

TOWNSHIP OF BERNARDS **PLANNING BOARD**

REGULAR MEETING AGENDA

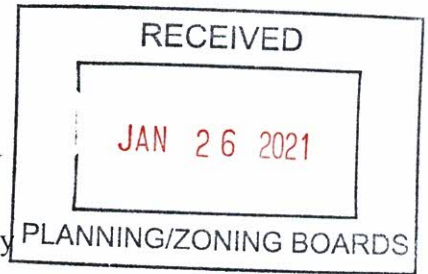
Warren Craft Meeting Room
May 4, 2021
7:30 PM

This meeting will be held in person in the Warren Craft Meeting Room. In addition, the public will be able to view the meeting live on Optimum/Cablevision TV – Channel 15 and Verizon FIOS TV – Channel 35 and the meeting will also be streamed live for those interested in watching on their computers. The link will be available at 7:30 PM by clicking on the “Watch the Meeting Live” icon on the Bernards Township homepage.

Questions/comments from the public will be accepted **only** during the public questions/comments periods of the meeting which will be announced by Chairwoman Piedici. Those questions/comments may be offered in person at the hearing or by calling 908-202-6426. If you are calling in, please turn off your computer/television and use Google “Duo” for your call. You will be required to provide your name and address and be sworn in prior to making comments. Please register your telephone number with the Board Secretary (ckiefer@bernards.org or 908-204-3026) prior to the meeting.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. OPEN PUBLIC MEETING STATEMENT**
- 4. ROLL CALL**
- 5. APPROVAL OF MINUTES**
 - A.** April 20, 2021 – Regular Session
- 6. COMPLETENESS HEARING**
 - A.** Fairmount Cemetery Association of Newark and Somerset Hills; Block 2301, Lot 12.01; 95 Mt. Airy Road; Preliminary/Final Site Plan; PB21-003
- 7. PUBLIC HEARING**
 - A.** [Distributed Solar Development LLC \(Verizon\)](#); Block 804, Lots 2.01 & 16; 295 North Maple Avenue; Preliminary/Final Major Site Plan; PB21-001
- 8. COMMENTS FROM MEMBERS** (5-minute limit per member)
- 9. COMMENTS FROM STAFF**
- 10. ADJOURN**

**TOWNSHIP OF BERNARDS
2021 PLANNING BOARD APPLICATION**



<input type="checkbox"/> Minor Subdivision	<input checked="" type="checkbox"/> Site Plan - Preliminary
<input type="checkbox"/> Major Subdivision - Preliminary	<input checked="" type="checkbox"/> Site Plan - Final
<input type="checkbox"/> Major Subdivision - Final	<input type="checkbox"/> Informal Review
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Other (specify):

1. APPLICANT: Distributed Solar Development, LLC on behalf of Verizon Corporate Services Group, Inc.

Address: 2690 Balltown Road, Building 610, Niskayuna, N.Y. 12309

Phone: (home) _____ (work) 1 609 575 8772 (mobile) _____ Email *(will be used for official notifications)*: dennis.breza@dsdrenewables.com

2. OWNER (if different from applicant): 295 North Maple LLC

Address: c/o Andra Foster, Director, Net Lease Capital Advisors
10 Tara Blvd/Suite 501 Nashua, NH 03062

Phone: (603) 546-2511 Email *(will be used for official notifications)*: afoster@netleasecapital.com

3. ATTORNEY: Gerald R. Salerno, Esq.

Address: 21 Main Street, Suite 100, Hackensack, N.J. 07601 Phone: (201) 487-4747 extension 102

Email *(will be used for official notifications)*: gsalerno@aronsohnweiner.com

4. OTHER PROFESSIONALS (Engineer, Architect, etc. Attach additional sheet if necessary):

Name: Robert C. Moschello, P.E. Gladstone Inc. Profession: Engineer

Address: 265 Main Street, P.O. Box 400, Gladstone, New Jersey 07934

Phone: (908) 234-0309, ext. 30, Email: rmoschello@gladstonedesign.com

5. PROPERTY INFORMATION: Block(s): 804 Lot(s): 2.01 & 16, also Block 46 Lot 14 in Harding
Township Zone: E-1 Office Zone; Street Address: 295 North Maple Avenue, aka 1 Verizon Way,
Total Area (square feet/acres): 139.4 acres

6. ARE THERE ANY PENDING OR PRIOR PLANNING BOARD OR BOARD OF ADJUSTMENT APPLICATIONS INVOLVING THE PROPERTY? ☐ No ☒ Yes *(if yes, explain or attach Board*

resolution: yes: In 2009, the Planning Board granted preliminary and final site plan approval permitting the use of solar panels on the Property; on March 8, 2018 the Board of Adjustment granted preliminary and final site plan approval permitting the construction of a 4 level parking deck on the Property; on July 12, 2018, the Zoning Board of Adjustment granted preliminary and final site plan approval permitting construction of 132 parking spaces, reconfiguration of existing athletic fields and construction of a basketball court; and on April 21, 2020, the Planning Board granted preliminary and final site plan approval permitting the installation of 16 antennas on the Property.

