'll leave -- what I'll do is we can leave that to the discretion of our professional staff working with the applicant to determine where they might be and the number that are necessary.

MR. CRISCUOLO: Excellent.

THE CHAIRMAN: Thank you, Steve.

MR. BRAVMAN: The other -- I have one other question.

THE CHAIRMAN: Sure. Take your time.

MR. BRAVMAN: If we can go back to the generator area and if you can enlarge that, please.

MR. OMAN: Sure.

MR. BRAVMAN: Now, I know it was talked about on your initial testimony, and then Mr. Sachs asked some additional questions. I guess normally, I've seen it where the applicant has come in with the generator, with the specs. They know what they're going to do. They know the size. They know the output, and specifically obviously they then know the noise with the dBA's and the decibels at the property limits, and I understand you're saying we're going to meet all sound, but without that type of background, I'm sort of trying to wrestle with -- saying you're going to do it's one thing, but I guess you're going to quite possibly, depending on the size of the generator -- and I'm going to guess it's going to be a relatively large one -- you're going to need sound attenuation that if the generator is going -- which basically has three sides of walls around it -- is going to be extensive reverberation depending on that size of that generator, and it's going to actually throw much more sound in both outward, which I guess is east, because that's where your opening is, as well as

upwards. I've seen sites where they actually had to have sound attenuation over the generator because the sound was literally reverberating up into the air. So I'm bringing these more out because I know you said you'll work with staff and the professional staff to make sure it's all in compliance, but these are areas you might want to be aware of --

MR. OMAN: Understood. I appreciate that.

MR. BRAVMAN: -- and be sure to work with them --

MR. OMAN: Thank you.

MR. BRAVMAN: -- because that generator is going to throw a lot of sound out.

MR. OMAN: Understood.

MR. CRISCUOLO: I've seen it where there's issues, too. You talked about using the possibility of a diesel generator. When you have truck bays like that and openings, the amount that -- the smell that begins, especially if that generator has to run for any period of time, you know, you could basically bet that you're not going to open those first 10 or 12 bays because the smell from the diesel and, you know -- I'll defer to, you know, CME for comments on that, and I've seen that in other locations where I'd heavily suggest either figuring out a better way or a better location if you're going to use diesel where if it's natural gas, it's not as much, and remember they have to run every week for a certain amount of time. They're going to have to kick on. Depending upon the atmosphere -- and I'm sure you're going to have the computer system that will check the weather service to see if they're allowed to go on for their half hour run, and sometimes if you have a truck in that bay and you have employees working and that automatically kicks on for its, you know, 30-minute cycle, I would be concerned about fumes and so on for those employees.

MR. OMAN: Understood.

THE CHAIRMAN: Mr. Bravman, is there anything else?

MR. BRAVMAN: And then just finally, Mr. Oman, I know you indicated there is going to be an LSRP. I wanted to thank you for taking the time to go over the Environmental Commission's report. They actually did an extensive review of this application. There was a lot of discussion by the commission members, and I wanted to thank you on that, but I would like the LSRP to address the first

bullet on the memo, which I believe you did not address --

MR. OMAN: Correct.

MR. BRAVMAN: -- so I wanted to bring that up now, and when you have the -- when Mr. -- I'm sorry, is it Hehl?

MR. OMAN: Hehl.

MR. BRAVMAN: Mr. Hehl, when he presents the testimony of the LSRP, I would like him to touch upon that.

MR. OMAN: Okay.

MR. BRAVMAN: Thank you.

THE CHAIRMAN: Any further board questions for this witness?

MR. PHILIPS: I have one, Shawn.

THE CHAIRMAN: Sure, Steve.

MR. PHILIPS: The FedExes normally got a large fleet that do the local deliveries, and I notice you've got 75 van spots. Are those van spots going to be utilized by local delivery trucks?

MR. OMAN: Steve, do you know the -- that I'm not sure of.

MR. PHILIPS: The reason I ask is because I think I read somewhere that FedEx is planning on making a lot more of them electric.

MR. OMAN: Makes sense.

MR. PHILIPS: So without any charging stations there, that's not going to be a good business plan for them.

MR. OMAN: Understood.

MR. CRISCUOLO: Yeah, I heard the same thing, Steve, especially on the local delivery trucks just as much as Amazon is doing the same thing.

MR. PHILIPS: Right, because if they're not going 200 miles a day, Joe, those are perfect for electric.

MR. CRISCUOLO: Absolutely.

MR. OMAN: Understood. Makes sense.

MR. PHILIPS: And all I'm saying is you're going to put something in, and not having any electric to charge them up out there doesn't make a lot of sense.

MR. HEHL: We'll coordinate with FedEx and talk about their operations and how they're going to address that.

MR. PHILIPS: Okay. Thank you.

THE CHAIRMAN: Anything else, Steve?

MR. PHILIPS: No. I mean, they went over the generator. I have a little experience

there. But as long as (audio disruption) sound attenuated one made by one of the one or two good manufacturers, I would be very comfortable with the sound at the -- at the property line.

THE CHAIRMAN: Any other board members, and remember I can't see. I'm looking at the exhibits. So just jump right in. Any other board members have questions for this witness?

Hearing none, Greg, thank you very much. Do we have another witness?

MR. OMAN: Yes.

MR. LAMBERT: Jim Lambert speaking, if you can see me on the screen. I just have one or two questions for Mr. Oman.

THE CHAIRMAN: Sure. Absolutely.

MR. LAMBERT: Mr. Oman, we heard you say that the compactor would match the building, would blend in, if you will.

MR. OMAN: Yes.

MR. LAMBERT: Can you say the same for the generator.

MR. OMAN: I'm not sure whether generators in colors and that sort of thing, but again, I would expect it to kind of, you know, look like a piece of machinery that's part of the building, yes.

MR. PHILIPS: They'll paint it any color you want.

MR. OMAN: There you go. Perfect.

MR. LAMBERT: I have another question regarding the landscaping in the CME letter, page 14. There was some concern for the landscaping along the southern property line. The recommendation was for some low shrubbery to be added. Is that something that can be done?

