

PLANNING BOARD MINUTES
PUBLIC MEETING

May 11, 2015

A public meeting of the Planning Board of the Township of West Caldwell was held on May 11, 2015, in the Municipal Building, 30 Clinton Road, West Caldwell, New Jersey. Chairman Mudd called the meeting to order at 7:00 p.m. and read the opening statement.

ROLL CALL

Members present: Mr. Martorana (via Skype), Chairman Mudd, Mr. Smith,

Ms. Marchetti, Councilman Cecere and Mr. Palmisano

Members absent: Mayor Tempesta and Mr. Dremel

Advisors present: Greg Castano, Esq. and Tamara E. Bross.

HEARING

P15-05 Russell McCall's Inc d/b/a Gourmet Foods International;

38 Fairfield Place, Block 1400, Lot 4.01, M-1 Zone; Property Owner: MFH Northeast, LLC; applicant currently occupies 50% of the building and proposes to occupy the remaining 50% of the premises.

Present was Steven Schepis Esq. Ms. Bross stated that taxes were current. Mr. Schepis made a brief opening statement for the applicant and the Evidence marking sheet A-1 thru A-8 and B-1 thru B-2 was entered into the record.

Chairman Mudd made an addition to the evidence marking list B-3 Planning Board Resolution 12-06 for Russell McCalls Inc dated 8/27/2012.

Chairman Mudd also revised B-2 the Zoning Officers report dated 4/27/2015 as follows: Page 1 Items 1 and 2 will be deleted

Item 3 will address screening and trash enclosure

Page 2 Item 1, 2, 3 and 4 will be deleted though testimony regarding any increase of overnight parking will be addressed.

Items 4, 5 and 6 should be addressed

Charles Stewart Jr. was accepted by the Board as certified Engineer, was sworn in and offered direct testimony and answers to questions from the Board:

- Mr. Stewart presented site plan to Board
- Building is approximately 50,000 square feet
- Parking will remain the same with 97 stalls in total and seven (7) spaces with electrical hook up for overnight parking
- Curbing at the entrance of drive on Fairfield Place will be modified to smooth out radius and prevent trucks from running over curb.
- Two (2) dumpsters are located in the center rear of the building along with a trash compactor; if required a fence can be installed around them with a gate

There were no questions from the public for Mr. Stewart based on his testimony.

Mr. David Bilow was sworn in and qualified as architect. He offered direct testimony and answers to questions from the Board:

- Applicant currently occupies 50% of building and wishes to expand same operation to the remaining 50%
- Expansion includes 10,500 square feet of refrigeration space
- Three (3) additional loading docks will be added
- The asphalt ramp will be removed
- Entire use of the building will be limited to the Applicant
- Roof mounted equipment will sit back 150 feet from the front of the building and 30 feet back from the west side; equipment will not be seen from the ground at 39” high.
- Outdoor storage will not continue as that use was with tenant vacating the property
- Cardboard is recycled and trash is compacted and therefore minimal
- Applicant will agree to comply with Performance Standards

There were no questions from the public for Mr. Bilow based on his testimony.

Mr. Robert Wilson was sworn in and stated that he runs the Northeastern Division and holds the title of General Manager. He offered direct testimony and answers to questions from the Board:

- Russell McCall’s is a food distribution operation and uses space for dry storage and refrigeration warehousing product and redistributing.
- Additional space will be a mirror image of existing operation
- 50-55 employees on a shift hours of operation are 6am-2pm and 4pm to 2am
- Applicant is considering to run an additional shift for a 24/7 operation
- 97 parking spaces accommodates employees and visitors
- Applicant will comply with all performance standards
- Trash is compacted and refuse level is very small
- There is not any problem with rodents
- Applicant will enclose dumpster if required
- Vacating tenants will remove trailers and pallets and will be out by the end of July.
- No ammonia systems are used in operation
- No future retail sales of any kind is planned

There were no questions from the public for Mr. Bilow based on his testimony.

Mr. Schepis gave a brief summation requesting approval from the Board for this occupant.

There were no questions or comments from the public regarding this application. The hearing was closed.

