

GREEN TOWNSHIP LAND USE BOARD MINUTES
REGULAR MEETING
November 9, 2023

CALL TO ORDER: The November 9, 2023, the regular meeting of the Land Use Board was called to order by the Chairman, Mr. Scott Holzhauser at 7:00pm. He then led everyone in the PLEDGE OF ALLIGIANCE.

Recitation of the OPEN PUBLIC MEETING STATEMENT by Mr. Holzhauser.

ROLL CALL: Present: Mr. Joseph Cercone, Mr. Sam Diaz, Mr. James DeYoung, Ms. Kate Douglass, Mr. Scott Holzhauser, Mrs. Jenny Kobilinski, Mr. John Lynch, Mrs. Sharon Mullen, Mrs. Margaret Phillips and Mr. Rick Wilson
Also present: Mr. Michael Brown in for Mr. David Brady, Board Attorney, Mr. Cory Stoner, Board Engineer, Mrs. Jessica Caldwell Dykstra, Board Planner and Ms. Kim Mantz, Board Secretary
Members Absent: Mr. Robert Cahill, Mr. Jason Miller

A motion was made by Mrs. Phillips to excuse the absent members and seconded by Mr. Lynch.
All Ayes. No Discussion. Motion Carried. Abstentions: none

MOTION TO APPROVE MINUTES:

Land Use Board Minutes of October 12, 2023

Mr. Wilson made a motion to approve the minutes and was seconded by Mrs. Kobilinski
No Discussion. All Ayes. Abstentions: none

RESOLUTIONS: None

OLD BUSINESS:

Farmland Preservation Plan Update – Mrs. Caldwell Dykstra

Ms. Caldwell Dykstra began by briefly explaining the Land Conservancy’s update to the 2012 Farmland Plan. Since 2012 there have been 3 additional farms in the Township totaling 162 acres that have been preserved. This update is done so the Township can apply for State Planning Incentive Grants for the next 10 years. The SDAC has provides a 50% match to any grant funding that the municipality can provide. There is a 1 ½ cent per \$100 Open Space tax also so there is funding coming from within the Township, the County as well as the State. There are currently 14 farms preserved for a total of 1,425 acres dating back to 1989. Areas adjacent to each other are looked for to provide corridors with prime farm soils and little to no conflict from surrounding properties.

Mrs. Caldwell Dykstra explained this is an element of the Master Plan.

Mrs. Phillips stated the Open Space tax is only 1 cent per \$100.

Mr. Holzhauser opened the meeting up to the public and there was no one who spoke. The public portion was closed.

A motion was made to adopt the revised Farmland Preservation Plan as an element of the Master Plan by Mrs. Phillips and seconded by Mr. Cercone.

Roll call: Mr. Cercone, Mr. Diaz, Mr. DeYoung, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mrs. Phillips, Mr. Wilson, Mr. Holzhauser

All Ayes. No Discussion. Motion Carried

Mrs. Phillips recused herself due to a personal conflict with the Applicant at 7:07pm.

NEW BUSINESS:

Application: LU#2315

Owner/Applicant: Airside Inc.

Block 114 Lot 1 – Andover-Brighton Road (County Route 606), Andover, NJ 08721

This application began at 7:07pm

Mr. Michale Selvaggi, the Applicant's attorney began with a brief background of the property and the former subdivision and site plan approval in 2007. The approval granted a use variance that allowed a flex office building which was zoned residential at the time.

The zoning change now makes the office space a permitted use but variance relief is still needed because of the unique shape of the property. The DEP owns property to the West and Andover Township is on the other side of the property line so there is no way to purchase property to make this work better.

Mr. Stoner began by going over the items for completeness, most of which he believes will be discussed during the testimony.

The waivers that are sought and a written description of why waivers should be granted was not included.

No. 61 – providing a statement as to why a C variance should be granted.

No. 66 - the buy/sell letter which was already discussed due to the placement of the property.

He feels this can be deemed complete by temporarily waiving those items that will be discussed during testimony.

Mrs. Caldwell Dykstra agrees.

A motion was made to deem Application LU#2315 complete by Mr. Wilson and seconded by Mrs. Mullen.

Roll call: Mr. Cercone, Mr. Diaz, Mr. DeYoung, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson, Mr. Holzhauer

All Ayes. No Discussion. Motion Carried.

Mr. Mario Cavallone, Applicant and President of Airside Sheet Metal and Sonick Realty, was sworn in by Mr. Brown.

Mr. Cavallone stated he would like to use this warehouse as a flex space for himself and other companies that may be able to utilize the space. He believes it would be a perfect area for small contractors or someone starting a business. After the Applicant sets up his space the rest of the building will remain a shell until other occupants move in. That way it remains flexible and the occupant can determine the size that best fits their needs.

