

TOWNSHIP OF SADDLE BROOK PLANNING BOARD

Following are the minutes of the Saddle Brook Planning Board's Reorganization Meeting, held on Monday, December 19, 2022 at 7:30 p.m.

1. FLAG SALUTE

2. ROLL CALL: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Councilman Gierek, Mr. Cook, Mr. Maniscalco, Mayor White and Mr. Camporeale - PRESENT Mr. Hickey, Mr. LaGuardia, Ms. Barrale and Mr. Mazzone - ABSENT

Also present were Al Birchwale, acting Board attorney, Chris Briglia, Board engineer and Gary Paparozzi, Board planner.

3. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT

4. Preliminary and Final Site Plan Application

BT Newyo, LLC, 290 North Midland Ave., Block 1202, Lots 27, 28 and 29
Craig Gianetti, attorney for the applicant came forward.

Mr. Gianetti – This property is located in the I (Industrial) district and the EP (Planned Light Industrial) district. The property is approximately 17.3 acres and contains the UPS distribution facility, which is approximately 150,000 square feet. The applicant is seeking site plan approval to replace an approximately 900 square foot mobile distribution center on a portion of the building near the Garden State Parkway, which contains 14 loading docks for the brown package cars. It is not used in connection with tractor trailers. It is attached to the building. A conveyor system loads packages into the mobile system distribution center and then they are loaded onto the brown package cars. The Zoning Board determined that we are a permitted distribution facility and can therefore proceed with this Planning Board application. We are familiar with the noise complaints from surrounding residents. We also received notice from the county about exceeding noise levels on the property by approximately 5 decibel levels. We decided to amend this application to include a sound wall around the border of the property. Also, as part of UPS's green initiative, we are proposing a solar facility over the parking area. There's an existing pallet dock that deals with the recycling of pallets that are brought to the site by customers or trucks. They unload and organize them to recycle them. There's no prior approval for the pallet docks, so the Zoning Officer asked us to obtain site plan approval for this as well. There's a minimum loading dock size, where the zone requires a minimum of 14 feet, where we have 13 feet 2 inches, but again, it's for the loading of the brown package cars, as opposed to tractor trailers. There's also a question about the fence height in the EP zone. The I zone has a maximum height of 8 feet. The sound wall for portions of the property closest to the facility is 16 feet and drops to 8 feet as it gets closer to the parking area. We identified this as a potential variance.

Mr. Birchwale – Notice requirements have been satisfied.

Paul Bendixon, an employee (a fact witness) in the engineering department for over 30 years was sworn in.

Mr. Bendixon – I've built many new facilities for the company and maintain the existing facilities, including the building, the pavement, the conveyor systems, etc. I've been in the NJ area for 3 years and the northeast area for the past 20 years.

Exhibit A-1 – aerial photo/site plan of the property, by Langan Engineering, dated 12/19/22, highlights the subject areas.

Mr. Bendixon – UPS has been on the site since the early 1970's. The existing facility is exactly the same as when it was built, including a car wash and trailers parking all the way around the facility. There are neighbors on Rugby Road and Colonial Ave. Mr. Bendixon pointed out the areas of the proposed sound wall, mobile distribution center (MDC), solar panels, and an existing pallet dock area on the site plan. The MDC really isn't mobile. It gets put on a foundation. The property is a little over 17 acres. There are over 1,500 employees. We handle small packages (less than 150 lbs.). Those packages are put onto package cars (brown trucks) for delivery. We don't have a forklift operation in the facility other than at the pallet dock area, which is for recycling. There are a number of ways that packages come to the facility. Customers will bring an entire trailer to us. The packages are unloaded by hand onto an extendable conveyor that goes into the trailer and then into the building where they are networked out to a number of conveyers inside the building. Ultimately, they either go into a brown package car inside the facility or a trailer, which would be outside the facility. We've had communication with the town regarding noise complaints from neighbors. We implemented some engineering solutions that aren't as drastic, such as changing horns and various other things. Typically, there's a backup horn that beeps. Those horns were reduced to a white noise. There were still some concerns from neighbors, so we're proposing a sound wall to reduce the noise. We employed an acoustical engineer on the size and design. There is an existing mobile distribution center that's showing some wear. We're just replacing it; the same size, height and number of doors (14). There was no original permit on it so that's why we're here. There are 4 shifts, 7 days a week. There are morning shifts, daytime shifts, twilight and evening hours so it's almost 24 hours a day. Brown package cars do not go out on Sundays. The MDC is for loading the brown package cars. It connects to the conveyer system in the facility. This will service what's already on site. There will be no additional employees. There is drive aisle access all around.

Mr. Ambrogio – What do you do with the package cars once they loaded?

Mr. Bendixon – They leave at 9:00.

Mr. Ambrogio – Which way do they go?

