SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF APRIL 27, 2022**

**The regular meeting of the Board of Adjustment was called to order by Mr. Henry, Vice Chairman and opened with a salute to the flag. Mr. Henry announced that the meeting was being conducted in accordance with the Sunshine Law.**

**Members of the Board of Adjustment present were: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Esposito,**

**Mr. Emma, Mr. Bella, Mr. Lattanzi**

**Excused Absence: Mr. Foley**

**Also present were: Mr. Kemm, Esq., Mr. Cornell, Engineer, Mr. Barre, Planner**

**#21-23 Muphy Lopez 1094 Bordentown Ave. Bulk Variances/Pool/Deck/ $ 200.00 App.**

**Patio/Driveway/Addition**

**Mr. Kemm stated that the applicant is required to move certain items and is currently working with JCP&L. She has signed an extension of time until the August meeting.**

**#22-02 InSite Development Lower Main St. Use Variances/Site Plan/ $1,000.00 App.**

**Partners, LLC (South Amboy P.O.) Warehouse $2,000.00 Esc.**

**Robert Smith, Esq. addressed the Board he is representing InSite Development Partners. Mr. Kemm stated that this is a D Variance and there are only 5 Board members present and asked if he wanted to proceed with the application or hold it over until next month. Mr. Smith stated they would like to continue tonight. Mr. Smith continued addressing the site as 6125 Main St. an 8.43’ acre lot formally known as the Abe Korb Junk Yard. The applicant is seeking a Use Variance for a 117,814 sq. ft. warehouse stating this warehouse is “a baby” compared to others constructed in the area. They are seeking a Use Variance as this commercial use is not permitted in the B3 Zone and a D1 for the Use, a D6 for height as they are proposing 54.71’ and the maximum allowed is 35.’ In addition they are seeking approval on 4 bulk variances.**

* **Front Yard (from Scott Ave.) 50’ minimum 10’ proposed**
* **Building Coverage 25% minimum 28.5% proposed**
* **Free Standing Signage 25’ maximum 5’ proposed**
* **Insufficient signage size 18” required**

**Paul Brown, Partner InSite Development addressed the Board stating they have built warehouses in Florida, California etc. Logistics centers 350,000 sq. ft. in Los Angeles, California and 200,000 sq. ft. in Clearwater, Florida. He stated that there has been a lot of growth and building in Sayreville and he described the need for logistics. The hours of operation typically it’s a double shift. They would like 24-hour access although it is usually a 2-shift operation. They have no tenant at present but anticipates one and has no concern. The warehouse being on Main St. with access to highways is a plus and there would be no access through residences. He said they are going to do their best to build the best sparing no expense. Mr. Henry asked about being open 24 hours while others are 2-shift warehouses; he stated just in case trucks deliver in the middle of the night. Mr. Smith stated that hours are longer during the holiday season. Mr. Henry asked if there was a guard gate, Mr. Smith said “no.” Mr. Kuczynski asked how many tenants would be involved, Mr. Brown said “probably 1.” Mr. Kuczynski asked if there were certain businesses they wouldn’t want; Mr. Brown said they stay clear of those.**

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**Mr. Henry asked if there were any issues on storage; Mr. Kemm stated that the Fire Officials/Inspectors would inspect. Mr. Kemm mentioned the two-story office and asked if there would be an elevator; Mr. Brown said that the mezzanine would also be used for office space and that is the trend using the logistics building also for office space. Mr. Kuczynski asked if there are daily operations; Mr. Brown said there is 1 employee for 1,000-10,000 sq. ft. daily when tractor trailers unload on 4-6 docks but more likely 4 on this project. The trucks going out are small box trucks. Mr. Kuczynski asked if this would take place between 10-11 PM; Mr. Brown said “no.”**

**Thomas Muller, Sr. Principal Dynamic Engineering addressed the Board. Mr. Henry made motion to accept credentials. Mr. Muller described the existing area and presented an aerial image marked Exhibit 1, showing 24 small lots and bottom of Laurel Street which is a dead end. He described the previous uses and explained some constraints as this is a flood hazard zone. This is in a B3 Zone and the use is not permitted. He then showed the overall site plan marked Exhibit A2 a colorized site plan showing the building in the middle. He addressed the two review letters received and met with the board professionals showing the building as 114,182 sq. ft. and the interior office space and two stories as an additional 7,262 sq. ft. He stated they are proposing walkways on Main Street and a drive from the left turn lane into the site. They will comply with the 50’ setback on the east side, the Scott Ave. side yard setback of 10’, the northern and western bumpers and loading in the rear of the site. Trucks will have no visible contact and the drive isle will have full circulation for fire and emergency vehicles. This is a B3 Zone and warehouses are not permitted and they will comply with many of the bulk requirements. They are proposing the following:**

* **63.6% Lot Coverage**
* **Front Yard Scott Ave. 50’ required 10’ proposed**
* **Maximum Height 35’ required 54.71’ proposed**
* **Maximum Lot Coverage 25% minimum 28.5% proposed**