MR. OMAN: Did I come through?

THE CHAIRMAN: Do we have an answer on that.

MR. OMAN: I'm sorry. I thought I -- yeah, certainly, we would do --

THE CHAIRMAN: Okay. You didn't come through, Greg. That's okay.

MR. LAMBERT: And the only other comment I have is with respect to the site lighting. On page 15, number 3, this site previously approved a waiver for 1.8 foot-candle average, and now it's up around 3.4 foot-candles.

MR. OMAN: Correct.

MR. LAMBERT: Do you think you need all that? Is there a reason why you think your client

needs all that?

MR. OMAN: Yeah, the reasoning is because we now have the remote parking further away. It's not, you know, directly across the drive aisle to get to the building, so the light levels from a FedEx standpoint for security purposes, they would prefer the interior light levels of the parking areas to be higher. That's why.

MR. LAMBERT: Okay. Well, around the perimeter is also some spill that exceeds the .1. I just -- I was looking for a way to get that down if it's possible.

MR. OMAN: The areas as I testified to are very similar to the original application. The majority of that where exceeded and it's the highest is on the eastern end of the property, the rear of the site facing the landfill. So from a disturbance standpoint, it's not impacting anybody. As a matter of fact, the MCUA probably prefers light levels to help on their property, but that's where we have the highest levels just because of the proximity to that property line. We can certainly work with your office to try to see whatever we can do to possibly lower those light levels along that property line.

MR. LAMBERT: Great. Thank you. That's all, Mr. Chairman.

THE CHAIRMAN: Okay, Jim. Any other board members have a questions for this witness? Staff members? Thank you, Greg.

MR. OMAN: Thank you.

THE CHAIRMAN: Steve, do you have another witness to call?

MR. HEHL: Yes, and what I'd like to do is briefly -- I was going to have our architect go next, but I'd like to now call upon Victoria Reed, our environmental consultant. There you are, Vicky. And by the way, she's not an LSRP, but she has extensive environmental experience, so we'll qualify her.

So, Vicky, after you're sworn, go through your credentials.

THE CHAIRMAN: Miss Reed, you want to raise your right hand and be sworn. Do you swear to tell the truth, the whole, truth, so help you God?

MS. REED: Yes.

THE CHAIRMAN: State your name, spell your last name, and give us a bit of your CV, please.

MS. REED: Sure. My name is Victoria Reed, R-e-e-d. I'm the director of real estate

services at EWMA. I hold a Bachelor of Science in environmental science from William Paterson University. I've been with EWMA for 16 years, and in that time, I have performed environmental consulting related to due diligence activities, site investigation, and site remediation. I hold several certifications and licenses, but most relevant would be New Jersey Department of Environmental Subsurface Evaluator, as well as I meet the definition of an environmental professional under the ASTM standard, which is required to perform a Phase 1, and in this --

THE CHAIRMAN: And have you testified at planning and zoning board hearings in the past?

MS. REED: I have not. This is my first time.

MR. SACHS: So now you'll be qualified.

THE CHAIRMAN: That's it.

MS. REED: Thank you.

THE CHAIRMAN: Well, welcome.

MS. REED: Thank you.

THE CHAIRMAN: We're happy to accept you as an expert in the field.

MR. HEHL: Great. Thank you very much. Miss Reed, you've obviously observed the proceedings, and you've had an opportunity to review the CME report, and particularly focusing on page 14, section G, in the environmental review recommendations, and there were -- I think Greg touched on some of them, but if you could highlight the ones within your area of expertise.

MS. REED: Certainly. I would like to revisit number 2 if that's possible. We had issued our report in draft, and the request is being made for it to be signed and sealed by a PE. For the ASTM standard, a professional engineer is not required to sign off on such. It's an environmental professional, and as stated, I do meet the definition under the ASTM standard, so the report would end up being signed by myself certifying that report.

Moving on to number 3, it's requested some background about the historic fill on site, vapor intrusion, and potential groundwater contamination resulting from the adjacent landfill, and I know it was previously touched upon. This is relevant to the northern half of the property. There is not a concern at this time for vapor intrusion on these parcels as well as groundwater impacts. Vapor intrusion is relevant when you have

occupied structures on a property, and at this point, groundwater contamination is not known to exist on this parcel. The landfill has a containment wall that is installed around its perimeter that controls leachate coming off of that onto adjacent parcels, and they also have a methane collection system in place which captures any methane that is emanating from the solid waste, and it's important to note that there is no solid waste present on these three parcels. So it's brought up under ASTM standard due to the potential; however, in practicality, there's not a requirement to perform a vapor intrusion investigation, nor a groundwater investigation, because of the engineering controls in place on the landfill.

The historic fill that is in place on this particular parcel is related to remediation efforts that were performed by the operators, Edgeboro Disposal, because formerly solid waste was present on the property but was removed and then replaced -- the excavations with brought back to grade with soil that was -- did not meet the most stringent NJDEP standards. So there is a deed restriction on site related to the soil, and it is noted as fill material because of that, because it was brought -- excavations were brought to grade.

Moving to number 4 --

THE CHAIRMAN: You want to talk about the noise impacts?

MS. REED: The noise impacts are -- I think were touched upon by Mr. Oman. That's -- that falls outside actual Phase 1 preparation and outside of really the due diligence with the environmental impacts that relate to the vapor or groundwater, so I'm not sure if I can add to that particular comment, number 4.

MR. HEHL: I think number 5 Mr. Oman touched on. Is that acceptable?

MR. SACHS: He touched on the generator. Mr. Chairman, just as to any other potential noise impacts, I mean, certainly, there are state statutes that deal with the generation of -- or noise levels at the property line, daytime and nighttime, and certainly, they would be required to comply with that.

THE CHAIRMAN: Does staff have any questions of Miss Reed? Not hearing anything. Does the board have any questions for this witness? And Miss Reed, had you concluded your testimony?

MR. OMAN: I believe --

THE CHAIRMAN: I didn't mean to cut you off.

MS. REED: That's okay. I believe that someone had requested that the first bullet (audio disruption) addressed.