The Applicant stated there will be **no outdoor storage** beside the garbage area.

Mr. Brown swore in Mr. Raymond O'Brien from O'Brien Architects from Blairstown, NJ, the architect for the Applicant.

He placed his credentials on the record and the Board accepted him as an expert architect.

Mr. O'Brien began by explaining the 20,000 square foot building will be broken up into 5 sections. Each pod would be about 4,000 square feet (sq ft) with a proposed area of about 525 sq ft of office space and a single use bathroom for each area. This design provides the flexibility to change the layout of the inside depending on the size of the company occupying the space. The loading areas are in the back and there are single doors in the front for smaller deliveries or to pull a vehicle in at night.

He referred to the height of the building and whether you would be able to see air conditioning units on the road. There are two options, the units can have a smaller profile on the roof or they can be put in the back of the building on the ground, coming up inside and feeding into the back of the warehouse. There is an 11-foot difference between the floor of the building and the street level. There is another 18 feet higher than the street so a roof top package AC unit would not be seen.

There may be additional AC units needed depending on the tenant's needs in the building.

There will not be any surface mounting or front facade lighting because over every area that we have some type of access use there would be canopy lighting. The canopy lighting will be not seen from the street at all, it will only cover areas like doorways, windows or overhead doors. Lighting in the back of the building will be surface mounted above the doorway so drivers can see if they're making a delivery in the dark. There will also be emergency lighting at each door on the outside.

Exhibit A101 was submitted as an exterior rendering. The Applicant would like a stone color using brown shades on the lower side and then something lighter, not necessarily white, at the top. This building would be a panel system that is adhered to metal hat channels and would be a stucco material. The structure is 8 feet of concrete block around the entire perimeter with light gauge metal framing that will support the

façade and all of that is attached to a steel structure. The other option is a tilt up panel which is created and comes as one panel and those panels can be put up in about 2 days.

Exhibit A-102 was submitted as landscape rendering. This rendering showed the placement of all the landscaping on the property.

Mr. Holzauer asked about the units being placed in the front or the back of the roof. Mr. O'Brien stated they would be placed in the back of the roof and the individual units for the office would be the same type that you see in a hotel room.

Mr. Holzauer also asked if they were planning on constructing the demising walls at this time or they were just going to leave it as a shell. Mr. O'Brien said that they were going to leave it as a shell until new tenants came in.

Mr. Selvaggi stated that when/if these units are built out and the walls put up, construction permits would be needed so the town would be aware of what's happening within the building. If any major changes were happening, then the Applicant would have to come back to the Land Use Board.

Mr. Stoner explained he wanted to make sure the Zoning Officer was aware that this building can be broken up into different sizes as long as all the numbers work out when you apply for the zoning permit. Mr. O'Brien said that if anything changes with the office space size or the parking or anything that would trigger something different than what's on the site plan, they would come back to the Board for approval.

Mr. Selvaggi stated that the different possible configurations for the space is the reasoning behind running the sewer lines down the middle of the building so that the occupants had more flexibility in what they used this space for. Mr. O'Brien said that typically when they do these buildings, the owner pours one big concrete slab and it is the responsibility of the tenant if they want to change things and/or cut into the slab for whatever they need it for.

Mr. Diaz asked if each one of the office spaces would have their own HVAC system and Mr. O'Brien responded by saying each office "pod" would have their own self-contained system. Each pod would have a drop ceiling with insulation and would be completely self-contained with their own heating and cooling system.

Mr. Holzauer asked what the clear ceiling height would be and Mr. O'Brien said about 24 feet to the underside of the ceiling joist.

Mrs. Caldwell Dykstra asked about signage and if they had a concept about where it would go and what it would look like. Mr. O'Brien stated they have not worked on a sign yet, but they will make sure it marries well with the ordinance. She would like to place signs under the canopy above the doorway so that the canopy lighting can light up the sign if the tenant even wants a sign out front of their space. The placement might be different if the tenant takes two or three spots. The placement of the signs would be more for people who would be pulling up to know which door to go to, rather than the people driving by on the street. Mr. Holzauer suggested a building number in the top corner and the Applicant agreed.

Mrs. Kobilinski asked what the maximum amount for the septic would be for the office space. Mr. O'Brien said that the specifics would be addressed later in the testimony. His code reads 1 person per 300 square feet for the warehouse and 1 person per 150 square feet for the office space. The architect and the engineer have different codes for septic.

Daniel Davies of Davies Engineering in Fredon Township, Engineer for the Applicant, was sworn in by Mr. Brown. He placed his credentials on the record and the Board accepted him as an expert engineer.

He began by providing a handout which clarifies the differences in the zone, setbacks and size of the building back when the original was submitted and now for this Applicant.

