

HILLSBOROUGH TOWNSHIP PLANNING BOARD
PUBLIC MEETING MINUTES
October 2, 2014

Vice Chairman Cohen called the Planning Board Public Meeting of October 2, 2014, to order at 7:30 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

Vice Chairman Cohen announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

ROLL CALL

Deputy Mayor Greg Burchette - *Present*
Michael Merdinger - *Absent*
Committeeman Frank DelCore - *Present*
Steve Cohen, *Vice Chairman - Present*
Dr. Daniel Marulli - *Present*
Neil Julian - *Present*

Sam Conard - *Present*
Dr. Steven Sireci, Jr. - *Absent*
Robert Wagner, Jr. - *Present*
Robert Peason (Alt. #1) - *Present*
Shawn Lipani (Alt. #2) - *Present*

Also present: Bruce Rydel, P.P., AICP, Planning Director; Eric Bernstein, Esq., Board Attorney (Eric M. Bernstein & Associates); Lisa R. DiFranza, P.E., C.M.E, Board Engineer (Maser Engineering); Richard Brown, P.E., P.P., C.M.E. (Carroll Engineering), Conflict Board Engineer (Mund application); Lucille Grozinski, Board Court Reporter, and Caz Bielen, Board Videographer (Premier Media, LLC).

DISPOSITION OF MINUTES

• **September 04, 2014**

A motion to approve was made and seconded.

Roll Call: Mr. Lipani – yes; Mr. Peason – yes; Mr. Conard – yes; Mr. Julian – yes; Committeeman DelCore – yes; Deputy Mayor Burchette – yes. Motion carries.

DISPOSITION OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

- Election of New Planning Board Secretary (*formerly held by Tod Mershon*)

Dr. Marulli was nominated and seconded.

Roll Call: Mr. Wagner – yes; Mr. Julian – yes; Mr. Conard – yes; Dr. Marulli – yes; Mr. Peason – yes; Mr. Lipani – yes; Committeeman DelCore – yes; Deputy Mayor Burchette – yes; Vice Chairman Cohen – yes. Motion carries.
The Oath was administered by Deputy Mayor Greg Burchette

It was noted that the Oath of Office for Seat #5 was taken by Dr. Daniel Marulli with the Township Clerk, previous to this meeting.

SPECIAL COMMITTEE REPORTS

None

BUSINESS FROM THE FLOOR

None

CONSIDERATION OF ORDINANCES

None

PUBLIC HEARING – SUBDIVISION/SITE PLAN APPLICATIONS

- ***Hillsborough Park, LLC*** – File 14-PB-16-SR – Block 200.02, Lot 9 – 105 Stryker Lane. Applicant seeking Preliminary and Final Amended Major Site Plan Approval to construct 29 additional parking spaces, on property in the LI, Light Industrial District. *EC Review: 09-22-14 - APPLICATION WITHDRAWN*

Mr. Bernstein described the reason for withdrawal and noted the Applicant will reapply with the Zoning Board of Adjustment.

- ***Copart of Connecticut, Inc. – AMENDED*** – File 14-PB-15-SR – Block 73.01, Lot 1 and Block 71, Lot 1.01 – 2124 Camplain Road and Camplain/Sunnymeade Road. Applicant seeking Amended Major Site Plan Approval from conditions of Board Resolutions 10-PB-13-SRV, adopted 03-03-11 and Board Resolution 11-PB-03-SR, adopted 05-26-11 to revise the hours of operation and restrict the existing driveway exit to right turn only, on property in the I-1, Light Industrial District.

Charles Liebling, Esq. of Windels Marx Lane and Mittendorf, representing the Applicant, introduced the application.

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Mr. Rydel brought up that there had been a question of proper notice being given prior to the hearing. He stated for the record that he checked the notice and deemed it correct.