MR. SACHS: The Environmental Commission report, yes.

MS. REED: Correct.

MR. SACHS: Okay.

MS. REED: If you'd like, I can move to that one.

MR. SACHS: Sure.

THE CHAIRMAN: Certainly.

MS. REED: So again, it's noted that there is a property identification number for this parcel as it relates to the adjacent landfill and its involvement and association with that landfill. There is a -- as mentioned, there is a deed notice on this property because of impacted soil that was put in place after solid waste was removed from the property. This was filed with the county by the MUA in October of last year. Following that -- and that document was required by New Jersey Solid Waste Division. That was then submitted to New Jersey Department of Environmental Protection site remediation program with an application for a soil remedial action permit. This deed notice and the permit cover not only our three lots but several other lots to the north and the west, again, all related to the original removal of solid waste and then regrading with impacted soil, and that is why these parcels have that identification number, because of its overall involvement in those remediation activities.

The three parcels in question have PCB's as noted in the comments above current NJDEP residential and/or nonresidential standards, and to clarify, there's actually only one -- of eight samples collected, only one were above the nonresidential standards; however, NJDEP was satisfied with the work done and therefore allowed these impacts to remain in place on site with just the institutional control and then the remedial action permit, which governs what the MUA will be required for long-term monitoring and reporting.

With regards to the concentration and locations because the note is about how this potentially could affect during construction, it's important to note that the concentrations are fairly typical for historic fill material in New Jersey and

were found at depth. These were found between 8 to I believe 18 feet. But due to the prevalence of historic fill in New Jersey, regrettably, construction activities typically are not prohibited on these sites, and generally, these contractors have standard operating procedures in place that protect their employees and their subcontractors during construction. Typical methods are dust suppression, and also, you know, they will be implementing a health and safety plan that lays out, you know, reducing risk for endermal, you know, ingestion endermal and inhalation exposures. So the construction activities are not limited and will be following typical operating procedures.

An LSRP is not required to oversee these development activities. There is no cap on this property which would require any reporting to the state, and the MUA's LSRP will ultimately be taking what has been done on the site and just rolling it into their next submission that's due to the state under a normal permitting reporting schedule.

MR. HEHL: Thank you.

THE CHAIRMAN: Any staff questions once again for Miss Reed? Board questions? Hearing none, thank you, Miss Reed.

MR. HEHL: Again, thank you. Thanks, Vicky.

THE CHAIRMAN: Very good job for the first time. Sounds like you've been doing it for years.

MS. REED: Thank you.

MR. HEHL: All right. Would you like us to move on to our next witness?

MR. SACHS: Yes.

THE CHAIRMAN: We would.

MR. HEHL: Great, thank you very much. I'd now like to call upon our architect, Mr. David Stappenbeck.

MR. VON STAPPENBECK: Good evening, everybody.

MR. HEHL: Where are you?

MR. SACHS: Good evening.

THE CHAIRMAN: Good evening.

MR. VON STAPPENBECK: Find you on my screen here.

THE CHAIRMAN: You're just -- okay. So can you raise your right hand and be sworn, please. Do you swear to tell the truth, the whole truth, so help you God?

MR. VON STAPPENBECK: I do.

THE CHAIRMAN: Give us a little bit of -- I'm sorry. State your name, spell your last name, and give us a bit of your CV, please.

MR. VON STAPPENBECK: Sure. David von Stappenbeck, v-o-n S-t-a-p-p-e-n-b-e-c-k, 8 Honey Brook Drive in Princeton, New Jersey, 08540. I'm a principal with KSS Architects. We have offices in Princeton, Philadelphia, and New York. I've been with KSS since 2013. I have a Bachelor of Architecture from the New Jersey Institute of Technology. I've been practicing architecture since 1993, licensed since 1999, licensed in New Jersey since 2009. I'm certified with the National Council of Architecture Registration Boards, and I've appeared before the Woodbridge Planning Board as well as the New Jersey Sports & Exposition Authority.

THE CHAIRMAN: Well, Sports & Exposition Authority is okay. We don't recognize Woodbridge.

MR. VON STAPPENBECK: They don't count.

THE CHAIRMAN: I'm only -- I'm only kidding. I have Marta Lefsky down my back, and Marta is a good friend. Anyway, we're happy to accept you as an expert this evening.

MR. HEHL: Great. Thank you very much.

Mr. von Stappenbeck, if you can now take us through the architectural changes that are being proposed as part of this application. I know they're minimal, but if you can take the board through them.

MR. VON STAPPENBECK: Sure. I'll try to do that as succinctly as I can, Steve. I'm just going to share a screen. Please let me know when you can see it.

THE CHAIRMAN: You're good.

MR. VON STAPPENBECK: Great. So much of what I'm going to touch on was covered by Greg previously, and thanks, Greg, for that excellent detail.

THE CHAIRMAN: Larry, do we have to mark this?

MR. SACHS: Is this A-4?

MR. VON STAPPENBECK: This is the submitted drawings.

MR. SACHS: Okay, that's fine. Just reference it then.

MR. VON STAPPENBECK: This is the architectural floor plan PB1, P as in Paul, B as in Bob, 1. Excuse me.

MR. SACHS: Okay. Thank you.

MR. VON STAPPENBECK: Sure. So as Greg touched on, we have -- pardon me. Let me get my notes in position here. We have a roughly 513,000-square-foot building with about 26,000 square feet of offices at the northwest and southwest corners. The tenant will keep their operational offices in these locations. No dramatic change is proposed there. Also, as Greg mentioned, the shell changes are really focused on the north facade of the building where we are proposing to introduce 26 new dock positions along that north facade to help with operations as well as two new drive-in doors and a ramp to service those doors.

I'll just jump ahead here. As far as building facades -- I'll try to zoom in a little bit for everyone -- this is the revised design of that north facade showing the additional dock positions, the two new drive-ins as we discussed, and the drive-in ramp. Really, with the exception of these additional dock positions, ramps, and doors, no change to the facade scheme, materials, or colors is proposed from the previously approved application.