7. ARE THERE CURRENTLY ANY VIOLATIONS OF THE ZONING ORDINANCE INVOLVING THE PROPERTY? ☒ No, not to the applicant's knowledge ☐ Yes *(if yes, explain)*

8. ARE THERE ANY DEED RESTRICTIONS OR EASEMENTS AFFECTING THE PROPERTY?

☐ No ☒ Yes *(if yes, explain and attach copy)* there are numerous easements as depicted on the site plan, none of which are impacted by the proposed project.

9. DESCRIPTION OF THE EXISTING PROPERTY AND THE PROPOSAL/REQUEST:

The Property consists of 3 contiguous lots totaling 139.4 acres, containing the Verizon Operations Center and various associated improvements, including a four-level parking deck. The Applicant is requesting amended preliminary and final site plan approval to permit the installation of a solar canopy to the parking deck

10. DESCRIPTION OF REQUESTED VARIANCES OR EXCEPTIONS (include Ordinance section no.):

A design exception is requested from Section 21.42 to permit a light mounting height of 47 feet where a maximum of 12 feet is permitted within 250 feet of a residential zone and where a maximum height of 20 feet is allowed beyond 250 feet of a residential zone; a design exception is also requested from Section 21-43 to permit a maximum average illumination of 2.9 foot-candles in vehicular areas (under solar canopy) where a maximum average of 0.9 foot-candles is permitted.

11. THE FOLLOWING ARGUMENTS ARE MADE IN SUPPORT OF THE APPLICATION:

Good Cause exists for granting preliminary and final site plan approval. The application promotes the purposes of the Municipal Land Use Law, specifically by the utilization of renewable energy resources. Any design exceptions requested are reasonable and within the general purpose and intent of the provisions for site plan review and approval of the site plan ordinance, and the literal enforcement of the cited provisions of the ordinance is impracticable. In addition, the Applicant reserves the right to present testimony and evidence in support of the Application and requested exceptions at the time of hearing.

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN);

APPLICANT(S) SIGN HERE:

I, Nichole Coulter, Manager of Distributed Solar Development, LLC, hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant: Nichole Coulter Distributed Solar Development, LLC

By: Nichole Coulter, V.P. of Development

Sworn and subscribed before me, this 22nd day of January 2021.

Gerald R. Salerno, Attorney At
Law State of New Jersey

notarized remotely in accordance with A-3903

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

We, _____ the owner(s) of the property described in this application,

hereby authorize _____ to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

Signature of owner(s): _____

Sworn and subscribed before me, this _____ day of _____ 20__.

Notary

12. NOTARIZED SIGNATURES (ALL APPLICANTS AND OWNERS MUST SIGN);

APPLICANT(S) SIGN HERE:

We, _____ and _____ hereby depose and say that all of the above statements and the statements contained in the materials submitted herewith are true and correct.

Signature of Applicant(s): _____ and _____

Sworn and subscribed before me, this _____ day of _____ 20__.

Notary

OWNER(S) SIGN HERE (IF APPLICANT IS NOT THE OWNER):

If the application is made by a person or entity other than the property owner, or by less than all of the property owners, then the property owner or the additional owners must complete the following:

We, 295 NORTH MAPLE DST the owner(s) of the property described in this application, hereby authorize VERIZON CORPORATE SERVICES to act as my/our agent for purposes of making and prosecuting this application and I/we hereby consent to the variance relief (if any) granted and all conditions of approval thereof.

295 North Maple DST, a Delaware Statutory Trust*

By: NLC Trustee Servicing 2 LLC, Signatory Trustee

By: Net Lease Capital Advisors, Inc., Member

By: [Signature]
Name: Douglas F. Blough
Title: Chief Financial Officer

Sworn and subscribed before me, this 19 day of January 2021

[Signature]
Notary

ANDRA M FOSTER
Notary Public - New Hampshire
My Commission Expires Dec 7, 2021