Exhibit A103 was submitted as site plan sheet C3 with revision.

This exhibit cleans up some of the items from the TRC meeting. Mr. Davies proceeded to go through the differences from this application and the earlier approval as well as the topography of the property. This property does not have a building envelope based on front and rear yard setbacks.

There are no wetlands, but there are on a neighboring property and that wetlands buffer impacts this property. The LOI was obtained and filed with the county in October of last year. Steep slopes account for about 26% of property. All easements from the prior approval will be vacated. Mr. Davies proceeded to go through the existing conditions, which included the grade of property.

The operating hours building would be 8:00 to 5:00 Monday through Friday and Saturday from 8:00 to 12:00.
The zone is AI 10, which is an agricultural industrial 10-acre zone.

Mr. Davies discussed the variances needed and the design waivers.

The Applicant is looking for three variances, one for the front yard setback, one for the rear yard setback and one for the lot depth.
The design waivers include the location of the parking lot, as it is too close to the street and it is too close to the property line.
The landscaping in the parking area about 2.1% where 5% is required.

Building coverage is 20,000 square feet over the whole lot, they are at 9% where 30% is allowed. Impervious coverage is at about 42% and building height is at 30 feet where 50 feet is allowed.

Mr. Davies explained it was difficult to calculate parking due to the flex space. There are 19 banked parking spots in addition to 43 spaces that are required. The Applicant could not stretch out the parking and have nice landscaping everywhere but due to the steep slopes it was placed around the peripheral areas.

Mr. Davies briefly went over this circulation plan.

Tractor trailers will be allowed to park in the back and smaller trucks will be allowed to park in the front by the garage doors.
All of the driveways in the front are 30 feet wide to allow for large vehicles to pass through a standard 24 feet around the sides of the building.
The grading coming off the road is 10% and then it levels off to a large flat area at 1.6%.

For drainage there are inlets all throughout the property especially in the front, so the water doesn't come cascading down. There will be two infiltration basins. Mr. Davies also said that he can take the rooftop water and discharge it directly into the ground because rooftop is considered clean in NJ. Mr. Stoner stated there is a requirement that you can't have a water quality device that is great than 2 1/2 acres which is why they had to break up the basin into two sections. Mr. Stoner believes minor modifications will most likely need to be made but it shouldn't really affect the overall plan.

Mr. Davies briefly went over the landscaping plan and stated most of the trees planted will be in the 6-8 foot range.

Mr. Davies spoke about the soil logs. Four were done for the septic and four for the drainage. Drainage went down 15 feet and septic went down 10 feet. The material is K4 which drains 6-20 inches per hour.

The parking was calculated at 1 space per 200 sq ft of office space office but the building being flex space makes the calculations a little more difficult. Mr. Davies stated they calculated 40 spaces for 40 people (this was unclear on the recording due to background noise). There are 19 banked parking spaces to accommodate and changes in the flex space.

The septic will be pushed to the maximum size to accommodate for the uncertainty of what the flex space will be utilized for. All of the calculations will be spelled out in any final plans and given to the Board Engineer.

There was a brief discussion regarding the grades of the property and the driveway. A lot of this property will be disturbed, they will cut in certain places and fill in others. The Applicant does not anticipate any importation of material. If any of the grades are modified, they must be reviewed in Mr. Stoner's office prior to implementation.

Mr. Davies briefly spoke about the site distance which requires County approval. This will be listed as a condition of approval.
(This portion was also unclear on the recording due to background noise)

Mr. Davies explained the lighting for the building and surrounding area. It will not be brightly lit so that it is noticed from the road but there will be enough lighting for anyone entering or leaving the building in the dark. The Applicant is happy to work with the Board Engineer if any additional lighting is required.

Mr. Stoner questioned the lighting Mr. O'Brien spoke about compared to what is shown on the Engineer's lighting plan. Mr. Davies will work with Mr. O'Brien on making sure everything is listed on the revised plans.

The Applicant understands that he must obtain a Soil Erosion sediment control permit from Green Township for the land that will be disturbed.

Mr. Selvaggi proceeded to reiterate some of the design waivers and key points from Mr. Davies testimony. He asked Mr. Davies about an electric car charging station. There is only one required and it can be a "make ready" which needs to be operational in 5 years.

Mr. Selvaggi also asked about the landscaping of the parking area, there should be one tree for every 10 spaces. We have 339 sq ft of plantings, whereas 803 sq ft is required. Mr. Davies said that due to the shape and slopes of the property and the nature of the building, he believes this is difficult so the plantings are going to be done in other areas around the property. All of the plantings will meet the ordinance requirements.

Mrs. Caldwell Dykstra asked if Mr. Davies believed this building with the variances and design waivers would impact the surrounding properties and be similar to what is in that area. He said yes.