Mr. Bendixon – Showed on site plan. 7 exit toward the front, 7 exit toward the rear.

Mr. Ambrogio – So they don't get parked there.

Mr. Bendixon – No.

Mr. Maniscalco – Why aren't these trucks loaded inside?

Mr. Bendixon – There's no more room inside.

Mr. Maniscalco – How many are inside?

Mr. Bendixon – About 200.

Mr. Compitello – After packages are delivered, do they come back and park the trucks inside the facility?

Mr. Bendixon – Packages are unloaded, the vehicle goes through the car wash, gets fuel and then gets put back on its line. These things happen between 6 p.m. and whenever they're finished fueling.

Mr. Ambrogio – Do you park some of the package trucks along the back?

Mr. Bendixon – Yes.

Mr. Ambrogio – Are they parked in the striping or are they against the fence?

Mr. Bendixon – Probably more than the striping.

Mr. Ambrogio – Would that affect circulation?

Mr. Bendixon – We're able to drive all the way around now. We're not adding any brown cars.

Mr. Ambrogio – The closer you are to Rugby Rd., the more noise those residents will hear. I want to know how far off the wall they will park and how many spots there are. Also, the aerial photo shows trailers near the pallet dock. Are they supposed to be there?

Mr. Bendixon – They unload packages from trailers and leave the pallets in it. Then they pull that trailer around back into the pallet dock. With a pallet jack, they pull the pallets out and stack them. Then a fork lift pulls them off of this dock and puts them into a trailer. The forklifts do not go inside the trailer. The trailer then goes to the recycling company.

Mr. Maniscalco – Did you do any sound monitoring?

Mr. Bendixon – It was done in response to a noise violation issued by the county Health Dept. We worked off of that. There's day sound threshold and then there's an overnight (10:00 pm - 7:00 am) threshold. The violation we received was the overnight, where the threshold is lower – 50dB; we were cited at 55 dB. It is measured from the complainant's property, so they don't say what it is that caused it. The MDC could potentially be operating at 3:00 in the morning; the pallet dock shuts down at 9:30pm; the wash tunnel doesn't make noise, but runs from 6 pm to midnight.

Mr. Ambrogio – How does the pallet dock operation work?

Mr. Bendixon showed on the aerial map.

Mr. Ambrogio – Are there supposed to be trailers parked along the back wall?

Mr. Bendixon – No. I have signs up that say “No Trailer Parking”.

Mr. Ambrogio – That's not working.

Mr. Briglia – Did you or your acoustical engineer consider the noise ordinance in their analysis.

Mr. Gianetti – I think it was mostly in response to the county health department violation and working off of the state's standards.

Mr. Ambrogio – How many trucks are parked next to the pallet dock?

Mr. Bendixon – Usually two. The sound wall should be higher than the trailers are.

Mr. Maniscalco – Have you considered moving the pallet dock away from the residences?

Mr. Bendixon – There are a lot of noises, even the Parkway with tons of noise, so I can't say all the noise is coming from the pallet dock.

Exhibit A-2 – Bergen County Incident Report, dated 02/16/22. The violation was issued at 4 am.

Mr. Ambrogio – Previously, it seemed like trucks were being loaded back there.

Mr. Compitello – Back to back.

Mr. Bendixon – I could potentially see that if say, a truck had a flat tire and had to load onto another truck, but not as a regular practice. Our normal operating plan does not include any package movement outside.

Mayor White – Are the trailers and tractors attached. I know it makes a lot of noise when the tractor backs into the trailer.

Mr. Bendixon – That is probably the largest noise that exists on our property. The trailers are backed in. A shifter backs in, couples the trailer and then pulls out.

Councilman Gierak – There are some flooding issues on Jamros. Was that taken into consideration for the wall.

Mr. Bendixon – No. We're roughly 3-4 feet above the roadway. We're part of the sustainability movement. We've tried to put solar panels on most of our NJ facilities. The roof on this building will not allow solar panels, so we're proposing to put them above the employee parking lot. It's a small canopy.

Mr. Briglia – What do they power?

Mr. Bendixon- It's going to generate power for the consumption of this facility.

Mr. Maniscalco – Let's talk about the wall.

Mr. Bendixon showed the area where the 8 foot and the 16 foot walls would be located.

Mr. Ambrogio – Once the wall goes up, you will still have a landscape buffer on the other side that you would still need to maintain.

Mr. Bendixon – There will be a door of some sort for the landscapers to maintain that area.

Mayor White – Other than the guard shacks, is the parking lot patrolled by any security?

Mr. Bendixon – no. We have cameras with no sound.

Mayor White – Would you consider making the 8 foot wall 16 feet?