Exhibits were marked:

- **A-1:** Amended Site Plan, Block 73.01, Lot 1
- **A-2:** Exhibit Site Plan, Block 71, Lot 1.01

Mr. Liebling explained how the two lots are connected and used by the Applicant. He gave a brief history of the business and its past appearances in front of the Board.

Kenneth Hopkins, General Manager of the facility, was sworn in.

Mr. Hopkins gave a brief description of the business conducted by Copart. He detailed the day to day operations from sending contractors to pick up damaged cars to the customers who pick up their purchases. The use of heavy machinery is needed.

The company has many facilities globally. There are 23 full-time employees and no part-time employees in Hillsborough.

Mr. Hopkins referred to Exhibit A-1 to describe the layout of the site. On site there are approximately 3,400 cars with a little room left for more. Copart started using the back lot, with approval, in November 2013.

Inventory is gained through cars being delivered or dropped off at the facility. Typically there are 20 to 35 trucks each day, 90% of which are during regular business hours. That adds up to about 40 to 70 cars per day dropped off.

Cars are cleaned of trash and photographed. There is no disassembly, maintenance or fueling. They do not sell any car parts. Auctions are private for members only so the public cannot walk around the facility.

There are approximately 38 to 50 trucks for customer pick-up from 8am to 5pm. That amounts to around 40 to 76 cars a day. They are not looking to expand these hours.

Copart recently expanded into automobile donations. Saturday hours are needed for these donations. Seasonally, natural disasters increase the business at Copart. Hurricane Sandy, for example, added a huge increase to their inventory.

The Board asked that the past issues Copart had with storage space be addressed. Mr. Hopkins clarified Hurricane Sandy caused many of those problems and the addition of signage is proposed to stop illegal parking along Camplain Road.

The Board asked about impervious coverage and the stormwater management plan. Mr. Hopkins cannot answer that question. It was clarified these were issues from the last time Copart was in front of the Planning Board.

Mr. Hopkins described the process of cleaning a spill, though they are rare.

The Board asked for turnover time. Mr. Hopkins explained it is about 65 days between pick-up and sale, though some cars in accidents can sit for a year due to pending investigation. He further responded that all cars are sold because Copart works with a "junk buyer" - a company that places a low bid on every car up for auction. The statistics mentioned earlier are further clarified, saying inventory is fairly stable.

Mr. Hopkins described the reasons for the request for expanded hours. Flexibility is very important to the business and expanded hours would add flexibility. He then detailed what would occur during the extended hours on Saturday: vehicle drop-off and employees onsite with no operation of equipment for audit or inventory purposes. Additionally, Sunday hours are requested with prior notice to the Township in response to a New Jersey State of Emergency.

Mr. Hopkins further described how the facility will look and operate during these extended hours, including limitations on number and size of vehicles and position of front gates.

Mr. Hopkins detailed proposed mitigation for negative effects on neighboring properties.

Exhibit was marked:

A-3: Two photos of dust control trailer

Photos were taken by Mr. Hopkins almost a year prior right after previous meeting.

Some mitigating measures proposed require revision to the site plan for the main lot for which an engineer to the Applicant can testify.

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Mr. Bernstein asked for clarification on the Sunday hours requested. The possible reasons for an emergency opening were discussed at length.

The Board asked for clarification on what hours employees would be present on site outside regular business hours.

Mr. Hopkins explained the request is for twenty four hours, seven days a week. This was discussed at length.

The Board and Mr. Hopkins discussed the current procedures and times that the gate is open and trucks are on the lot and how the proposed hours would change those procedures.

The Applicant agreed to withdraw the request to leave the gates open if a customer calls and says they are running late.

The public portion was opened for questions.

Mike Sopko, Jr. at 2127 Camplain Road

Mr. Sopko asked how Copart will police the trucks coming in and out of the property. Mr. Hopkins explained the use of video surveillance and a log system.

Mr. Sopko asked if the Applicant is aware of deliveries are currently taking place on Saturdays and Sundays. Mr. Hopkins, Mr. Sopko and the Board discussed that at length.