Before I move on from the general arrangement, does anybody have any questions there? Great. Just --

THE CHAIRMAN: No board or staff questions? Thank you. Continue, David.

MR. VON STAPPENBECK: Just to touch on one or two other minor items, and just for everyone's information in case you're not already aware or don't remember previous discussions of this previous application, the building facade materials are primarily precast concrete that is painted and aluminum and glass, fairly straightforward.

There was a question in the commentary regarding signage. We have not yet gotten to detail design with FedEx regarding building signage, but as you can see in the elevations here, we have proposed positions on the maximum areas that were in the previously approved application. Any new signage that we propose will conform with these prior approvals.

Aside from that, that is really all I have.

THE CHAIRMAN: Okay. Any staff questions for this witness? Any board questions? Thank you, David.

MR. HEHL: Great job, David. Thank you.

MR. VON STAPPENBECK: Thanks, Steve.

THE CHAIRMAN: Steve, we're going to

take about a 5-minute recess --

MR. HEHL: Sure.

THE CHAIRMAN: -- if you don't mind.

MR. HEHL: No.

THE CHAIRMAN: So we -- it is now --

MR. SACHS: Steve, do you have one more witness I assume?

MR. HEHL: Actually, we have two.

THE CHAIRMAN: Two.

MR. HEHL: We got John Rea, our traffic engineer, and then Elizabeth Strom, our planner.

MR. SACHS: Okay. Fine.

THE CHAIRMAN: We need to take about 5.

MR. HEHL: Great.

THE CHAIRMAN: Loren, do whatever we need to do to be in recess for about 5 minutes.

MS. MORACE: Okay.

THE CHAIRMAN: And we'll see you back shortly.

MR. HEHL: Great. Thank you all again.  
(Board recess)

THE CHAIRMAN: Okay. Welcome back, everyone. Mr. Hehl, you have another witness?

MR. HEHL: Yes, and I don't know, Loren, I know I see Beth. Is John Rea --

MR. SACHS: I see John.

MR. REA: I'm on, Steve.

MR. HEHL: I didn't know if you were stuck in traffic.

THE CHAIRMAN: I thought I saw John.

MR. REA: I hate to tell all of you people that see 6 inches of snow outside your window, I'm down here at the shore and it's just rain.

THE CHAIRMAN: Okay. Well then, Steve, let's call another witness. Let's really make John wait until the end.

John, if you would raise your right hand, please. Do you swear to tell the truth, the whole truth, so help you God?

MR. REA: I do.

THE CHAIRMAN: State your name, spell your last name, and give us a bit of your CV, please.

MR. REA: John Rea, R-e-a, a principal with McDonough & Rea Associates, traffic engineers, licensed professional engineer in the State of New Jersey, undergraduate degree in civil engineering from NJIT, master's degree in transportation engineering from NYU, and I've testified before this

board in the past as a traffic engineer.

THE CHAIRMAN: Yes.

MR. REA: Thank you.

THE CHAIRMAN: We're happy. Good to see you again, and obviously always accept you as an expert.

MR. REA: Thank you.

THE CHAIRMAN: The floor is yours, John.

MR. HEHL: Thank you, Mr. Chairman.

All right, Mr. Rea, obviously, you're well familiar with this project and provided an updated traffic report to the board, and you've had an opportunity I know in our preparation (audio disruption) review all these items with our team. So if you can please provide the traffic testimony in connection with this modification and amended site plan.

MR. REA: Sure, and as I go through my direct testimony, I'll try to hit the items that are in the CME review letter, but if I miss something, Mr. Lambert can ask me a question.

We prepared the original traffic study for the application that was approved I guess it was about a year ago. The application's been changed. That's why we're in front of the board now with the new application, so we updated our traffic impact analysis. The main thing that needed to be done was the traffic generation estimates needed to be revised because now we have a tenant. We know who the tenant is. We know what the staffing levels are going to be, what the hours of operation are going to be. So I basically took that information and I revised the traffic generation estimates and recalculated the levels of service for the site driveways to Edgeboro Road and for the -- I guess it would be an off-site intersection at Connerty Court, which is the intersection just to the north of our property, and I recalculated the levels of service for that intersection, as well.

Essentially, the levels of service are still acceptable. We have a C level of service for the morning and afternoon peak hours at Connerty Court and Edgeboro Road. Our site driveways to Edgeboro Road will operate at level of service B, and the reason for that essentially is we're kind of like down toward the north end of Edgeboro Road. There aren't a lot of land uses to the north of us. The volumes are generally light along this section of Edgeboro Road, and that's the reason for the good levels of service.

In terms of trying to respond to some of the items that I see in the CME review letter, I'll go over a couple of things. One of the items was to compare the traffic generation estimates that I used in the updated traffic study, which, as I indicated, came right from the staffing levels that the applicant provided, and compared those trip generation estimates to what would be utilized if I were to go to the Institute of Transportation Engineer's Trip Generation Manual, and I ran those numbers, and quite frankly, they're very similar. If I were to use the ITE Trip Generation Manual for the size of this building, during morning peak hour, we would generate 36 more trips than the staffing levels would indicate, but during the afternoon peak hour, 45 fewer trips. So at the end of the day, the numbers I've used are pretty much in line with the ITE, a little bit more during the -- a little bit more traffic during the afternoon peak hour, a little bit less during the morning peak hour, but nothing that would change the levels of service.

There were also a couple of discrepancies in the report between the traffic volume graphics that are in the appendix and the numbers that were used in the capacity calculations. They were relatively minor. I will make those changes. They won't change the levels of service, but I did note that that comment was accurate, and I took a look at that, and we were off by 20 vehicles during the morning peak hour on one of the movements when we inputted the data into the highway capacity manual program for the levels of service. I'll make those changes, and it will not impact the level of service.

One of the items that came up -- and this came up at the original application, too, was the intersection of Edgeboro Road and Route 18 where Old Bridge Turnpike also comes into Route 18. It's a complicated intersection. It's been that way for a long time. We are going to have an impact on that intersection. We're going to send more traffic through that intersection. It's operating at, you know, pretty poor level of service during peak hours. There's a lot of congestion. My feeling is that's, you know, any other solution to solve that issue is beyond the ability of one applicant to control. It's really part of a broader regional issue that the NJDOT really needs to address along the Route 18 corridor. There are other issues along the Route 18 corridor that need to be addressed.