Chairman Mudd cited Section 21.12 as screening for dumpster area as removed from the Public view.

After Board deliberation Ms. Marchetti made the following motion:

WHEREAS, Russell McCall’s, Inc. d/b/a Gourmet Foods International (the “Applicant”) has submitted Application No. P15-05 to the Planning Board of the Township of West Caldwell (the “Board”) for Site Plan/Occupancy approval with regard to the premises located at Block 1400, Lot 4.01 in the M-1 Zone, as shown on the Tax Maps and having a street address of 38 Fairfield Place; and

WHEREAS, there are no taxes or assessments for local improvements due and delinquent on the subject property, and the Applicant has presented an ownership disclosure statement as required by New Jersey Statutes; and

WHEREAS, the Board has classified this application as a Minor Application not requiring public notice; and

WHEREAS, this Board has considered all documents submitted in connection with this Application and marked as A-1 through A-8 and B-1 through B-3; and

WHEREAS, the Applicant has provided documents and testimony in regards to: Operations; Number of Employees; Parking Requirements; Hours of Operation; and Loading and Unloading for the proposed occupancy; and

WHEREAS, the Applicant has provided testimony by: Operators Representative, as a witness; experts qualified by the Board in the fields of engineering and architecture; and

WHEREAS, this Board has determined through both said documents and testimony presented that this is a permitted use, and more particularly a gourmet food warehouse and distribution center in this Zone District; and

WHEREAS, this Board has made the following findings of fact:

1. The Applicant intends to occupy the entirety of the building (50,000 sq. ft.); having previously occupied 50% of the building.
2. The only exterior renovations will be the removal of an asphalt loading dock ramp in the rear of the building and the resizing of certain doors, also at the rear of the building.
3. Roof-top units will be screened from view.
4. Prior approval was granted by the Board for outdoor parking of refrigerated trucks, by way exception to the parking requirements detailed in ordinance section 20-23.3.c, because of the absence of residential properties in the adjacent area (Application No. 12-06), adopted on August 27, 2012. No increase in such outdoor parking is proposed in the present application, nor have conditions in the area changed from those in existence in 2012.
5. The Applicant will have approximately 25 employees per shift, with a possible increase of approximately 5 employees per shift.
6. There are currently 97 parking spaces on site (a pre-existing condition).
7. Applicant anticipates a future 24 hour /7 day a week operation.
8. No outdoor storage is proposed.
9. No food preparation is planned on-site.
10. Waste disposal will be by private commercial vendor;
11. The Applicant will modify curbing at east side and back island curbing without impacting parking as suggested by Zoning Officer.

WHEREAS, this Application neither requests nor requires the granting of any variances by this Board; and

WHEREAS, this Board has determined that this Application does substantially meet all the requirements of Chapters 18A and 20 of the Revised General Ordinances of the Township of West Caldwell;

NOW THEREFORE BE IT FURTHER RESOLVED, by the Planning Board of the Township of West Caldwell on this 11th day of May, 2015 that the said Application be and the same is hereby approved, subject to the following conditions:

1. The Applicant shall comply with all representations made in the testimony before this Board and all evidence presented to this Board;
2. In addition to all requirements contained herein, the Applicant shall comply with all Federal, State and local laws, rules and regulations, and obtain any other governmental approvals required for the lawful implementation of this Site Plan;
3. All signage of any kind requires separate application to and approval by this Board's Sign Committee;
4. All approvals, the issuance of construction permits and certificates of occupancy are subject to all applicable laws of the State of New Jersey, any required governmental agency approvals, ordinances of the Township of West Caldwell and Rules and Regulations of the Planning Board;
5. The Applicant shall submit to this Board for review and approval revised plans that incorporate all changes made during the course of this hearing to the plans that were used for this Application.
6. All conditions of the original approval dated August 27, 2012, not modified by this application shall remain in full force and effect.

The motion was second by Mr. Smith and APPROVED with conditions by a vote 6-0.

INVITATION FOR PUBLIC COMMENT

There were no questions or comments from the Public

ADJOURNMENT

The meeting was adjourned at 7:48 pm

Respectfully submitted,

Tamara E. Bross, Board Secretary