Mr. Stoner asked about the 8-foot-high wall in the back. Mr. Davies stated it would be structurally designed. He also asked if all the underground utilities could be shown on the final set of plans. Mr. Davies agreed.

Mr. Holzhauer asked Mr. Davies to clarify why Mr. O'Brien said that the office space was 525 square feet and he referred to it as 600 square feet. Mr. Davies said that he used the exterior building dimension and center line of the columns of the entire area including the wall thickness and Mr. O'Brien is using the interior space, which takes away wall thickness and things of that nature.

Mr. Holzhauer also asked if the total amount of the manufacturing and warehouse space (minus the office space) was listed somewhere so that it would be easier for the zoning officer when it comes time to issue permits for the new occupants. Mr. Davies stated under the parking calculation there are 3 uses for this building, office, manufacturing and warehouse the office space would be 3,000 sq ft, and each of the other two are 8,130 sq ft and those would be the parameters for the Zoning Officer to start with.

Mr. Holzhauer suggested that since the banked parking would already be paved, to just paint the lines, eliminate the idea of banked parking and just make it all regular parking. The Applicant agreed. Mr. Selvaggi commented that it would also eliminate the temptation to use that area as outdoor storage, and Mr. Holzhauer agreed.

Mr. DeYoung asked about the fence around the dumpster in the back. Mr. Davies apologized that he forgot to mention the dumpster space which is 12 by 20 but can be increased marginally if necessary and it should not affect any part of the plan. The fence will be used around the dumpster area only.

Mr. Holzhauer opened and closed the public portion of the meeting. There was no public present.

Mr. Brown listed the conditions of approval which include the following:

1. **No outdoor storage** or outdoor work on the property by any tenant or the owner.
2. All signage on the building would be in line with the Township ordinance, signage and regulations.
3. All easements that were created by way of the previous subdivision will be vacated.
4. Updates to the site plan must be submitted.
5. Landscaping plan, in consultation with the Board Planner and Board Engineer.
6. The parking which will include the 19 additional parking spaces for a total of 62 spaces. There will be no bank parking on the property. The site plan will be updated to include that.
7. The Applicant will work with the Board Engineer regarding the final storm water management plan.

8. A maintenance manual must be filed with the County.
9. The Applicant will work with the final design and capacity of the septic system with the Board Engineer.
10. Final revised grading in consultation with the Board Engineer for the whole property.
11. The revised site plan will include a make ready (EV) parking space.
12. The Applicant will submit for all county approvals and necessary permits for the construction for the driveway entrance.
13. The Applicant will submit for review and approval a detailed structural drawing for all retaining walls on the property.
14. The site plan will be revised to include a utility plan in connection with the Board Engineers request.
15. Septic and well will be approved by the Sussex County Health Department.
16. Additional approvals not limited to County Planning Board since County Engineering, Green Township Construction Department, Green Township Fire Subcode Official, as well as the Green Township Soil Erosion and Sediment Control.
17. Updated lighting plan in consultation with the Board Engineer.

Mr. Diaz asked the Applicant about fire suppression. Mr. O'Brien stated it is not needed in this building because it is a manufacturing warehouse under the square footage for each individual tenant. The demising walls between each tenant will be a one-hour fire rated wall.

Mr. Holzhauer asked If there would be any hazardous materials stored in this building. The Applicant said no, he did not want hazardous materials in this building.

A motion was made by Mr. DeYoung to approve the application, which would include the approval of all bulk variances and design waivers requested by the Applicant conditioned on the conditions just set forth on record and was seconded by Ms. Douglass.

Roll call: Mr. Cercone, Mr. Diaz, Mr. DeYoung, Ms. Douglass, Mrs. Kobilinski, Mr. Lynch, Mrs. Mullen, Mr. Wilson, Mr. Holzhauer

All Ayes. No Discussion. Motion Carried

This application ended at 8:46pm

Mr. Holzhauer opened and closed the public portion of the meeting. There was no public present.

- **ATTORNEY'S REPORT** – None
- **CHAIRMAN'S REPORT** – None
- **SECRETARY'S REPORT** – None
- **PROFESSIONALS REPORT** – None

Mr. DeYoung asked about the EV supply equipment. Mrs. Caldwell Dykstra stated it's a new ordinance that was essentially adopted by the state and became effective last September. If there are renovations to smaller parking lots, it does not trigger. It is mainly for new commercial parking lots or large expansion on existing lots.

A motion was made by Mr. Cercone to adjourn the meeting at 8:50pm and seconded by Mrs. Mullen.

All Ayes. No Discussion. Motion Carried. Abstentions: none

Respectfully Submitted:

Kim Mantz

Kim Mantz, Land Use Board Secretary

Date approved: 1.11.24