That intersection is one of them. But I acknowledge the congestion and the fact that we're going to be sending more traffic through what essentially amounts to an off-site intersection and indicated that really is under the jurisdiction of the DOT and needs to be looked upon, you know, as part of a broader Route 18 regional issue.

The other items in the CME review letter I think basically asked for some signage details to be added to the plan to make sure people do not violate the one-way exit at the south end of the property. We will add whatever signage is necessary. The signage will be in conformance with the Manual on Uniform Traffic Control Devices, as has been asked by Mr. Lambert. So everything will be in conformance with the MUTCD. I'll work with Mr. Oman on those details. We'll provide that to the board and to the board's experts, but essentially -- oh, and the last thing I wanted to touch upon was the parking. We are providing 400 -- I believe it's 423 parking spaces now, and one of the reasons for that is because during the peak seasons, as Mr. Oman had testified before, there are going to be three shifts, but during shift changes, there's going to be an overlap between people that are still present on the site, people that are arriving for their shift, and the applicant feels that the extra parking spaces that they've provided will be, you know, a benefit to the employees during those peak seasons when there are shift overlaps. I agree with that. I never complain when an applicant provides a little bit more parking than they really need. So I think it's warranted, and we don't need a variance or a waiver for that, but that's the reason for the extra parking spaces.

And that basically summarizes it.

MR. HEHL: Great. Thank you.

THE CHAIRMAN: Thank you, John. Any staff questions for this witness? Staff questions first, Mayor. I'm sorry, Jim, did you say you did have any or no?

MR. LAMBERT: I do have one, just one for Mr. Rea. With respect to number 12 in the CME letter on page 14, there was a request for a site circulation plan for all of the vehicles, especially on the north side where that driveway gets skinny.

MR. REA: We will provide that. I need to work with Mr. Oman on that. We -- you know, he's got the AutoTURN program so I'm sure he can add that to the plan, but I'll review it when he makes those

changes and adds the circulation, the truck circulation to the plan.

MR. LAMBERT: Very good. Thank you, sir.

MR. HEHL: Thanks, Jim.

THE CHAIRMAN: Any other staff questions? Mayor, you had a question.

MAYOR COHEN: Yeah, I just wanted to know if there's any consideration at all to the fact that across the street from -- a little bit down closer to Route 18 and across the street from where this building is being built is the Board of Education's main transportation center for all of the school system, and I know that this is going to be generating -- the site is going to be generating a good amount of regular truck traffic, but it will be -- is there some way that they can work with the schools at least for the morning rush that there is not overlapping of both people leaving at the same time. The schools are on a very tight schedule in the morning getting things off on time. When they come back later in the afternoon, it's not as critical, but leaving in the morning, if there's going to be a massive amount of truck traffic on top of the schools leaving, it puts the rest of the district at risk of not having kids picked up on time.

MR. REA: Mayor, I did note when I made my site visits that the transportation facility for the school district is on Edgeboro Road there so I understand the comment. I think we can work with the transportation people to make sure that -- and in particular -- you're correct -- the morning peak hour seems to be the more critical of the two peak hours. It appears as though from looking at the numbers that the staffing numbers and the trucks and be coming and coming going, and we can probably work with the transportation people to limit our impact during those, you know, hours in the morning. Probably be closer to 15 to 20 minutes when the buses are leaving the depot. We'll make the contact, and we'll talk about that.

MAYOR COHEN: Yeah, it's a limited period of time, but they're all leaving around the same time, but that's the only reason I brought it up. I think there's some time --

MR. REA: Understood.

MAYOR COHEN: -- in the morning to work around that.

MR. REA: I'm just looking at the -- it

appears as though most of the -- most of the big heavier truck traffic will occur between 8 -- between actually 9 in the morning and about 4 or 5 in the afternoon, but we'll take that into consideration and contact the transportation people at the school district.

MAYOR COHEN: That's great. Thanks.

MR. REA: See what we can do.

MAYOR COHEN: Yeah, I'm sure it's doable. Nine o'clock is probably already after (audio disruption)

MR. REA: Right.

MR. HEHL: Thanks, Mayor.

THE CHAIRMAN: Thank you, Mayor. Any other board questions for this witness? Hearing none, back to John.

MR. REA: Thank you.

MR. HEHL: Thanks, John.

MR. SACHS: Good seeing you, John.

MR. HEHL: Mr. Chairman, I would now like to call Elizabeth Strom, our professional planner.

THE CHAIRMAN: Sure. Good evening, Elizabeth.

MS. STROM: Good evening. Am I on?

THE CHAIRMAN: Could you raise your right hand -- you are. You're on screen.

MS. STROM: Terrific.

THE CHAIRMAN: Do you swear to tell the truth, the whole truth, so help you God?

MS. STROM: I do.

THE CHAIRMAN: Can you please state your name, spell your last name, and give us a bit of your CV, please.

MS. STROM: Sure. My name is Elizabeth, also known as Beth, Strom, S-t-r-o-m, and I have been working at Menlo Engineering almost as long as Mr. Oman. I have been there as a landscape architect and professional planner. I have a bachelor's degree from Rutgers University in landscape architecture, and I have given testimony to numerous planning boards and zoning boards throughout the state, and I've had the privilege of appearing in East Brunswick on numerous occasions, as well.

THE CHAIRMAN: Yes. Yes, you have. Welcome, Beth. We're happy to accept you as an expert.

MS. STROM: Thank you. I'm happy to be here.

MR. HEHL: Thank you, Mr. Chairman.

THE CHAIRMAN: The floor is yours.

MR. HEHL: We know that this -- the variance and deviations are minor in this case, but if you can please provide the planning justification. I think a foundation has already been laid for those, but if you can provide the professional planning justification for those.

MS. STROM: I certainly could. I think I'll go back and share my screen with the -- I'll share the fencing. Actually, first I'm going to share a photo of the context. Is that coming up on the screen right now?