Mr. Bendixon – The acoustical engineer says this will mitigate the problems.
Mr. Maniscalco – We need the design/study from your acoustical engineer.
Mr. Cook – I think it would be helpful to know where the sound is coming from.
Mr. Gianetti – The 50 dB threshold overnight is for continuous noise. Impulsive noise is allowed to go up to 80 dB, but you can't have more than 6 in an hour, otherwise it's considered continuous noise. It's hard to identify the source of the noise at any given time.
Mr. Gianetti – We can have our acoustical engineer come in. We'll see if there is some kind of analysis with respect to the sound wall and how affective it would be.
Mr. Briglia – We need a design document.
Mr. Birchwale – I don't see how you can finish the application this evening without the acoustical engineer.

Mr. Compitello made a motion; seconded by Councilman Gierak to open the meeting for the public to ask Paul Bendixon questions. All in Favor – YES

Glen Leone, 202 Colonial Ave. – What will the wall look like on our side of the fence?

Mr. Bendixon – We will leave the existing larger trees and there is a plan that shows some new lower landscaping.

Mr. Leone – Snow plows beep loudly when they're back there. Can they be quieter, like the other trucks?

Mr. Bendixon- They are not UPS employees. I've never thought of that.

Mr. Leone - Can the pallet operation move to the opposite corner of the lot?

Mr. Bendixon – It potentially could be moved, but I would have to find a spot. It doesn't fit where you are indicating. The place where it would fit is closer to your house.

Joy DeVane, 202 Colonial Ave. – Have your outgrown this facility?

Mr. Bendixon – No.

Carmelo Lana, 105 Jamros Terrace – The pallet dock is the loudest noise for me. If there a way for you to put it across the street with the trailers?

Mr. Bendixon – That's a great solution and it's one that we are considering, but we don't own that property.

Karen Nobile, 186 Colonial Ave. - When did you increase your shifts, like the twilight shift?

Mr. Bendixon – Our twilight shift, which is roughly from 5:30-10:30 p.m., began in 1973.

Ms. Nobile - How many shifts were there when this facility first came here?

Mr. Bendixon – I was not here then, but I know that the twilight and a.m. shifts are standard to every facility. There have been no changes in over 20 years.

Ms. Nobile – What time do these trucks move at night?

Mr. Bendixon – At the end of every shift.

Ms. Nobile – How many shifters do you have at the facility?

Mr. Bendixon – 12-16.

Ms. Nobile – Is there a limit to how many you can have?

Mr. Gianetti – There' no limit.

Ms. Nobile – Will solar fixtures add to the coverage?

Mr. Gianetti – They're going over existing pavement.

Mayor White to Mr. Leone – Has the noise changed over the years?

Mr. Leone – Considerably. The trucks are coming closer to the houses now. They're constantly dropping the trailers. We can feel the vibrations.

Mr. Gianetti – We will provide historical photos, showing trucks there since 1985.

Ms. Nobile – Will the maintenance be moved to this property when the lease expires for the building you perform the maintenance in now?

Mr. Bendixon – The maintenance is not going to be moved onto the property.

Gary Garbarino, 193 Colonial Ave. – Have you ever watched what happens to Midland Ave. when the trucks leave in the morning.

Mr. Bendixon – Yes.

Mr. Compitello made a motion; seconded by Councilman Gierek to close the meeting to the public. All in Favor – YES

Matthew Welch of Langan Engineering, applicant's engineer, was sworn in.

Exhibit A-3, sound wall pictures from the manufacturer's website.

Mr. Welch – The sound wall is proposed along the easterly and northerly sides of the site, adjacent to the residences. It varies in offset of the property line between 17 and 21 feet. We want to leave the tree area intact and place the sound wall just off the edge of the pavement. We can work with the wall manufacturer to provide maintenance access.

The total wall length is approximately 1575 linear feet. The wall is made of vinyl material by ALL Sound Wall for sound attenuation. It will look like a vinyl fence and provide a visual screen. We will go with an adobe/tan finish that it blends into the background of the trees. The wall has posts with slats that stack. We will add low level landscaping. It's hard to get anything to grow there because of the trees. There are 8 canopies proposed for the solar panels. The footings will be at the head of the parking stalls. All panels will be slightly tilted toward the south. The clearance under the panels is 14 feet, which is proper clearance for vehicles moving around on site. Max height of the panels is 17 feet. They will all be above existing impervious surface /employee parking area. The mobile distribution center will be at the southeast portion of the site. It's more modular than mobile, as it's being placed on footings. There is a minimum 42 foot aisle around the MDC, so there's plenty of room for circulation. It creates no increase in impervious surface and the structure itself exceeds the minimum setback of 25 feet. It's about 12 feet 2 inches in height, so it technically requires a variance for not having a 14 foot height. It seems the intention of that height requirement is to make sure there is plenty of clearance for a truck to drive under it. There's no overhang over the load docks, so even if you did have a tall box truck, there's no issue with clearance. Other than that relief, with everything being proposed, the site conforms to all of the bulk/zoning standards. One thing that would help in terms of the various uses going on at the site is to take some of Paul's testimony and revise the site plan to specifically call out where the brown trucks park, etc. That way, it's a black and white plan that the town has on file that speaks to the operations.