**Parking complies with the Borough ordinance, there will be 29 trailer storage stalls left into the site from Main Street, there will also be a trash enclosure. They are requesting a design waiver for sidewalks along Scott Ave. They will be relocating storm water site and elevating it 8’ in some areas, they will need retaining walls 8’ in height. They will be providing landscaping, LED lighting facing downward approximately 18 lights which will be in the parking area and house shield lighting. The applicant is seeking a waiver for 1’ candles in the sidewalks on the public walkway around the site as required by the DEP.**

**Mr. Cornell addressed the monument sign in the corner and said there is no site triangle issue. Mr. Henry said that the applicant needs to be in compliance with the conditions. Mr. Cornell stated that Laurel St. is a right of way and the Council has discussed. Mr. Kemm stated there should be lighting on the signage and street address.**

**Craig Peregoy, LPE Dynamic Engineering, Traffic Expert addressed the Board. Mr. Henry made motion to accept credentials. Mr. Peregoy prepared a traffic impact study and took counts on Oak St. and Scott Ave. both in the morning and evenings in November 2021 and compared with the NJ DOT count before COVID. The count volumes are still slightly lower and adding the growth rate times 2 years of development in South Amboy. They did research on trip rates during AM peak hours there were 38 vehicle trips; during PM peak hours 41 vehicle trips. Mr. Henry asked if this also included trucks “yes.” The sign should define where the driveway is; Mr. Cornell stated that the left turn lanes into Oak St. and Scott Ave. helps with 2 lanes of traffic and the County approved design. Mr. Kuczynski asked if Scott Ave. was paved, Mr. Peregoy said “yes” it is paved as a driveway and public road. Mr. Muller said that they will be extending the pavement with the storm water curing and piping; Mr. Cornell stated that the Borough Pump Station is right behind.**

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**Charles P. Dietz, LPA addressed the Board. Mr. Henry made motion to accept credentials. Mr. Dietz presented Exhibit A3 consisting of 11 colored renderings and described the project and drawings showing 13 loading docks, egress and 2 drive up ramps. There is a canopy above the entrance on Main Street, along with windows. While warehouses are usually gray in color this one will be mixed brown colors. The height of the building will be 54’ high and looking close up it looks more like and office building not a warehouse. They are proposing interior lighting and will dim the sensor when office is not in use. Roof will have solar panels. Mr. Kuczynski asked if there would be equipment on the roof; Mr. Dietz said “yes” and it will be screened. He stated the charging station presented would be for employees only.**

**Matt Flynn, PP, John McDonough Associates address the Board. Mr. Henry made motion to accept credentials. Mr. Flynn addressed the B3 Business Zone and this use not being permitted as well as all the setbacks and impervious coverage and lot coverage bordering Scott Ave. Mr. Smith stated that the ordinance written indicates that the applicant is being punished for two front yards Rear and Side and they are way over the height in the B3 Zone; however, should fit in as it appears to look like an office building and described the conditional uses. Mr. Flynn stated it is near the Waterfront Redevelopment Zone and is compatible with the zones in South Amboy. He described the site condition stating low intensity and low traffic impact and that is was an appropriate location for the use. Negative impacts he sees none as the site will function safely with low intensity. Mr. Smith stated the site was a suitable location due to access to highways with no residential. Mr. Barre stated while it’s a B3 Zone where located, along Route 9 this is compatible to what is allowed in South Amboy.**

**Mr. Smith summarized the application stating this was a good application for the Borough Zoning board to approve as it created rateables for the town and this was a reasonably sized building. Mr. Henry asked if there were any conditions of approval; Mr. Kemm stated “vacating the right-of-way from Laurel Street.”**

**Mr. Henry made motion to open public portion. No one spoke. Mr. Kuczynski made motion to close public portion; Mr. Sivilli seconded, motion carried.**

**Mr. Henry asked for motion to approve/deny this application. Mr. Henry made motion to approve the application; Mr. Emma seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Emma, Mr. Bella**

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**MEMORIALIZATION OF RESOLUTIONS**

**#22-03 Kearon Gregory 22 Grand Street**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Kuczynski made motion to memorialize the resolution; Mr. Sivilli seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Emma, Mr. Bella**

**#22-04 Tesla Inc. 969 Route 9**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Kuczynski made motion to memorialize the resolution; Mr. Bella seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Emma, Mr. Bella**

**#22-05 Daniel Bratic 55 Buttonwood Drive**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Kuczynski made motion to memorialize the resolution; Mr. Sivilli seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Emma, Mr. Bella**

**ACCEPTANCE OF MINUTES**

# Mr. Henry asked for motion to approve and accept the minutes of Regular meeting of March 23, 2022.

# Mr. Kuczynski made motion to accept the minutes Mr. Sivilli seconded, motion carried.

**ADJOURNMENT**

**There being no further business to discuss, Mr. Henry asked for motion to adjourn, Mr. Kuczynski made motion to adjourn; Mr. Sivilli seconded, motion carried.**

**Respectfully submitted,**

**Joan M. Kemble**