Maria Janucik, property owner on Camplain Road.

Ms. Janucik asked for clarification on number of cars and how many on each lot. Mr. Hopkins answered about 3,400 cars and about 1,700 on each lot.

Susan Gulliford at Hunt Club Road

Ms. Gulliford asked where the nearest subleased lot to use during a State of Emergency is located. Mr. Hopkins answered that there is no sub-lot in the surrounding area but while a contingency plan will be in place, he cannot testify about it.

Ms. Gulliford asked about the proposed signage. Mr. Hopkins detailed the signage that will state no idling and no parking.

A five minute break is motioned and seconded. Motion carried.

Upon return, a resident asked about the dust and presented a photograph. Mr. Bernstein noted that this is evidence and he should be sworn in. He was.

He described the amount of dust that amounts on his property. He showed the picture to the Board. He stated the photo is about a year old but it has been a continuing condition.

A five minute break is motioned and seconded. Motion carried.

Mr. Bernstein discussed continuing this application to the next meeting.

A motion to carry the application to November 13, 2014 with no further notice is made and seconded. All aye, none opposed. Motion carried.

- ***RB Manufacturing, LLC*** – File 14-PB-17-MSR – Block 201, Lot 11 – 799 U.S. Highway Route 206. Applicant seeking Minor Site Plan Approval to construct a new rail switch to the existing southern-most rail spur, install approximately 357 lineal ft. of new track and install a new 35,000 vertical gallon storage tank to be used for mineral oil storage, on property in the LI, Light Industrial District. *EC Review: 09-22-14*

Matthew Schiller, Esq. with K&L Gates, representing the Applicant, introduced the application.

Matthew De Cicco, facility plan engineer, was sworn in.

Mr. De Cicco gave a brief history of RB Manufacturing, LLC and detailed the current conditions of the site.

Exhibits are marked:

A-1: Aerial

A-2: Rendering of storage tanks

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Mr. De Cicco described the existing switches and the proposed new switch using the exhibits. He detailed that no new deliveries would be expected due to the new switch and additional railcar but that additional railcars would substitute for truck traffic to the plant. He went on to further describe the deliveries. The majority of the new rail spur will be built on existing blacktop.

Mr. De Cicco described the need for the additional storage tank. Using Exhibit A-2, he indicated where the tank will be located. It will be built on existing impervious coverage. He stated the tank will be 35 feet in height.

The Board discussed the size and height of the tank.

The Applicant and the Board discussed the report from the Environmental Commission. The Applicant stated they will comply with those suggestions.

The public portion was opened. There were no questions. The public portion was closed.

A motion to approve the application is made with all conditions and reports, requirements, and agreements including that of the Environmental Commission and seconded.

Roll Call: Mr. Wagner – yes; Mr. Julian – yes; Mr. Conard – yes; Dr. Marulli – yes; Mr. Peason – yes; Mr. Lipani – yes; Committeeman DelCore – yes; Deputy Mayor Burchette – yes; Vice Chairman Cohen – yes. Motion carried.

- **MUND HILLSBOROUGH LAND LLC** – File 14-PB-13-SRV – Block 152.06, Lot 28 – 256 Route 206. Applicant seeking Amended Major Site Plan Approval with variance for outdoor storage and parking waivers, to alter the existing building to accommodate four (4) tenants, one of which will have outdoor storage, on property in the C-1, Neighborhood Shopping Center District. *EC Review: 09-22-14*

Mr. Bernstein noted for the record that because of a conflict, Maser Engineering will not be involved with this application. Carroll Engineering instead is handling this application, represented by Richard Brown, P.E., P.P., C.M.E.