MR. HEHL: No.

MS. STROM: It's not. Okay. Let me try again. Mr. Oman has already provided the fencing so I'm -- for some reason, this is not working right now.

MR. OMAN: Beth, do you want me to share my screen?

MS. STROM: Sure. That would be great. I wanted to actually just try to share one photo if I could. Oh, is that up now?

MR. OMAN: Yup, there it is.

MS. STROM: Okay, great, so it's back and working. My computer has been a little slow. I actually got a notice that your internet connection is shaky. I never gotten that.

Anyway, we are looking right now on Edgeboro Road north of the property heading north towards the -- towards the Municipal Utility Authority property, and you can see that there is, in fact, a security fencing with -- and if you zoom if you can -- I can't actually zoom any closer, but there is definitely barbed wire located along the top of that fence, so I just wanted to share that if I could.

Now I'm going to try to do the share of the fencing, but actually, Greg, maybe I'll ask you to do that if you would.

MR. OMAN: Sure.

MS. STROM: Okay, great.

MR. OMAN: I believe you may have to stop sharing your screen.

MS. STROM: I will do that right now. And then you can just leave that up and I'll conduct my testimony based on this. Okay. Great. Perfect.

Okay, so just briefly, I want to touch on the fact that I have also reviewed the modification to the redevelopment plan and that it

-- from a planning perspective, it makes a great deal of sense to include these properties, which are north of the property that has been currently developed with the warehouse, and the lots again, 4.15 -- rather 4.17, 4.19, and 4.23, which are -- were identified as in need of redevelopment under criteria C, which -- these undeveloped properties were vacant and undeveloped for a number of years and that it makes a lot of sense that these properties be included for this use from a planning perspective. So that's just briefly.

But with regard to the fence variance, we are proposing a security fence, as Mr. Oman went into detail on, around the entire warehouse property as well as around the trailer storage that's on the property north where we're proposing. What is proposed is an 8-foot security fence with three strands of barbed wire on a 45-degree angle foot arm that extends another foot above. So -- and what is permitted by the redevelopment ordinance is actually 4 feet except in the case of screening dumpsters, in which case 6 feet is permitted; however, I do want to note that in the industrial manufacturing zone where these lots are located and where all the surrounding lots are located, it actually does state in the ordinance that fencing is permitted on these lots in this zone to be up to 8 feet in height, so I just wanted to make that note. So, you know, obviously, the surrounding properties are all industrial, and so the context, as I noted, does provide security fencing.

So in my estimation and in my opinion, this does qualify for the C-2 or so-called flexible C standard for granting a variance in that it relates to this particular piece of property and that the variance in my estimation can be granted without substantial detriment to the public or the zone plan and that any benefits of granting would outweigh any detriments.

So I just wanted to state, you know, kind of as a background, barbed wire and also electric fencing, you know, any kind of fencing that has a spike or any kind of sharp points on the top are very often not -- very often prohibited by ordinances, and obviously, the reason is injury that it could cause; however, in many instances, barbed wire on top of a higher chain link fence such as what we are proposing is used as, you know, kind of a -- a security fence that is kind of seen as not as injurious potentially as a more complete barbed wire

type of fencing, such as the fencing that is north of us that I showed, and this restriction prevents the injury to some people who would just, you know, for instance run into them, you know, any kind of public that was, you know, traversing Edgeboro Road, so the hazard is somewhat lessened in that instance is my estimation.

And I also wanted to point out that FedEx, which is a -- FedEx Ground, which is a worldwide company, that their paramount concern is really for safety and security of, you know, the packages that they are entrusted by their customers, you know, that obviously include all manner of things, including medical needs, which is obviously a very current topic these days.

So I think that the standard FedEx uses in numerous facilities throughout New Jersey as well as throughout the world is this use, this barbed wire type of arrangement, and if you look on -- actually, Greg, if you could zoom into the detail for that, which is in the -- located in the lower right-hand corner of that, we are proposing the chain link fence with the arm that extends a foot above, but it is not, you know, it is not complete barbed wire fencing that we're proposing in this case, so I think it's a little lessened in terms of its potential injuriousness.

So in my estimation again, we are definitely furthering the purposes of zoning to encourage municipal action to guide safety and general welfare. In this case, safety and security is promoted by increasing the fencing height to what is permitted in the zone at large and to also -- I think the added deterrent of the barbed wire is in this case an exception that could be made for this particular security need.

So we're also in my estimation promoting a desirable visual environment because we are using a higher fence that it is an open fence, a more open fence, but it is in combination with the landscaping providing more of a screen for the -- particularly for the loading area.

So I believe that, you know, for both of those reasons, there is definitely -- we are meeting the positive criteria.

As to the negative criteria, the public good and the no substantial impairment to the zone plan, there are definitely mitigating factors. From a visual standpoint, we're providing a partial screen. The surrounding properties and the

community at large are the public good, and I do not believe that we are causing any substantial detriment to that. So -- and then certainly, the fact that the industrial manufacturing zone does permit the 8-foot fence, that in my estimation means that we are not also causing any impairment to the zone plan or zone ordinance.

So in my estimation, in summary, I think the public interest is benefited by the security that this provides, and I also think that none of the industrial properties in the vicinity are -- especially, you know, the other facilities that are providing the same kind of fencing, that they would have any kind of, you know, detriment to that. So I think, you know, in estimation, I think that these variances are justifiable. So that's my testimony, and any questions?

MR. HEHL: Thank you, Beth.

MR. SACHS: Shawn, you're on mute.

THE CHAIRMAN: Any staff questions for this witness? I apologize for the delay.

MS. APTE: Yes, Mr. Chairman, just two if I may. Miss Strom, this is Nika Apte. I'm the board consulting planner. Is it your opinion that with -- I mean, as testified, security is one of the main reasons for this type of fencing being promoted -- being proposed. Would you think also from the redevelopment point of view the intent was, as you've testified, the aesthetic. So in your opinion, would the proposed, you know, foliage and street trees that are being provided along Edgeboro Road, even with the presence of this proposed fencing, with the proposed street trees, the aesthetic appeal of the intent of redevelopment plan is not lost. Would you share that.