Mr. Maniscalco – On a windy day, the tree branches may hit the sound wall.

Mr. Welch – The intention would be to keep it set back from the trees. The trees are taller than the fence.

Mr. Maniscalco – How does the vinyl panel system hold up to vandalism? Is it coated?

Mr. Welch – The coating is like any vinyl fence, but it's easy to replace.

Mr. Briglia – How many years is it rated for? How durable is it?

Mr. Welch – I don't know.

Mayor White - How long will it take them to erect the wall?

Mr. Bendixon – At least a month.

Mr. Paparozzi – Do you lose parking with the solar panels?

Mr. Welch – No

Mr. Compitello made a motion; seconded by Councilman Gierek to open the meeting for the public to ask Matthew Welch questions. All in Favor – YES

Carmelo Lana, 105 Jamros Terrace – Will the solar panels change the run off of water?

Mr. Welch – No. The runoff will go onto the existing parking lot.

Glen Leone, 202 Colonial Ave. – Will a vinyl wall really deaden the sound?

Mr. Welch – It's not the same as a vinyl fence in your backyard. It's made specifically for sound attenuation.

Mr. Leone – Will the noise be worse with the solar panels than it is now, with nothing over the employee parking lot?

Mr. Welch – I can't speak to that.

Donna Dempsey, 206 Colonial Ave. – The ground dips down behind my back fence. The trees are in a ditch leaning toward my property. I'm concerned they may land on my house. Have they been inspected?

Mr. Welch – The fence will be located just off the existing pavement, not impacting the trees. If you're concerned about specific tree location, we'd have to look.

Gary Garbarino, 193 Colonial Ave. – How high are the solar panels?

Mr. Welch – They have a 14 foot clearance.

Mr. Garbarino – Can't you put a higher wall to block it, so it doesn't look so bad?

Mr. Welch – The solar panels are within the height requirement.

Mr. Leone – Can we put in that the trees get inspected as the wall is installed?

Mr. Gianetti – We'll take it under advisement and address it at the next meeting.

Karen Nobile – Will the opening of the solar panels will face the residents? What is the pitch?

Chris Stefanski, applicant's solar developer/EPC contractor, specializing in carports was sworn in.

Mr. Stefanski – They have a 3 degree tilt. (page CS 502 of the submitted plans) You won't see the modules from the houses. You'll see the underside. There's nothing really to see on the underside because everything is tucked into a conduit. It's a black thin module; a clean array. You won't have to snow plow under these.

Mr. Compitello – Will you use any batteries?

Mr. Stefanski – No.

Mr. Birchwale – How much electric will this produce?

Mr. Stefanski – 100%

Karen Nobile – Tell me your experience with these carports and sound.

Mr. Stefanski – If it was all under one canopy, it would vibrate. We have 6 breaks, which makes it better.

Mr. Compitello made a motion; seconded by Councilman Gierek to close the meeting to the public. All in Favor – YES

Mr. Gianetti – We do have one more witness, our planner, who we usually save for last. He'd really just be addressing whether or not a variance is required for the wall height. We don't believe so.

Mr. Pappozzi – There is no standard for the zone you're in, so I would suggest to the Board that the highest wall height in any zone is 8 feet.

Mr. Compitello made a motion; seconded by Councilman Gierek to carry this application to the next regular Planning Board meeting on January 16, 2023, with no further notice. The applicant will bring their sound engineer and an updated site plan showing how the trailers will be parked to that meeting. All in Favor – YES

5. MINUTES

Councilman Gierek made a motion; seconded by Mr. Compitello to approve the minutes of the November 21, 2022 meeting. All in Favor – YES

6. CORRESPONDENCE

Mr. Compitello made a motion; seconded by Councilman Gierek to receive and file the correspondence. All in Favor - YES

7. VOUCHERS

Mr. Compitello made a motion; seconded by Councilman Gierek to pay the following voucher, provided funds are available.

Carroll Engineering, 12/02/22, BT Newyo, LLC, \$1,716

All in Favor – YES

8. OPEN AND CLOSE THE MEETING TO THE PUBLIC

Mr. Compitello made a motion; seconded by Councilman Gierek to open the meeting to the public. All in Favor – YES

No public participation.

Mr. Compitello made a motion; seconded by Councilman Gierek to close the meeting to the public. All in Favor – YES

9. ADJOURN

Mr. Compitello made a motion; seconded by Councilman Gierek to adjourn the meeting. All in Favor – YES

Meeting adjourned at 10:15 p.m.

Respectfully Submitted,

Jayne Kapner
Planning Board Secretary