Michael O'Grodnick, from Mauro, Savo, Camerino and Grant, representing the Applicant, introduced the application. He detailed the variances requested due to the existing conditions. He referred to exhibit A-1 to describe the existing conditions. A variance is required for parking but the Applicant is proposing to increase the number of parking spaces. The application, however, focused on the aesthetics of the building. The four tenants being proposed are: Traffic Supply Company, Dollar General, Planet Fitness, and an unnamed fourth tenant.

Brett Skapinetz was sworn in. For the record he stated his qualifications as an engineer. Mr. Skapinetz referred to Exhibits **A-1** and **A-2** and described the shared access agreement. He went on to indicate the area of the building to be demolished.

Exhibit **A-3**, site plan rendering, illustrated the proposed improvements. He clarified that changes to the stormwater system, impervious coverage, and traffic patterns are not being proposed. The basin will be cleaned up because it has been neglected by the previous owner.

Building signage was proposed for each tenant as well as a monument ID sign for the center that meets ordinance requirements.

Lighting improvements were proposed with new LED fixtures, which are more efficient, with the existing light poles as well as new shoebox fixtures around the perimeter of the building.

Mr. Skapinetz briefly detailed the potential hours of operation, deliveries, and number of employees for each of the three identified tenants.

Mr. Brown and Mr. Skapinetz discussed the issues from his report. A comparative analysis of sewage flow will be provided; existing lighting stanchions will be painted and adjusted; and the missing drainage grate will be addressed.

Exhibit **A-4**: vehicle circulation plan

Mr. Skapinetz indicated how the exhibit shows how the WB64, the largest truck that will be on the property, will maneuver easily through the space.

Mr. Skapinetz and the Board discuss the number of handicap parking spaces, the striping in the parking lot, and the loading area.

Mr. Rydel noted that a professional planning report was received today. He asked Mr. Skapinetz to review the composite staff report.

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A motion to continue past ten o'clock is made and seconded.

Mr. Skapinetz addressed the Fire Marshal's report and that the Applicant is working with the Fire Marshal to comply. He discussed at length the planner's report, specifically the parking. At length, he described the maintenance of the detention basin and that the Applicant will continue to maintain it. The back of the building will be painted the color previously approved.

Public portion is opened.

Susan Gulliford, Hunt Club Road

Will they consider putting sidewalks in along Route 206?

It is subject to DOT, but Mr. Skapinetz does not believe it is in the best interest to put in those sidewalks.

Nicholas Verderese, P.E. was sworn in as the traffic engineer. The Board accepts the qualifications. He detailed his discussion with DOT regarding Route 206 and the proposed improvements on this section of road. That project is in the design phase and not currently funded.

Ms. Gulliford clarified that the new traffic light to the north of the property was not in service when the traffic study was done. Mr. Verderese clarified that this project does not create a significant increase in traffic.

Mr. Skapinetz described the outdoor storage. A paved area will replace the demolished portion of the building for outdoor storage. There will be a fence around about 80% of the area with a few materials for sale in front of the fence. Access to the area and what will be outside was discussed at length.

Mark Cannuli, P.P. was sworn in. The Board accepted his qualifications.

Mr. Cannuli detailed the variances being requested, including existing conditions.

Mr. Rydel states the submitted planner's report and Mr. Cannuli's testimony meet the requirements of the Municipal Land Use Law.

No questions from the public.

There was a motion to accept the application as per the testimony, the reports of the witnesses and the requirements of all municipal professionals and departments. It was seconded.

Roll Call: Mr. Wagner – yes; Mr. Julian – yes; Mr. Conard – yes; Dr. Marulli – yes; Mr. Peason – yes; Mr. Lipani – yes; Committeeman DelCore – yes; Deputy Mayor Burchette – yes; Vice Chairman Cohen – yes. Motion carried.

CORRESPONDENCE

None

October 9 and October 23 meetings are cancelled.

ADJOURNMENT

The meeting adjourned at 10:27 p.m.

Submitted by:
Caitlin Davis
Planning and Zoning Clerk

Reviewed by:
Bruce J. Rydel, P.P., AICP,
Planning Director