MR. OMAN: I definitely agree with that both as a -- from a planning perspective and from a landscape perspective. Definitely the double row of the shrubs, which will reach a height of approximately between 5 and 6 feet -- it's a combination of shrubs so it varies. So I do think that the fencing in combination with the shrubs and street trees will have a good impact over time. So I would agree with you that it doesn't have -- or that it rather doesn't detract from the intent of the redevelopment plan.

MS. APTE: Okay. Thank you. And the other question I have is, I believe either you or Mr. Oman's testimony was that this type of fencing is as (inaudible) for this type of applicant, aka

FedEx. So is it, you know, if the board was to look at this use as a whole and consider this variance, would it be something that the applicant would consider would only be applicable on this site as long as it's this applicant, or would you want this type of fencing to be permitted on this site, you know, without this applicant?

MS. STROM: Well, it's difficult to project what other type of use might be on the site; however, in my estimation, you know, this type of facility would very often have the same security needs. So, you know, I hesitate to, you know, conjecture, but I would think that almost any tenant who would utilize someplace like this would want to have that kind of facility or that kind of security, especially in the context of an area that already has that kind of security fencing. So again, I don't -- from a planning perspective and from a security perspective, I don't -- I don't see where granting this variance has any detriment in this particular area.

MS. APTE: Okay. Thank you, Ms. Strom. Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you. Any other staff?

MR. SACHS: Shawn, just a quick comment.

THE CHAIRMAN: Yes.

MR. SACHS: First of all, I know that we do permit the 8-foot fence in this zone. My recollection is many, many years ago -- it may have been in the late 90's when we approved the Yellow Freight project off of Edgeboro Road. I think we actually have a 10-foot fence over there. So we've even gone higher than 8 feet on occasion. That was to protect the residents in Pine Ridge.

And just as a -- just anecdotally, I've seen a lot of recent applications for some public utilities for PSE&G, JCP&L, and some other municipalities where they're installing this similar type fencing with, you know, the 45-degree angle arm and then some barbed wire on top, and it seems to be, you know, something that's really necessary when it's a location that needs better security, and I think certainly FedEx requires that.

THE CHAIRMAN: Thank you, Larry. Any other staff questions for this witness? Any other -- any board questions for this witness? No. Okay. Oh, yes, Mayor.

MR. SACHS: The mayor has.

MAYOR COHEN: Can you just -- can you

just verify how long along the property line that fence is going.

MS. STROM: Sure. Greg, could you put that exhibit back up.

So the -- if you can follow the red line, it is going completely around the entire warehouse property; however, on the northern side, it actually doesn't encompass the parking area. It just encompasses the -- it goes about mid-lot and encompasses the trailer parking. So it's really -- and there's actually, as Mr. Oman noted previously, there's a gate where you enter that facility that's completely fenced. So it doesn't include the parking area; however, as we've described earlier, we will still be screening the parking with the street trees and double row of shrubs.

MAYOR COHEN: So the height that has the barbed wire is where then?

MS. STROM: It is complete so the -- there is only one fence detail. Barbed wire is completely along every part of the fence. We have no -- we have no secondary detail for that.

MAYOR COHEN: Okay. Thank you.

THE CHAIRMAN: Thank you, Mayor. Any other board questions for this witness? Okay. Hearing none, Beth your internet may be shaky, but your testimony was solid.

MS. STROM: Thank you.

THE CHAIRMAN: Thank you very much.

MR. HEHL: That's very nice, Mr. Chairman, appreciate it. And we have no further witnesses at this time. Any of the witnesses that have testified are certainly available for questioning by the board or board professionals or the public.

THE CHAIRMAN: Why don't we open it up to the public now and then see if there are anyone pending, and then we'll come back and see if there are any final board or staff questions from any of your witnesses. So at this time, I'd like to open up to any member of the public wishing to be heard on this application, and if you are watching or listening at home and want to call in, that number once again is 1-646-558-8656.

Loren, do we have anyone pending?

MS. MORACE: We have some attendees, but nobody has raised their hand to ask a question.

THE CHAIRMAN: Okay. Well, let's give them a minute or two, and then we -- if nothing, then we will close the public portion.

Okay. I think we've waited long enough. Loren, just let me know if someone does happen to call in. We can always reopen the public portion, but now I'd like to close the public portion, and are there any final staff or board questions or comments from any of the witnesses?

MR. LAMBERT: I have one, Mr. Chairman.

THE CHAIRMAN: Sure, certainly, Jim.

MR. LAMBERT: A question for Mr. Hehl, if I may. Can you tell us or tell the board, please, what the term of the lease is between FedEx and the MCUA.

MR. HEHL: I can check. I don't know off the top of my head, but let me see if that's something that can -- I'm looking at my chat -- 15 years.

MR. LAMBERT: Fifteen, very good. Thank you, sir.

MR. HEHL: And two 5-year extensions.

MR. SACHS: Okay.

MR. HEHL: And that's the benefit of setting up a WhatsApp chat while you're in these meetings.

THE CHAIRMAN: Any other -- excuse me -- staff or board questions?

Mr. Sachs, are you satisfied that we've gone through the CME report and have all of those points covered?

MR. SACHS: Yes, Mr. Chairman, I have reviewed the report. I've been taking notes through the -- all the testimony of all the witnesses, so yes, I believe everything has been covered. I have all the additional conditions noted, as well, so yes, we're in good shape.

THE CHAIRMAN: Mayor, would you like to say anything about this facility FedEx moving into East Brunswick?

MAYOR COHEN: I think it's -- first of all, thank you for giving me the opportunity, but I do think that this has all been part of our goal as a town coming into office was to help redevelop the town and try to make it attractive both to people who want to live here and businesses that want to move in, and this is, you know, a great down payment to the residents on keeping to that promise.

FedEx is going to be a great partner with the township. We're excited to have them here and to work with the developer to make that happen, and I think it's also -- this extension is a win for the town, as well. It brings in some additional

revenues, which we all will take pressure off of property taxes for residents, themselves, and we're thrilled to have them here as a partner, and whatever we can do to help make that process easier for you, that has been our goal. So I hope that we've done that.

THE CHAIRMAN: Thank you, Mayor. With that, what is the board's pleasure with this application this evening?

MR. HEPPEL: I'll move the application.

MR. CRISCUOLO: Second.

THE CHAIRMAN: It's been moved. Do we have a second?

MR. CRISCUOLO: Second.

THE CHAIRMAN: It's been moved and seconded. Any final questions? Hearing none, Loren, please call the roll.

MS. MORACE: Cohen.

MR. CRISCUOLO: Rachel.

MS. COHEN: Yes.

MR. SACHS: Was that Mayor Cohen or Rachel Cohen?

MS. MORACE: Rachel.

MR. SACHS: Rachel Cohen.

THE CHAIRMAN: That was Rachel.

MS. MORACE: Mr. Hashmi.

MR. HASHMI: Yes.

MS. MORACE: Miss Clarke.

MS. CLARKE: Yes.

MS. MORACE: Mr. Philips.

MR. PHILIPS: Yes.

MS. MORACE: Mr. Reiss.

MR. REISS: Yes.

MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Absolutely. Let's get this built and get the vaccine in town.

MS. MORACE: Councilwoman Sullivan.

MS. SULLIVAN: Yes.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Yes.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Yes.

MS. MORACE: Mayor Cohen.

MAYOR COHEN: Yes.

MS. MORACE: Chairman Taylor.

THE CHAIRMAN: Yeah. Well said, Mayor. I think this is -- they're an excellent addition to the East Brunswick family. Very pleased about. So this application is approved.

MR. HEHL: Thank you very much, and it's

a pleasure again to see you all. I wish you all a safe and healthy and happy holiday season. I don't have to say drive home safely because -- again, I appreciate conducting this virtual meeting on a night that again we otherwise probably would have been cancelled. And I'll work with Larry on the resolution and look forward to the project moving forward.

MAYOR COHEN: Thank you.

THE CHAIRMAN: Thank you.

MR. SACHS: Thank you, Steve.

MR. CRISCUOLO: Mr. Chairman.

THE CHAIRMAN: Yes.

MR. CRISCUOLO: If I may --

THE CHAIRMAN: Yes, Joe.

MR. CRISCUOLO: -- one of our silent members, what I would call an honorary member of a lot of our boards, is you don't see him too often, and he is in the municipal complex this evening in order for us to put on this planning board, and that's Anthony and Dave in EBTV studio. So they're one of our unsung heroes along with our IT staff and everything else. So I know Anthony's somewhat of a shy guy. There he is. Anthony, holy cow, he was bald and didn't have a beard the last time I saw him. But he's one of the many employees that is an unsung hero of keeping the town moving forward that don't often get recognized, and I think he deserves -- and Dave and our IT staff and Loren and everybody -- because this is our I believe our last meeting for the year -- really deserve a round of applause for what they've done to keep the town moving forward, and, Anthony, it is much appreciated, and I didn't want it to go by without making that statement. Thank you Anthony, Loren, job well done.

MR. SACHS: Yes.

MR. HEHL: Thank you, guys.

THE CHAIRMAN: Absolutely.

MR. SACHS: And, Anthony, someone will be there to rescue you from the snow in a few minutes.

MAYOR COHEN: I think he's got a private plow or --

MR. CRISCUOLO: He's just got to make one phone call.

THE CHAIRMAN: I just want to say two things. First is I can't ever remember a meeting that John Kriskowski has attended where he hasn't said anything.

MR. KRISKOWSKI: It's been very

difficult.

MR. CRISCUOLO: I agree with you, Shawn.

THE CHAIRMAN: So just say hello, John.

I mean --

MR. KRISKOWSKI: It is good to see everyone. Happy holidays to everyone. Happy new year.

THE CHAIRMAN: Yeah, and, you know, I just want to just take a second and wish, you know, everyone to have a happy and healthy holiday season. I always say that, you know, I'm the dumbest guy up here. Every member on this board makes me look far smarter than I really am, and it's been my real pleasure to -- because I do believe my term ends this year and that it's a mayoral appointment, so whatever the mayor does, I'm sure he'll make the right decision.

MAYOR COHEN: Shawn, come on.

THE CHAIRMAN: I love my involvement.

MAYOR COHEN: We have no intention of making any change. If you intend to stay where you are, we would love to have you continue in your position.

THE CHAIRMAN: I'd like to get out of the house, I got to tell you, but otherwise, no, I really do love being on this board, and the board consistently over the years has been wonderful, and this board certainly no exception.

So happy and healthy holiday season to everyone. A blessed new year. We see the light at the end of the tunnel so please everyone try to, you know, stay safe, and I can't wait for the day when we can all be together again.

So, Loren, do we have any other business?

MS. MORACE: No, that's all for this evening. Happy holidays to everybody.

MAYOR COHEN: Thank you.

THE CHAIRMAN: Our next meeting is?

MS. MORACE: January 13. I'll send the calendars out to everybody.

THE CHAIRMAN: Okay. And, Mayor Cohen, I'm sorry, just before I let you go, you are getting sworn in for your second term, well deserved.

MAYOR COHEN: Thank you.

THE CHAIRMAN: Can you tell folks who might want to look in on your swearing in how they might do that and when is it.

MAYOR COHEN: Yeah, that will be on January 4, which is Monday right after New Years,

and it's 7:30 at night. There's going to be a Zoom meeting because it's still a COVID world that we need to contend with, and we're keeping our fingers crossed, but we're waiting for confirmation, but it looks like Governor Murphy will be swearing the three of us in this year. So hoping that he's able to keep to that commitment, so -- and we'll be posting the contact for the Zoom online and throughout the -- on our web site so anybody who wants to join in and listen, that will be great.

THE CHAIRMAN: Terrific. I will certainly be on that Zoom meeting.

MS. SULLIVAN: I think I will, too.

THE CHAIRMAN: Okay. So have a happy and healthy, and be safe with this snow, and see you next year, folks.