

**RESOLUTION
LAND USE BOARD
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: September 18, 2019

RESOLUTION# LUB 19-20

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen			✓		✓	
Daloisio	✓		✓			
Davis						✓
Kistner						✓
Lovisolo			✓			
Sasso			✓			✓
Sirico		✓	✓			
Bernstein			✓			
Quinn			✓			
Yaccarino – Alt. #2			✓			

Carried ☒ Defeated ☐ Tabled ☐

RESOLUTION 19-20

LAND USE BOARD OF THE BOROUGH OF ALLENDALE

**RESOLUTION APPROVING
MINOR SITE PLAN AMENDMENT FOR
WAB US CORP.
BLOCK 601, LOT 4.01
(a/k/a 3 PEARL COURT)**

WHEREAS, the applicant, WAB USA CORP., with a business address of 3 Pearl Court, Allendale, NJ, is a tenant at 3 Pearl Court, Allendale, NJ, (Block 601, Lot 4.01) and has applied for a minor site plan amendment to add a "chiller" to the parking lot of its premises, in connection with this property (the "Property"); and

WHEREAS, the Land Use Board has reviewed the evidence and testimony of the Applicant and its professionals, including Engineering plans and photographs, and the testimony of the Borough Engineer, at its public meeting on August 21, 2019; and

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NOW THEREFORE BE IT RESOLVED by the Borough of Allendale Land Use Board

that it hereby makes the following findings of fact and conclusions:

1. The Property is located in the EM Zone District. This zone provides for mixed industrial uses, among other uses. The application was submitted in evidence. No variance relief was necessary nor requested for this application.

2. As part of the application, the applicant submitted Engineering Plans entitled "Minor Site Plan, WAB US Corp., Block 601, Lot 4.01, 3 Pearl Court, Borough of Allendale, County of Bergen, New Jersey," prepared by Bertin Engineering, dated August 1, 2019. Applicant also submitted a "Containment Pan Exhibit", prepared by Bertin Engineering, dated August 20, 2019, and several photograph. These plans and exhibits were in evidence and reviewed and examined by the members of the Land Use Board.

3. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and prepared a Memorandum dated August 14, 2019. The Memorandum was in evidence and reviewed and examined by the members of the Land Use Board. Mr. Vreeland also provided testimony relative to the application to the Land Use Board, and testified that the proposed site plan amendment would have no negative impact, and that all performance standards in connection with the unit had been met. He also testified that adequate safety measures to prevent or mitigate accidental spillage or discharge had been incorporated into the plans and testified to by the applicant. He had no objection to the placement of the unit in the parking lot.

4. The applicant's Operations Manager, Jonathan Taylor, was sworn and testified that the applicant was seeking to amend the site plan to add a "chiller". The applicant is a manufacturing company which makes reduction equipment, and occupies approximately 21,000 square feet of mixed-use space. The chiller is needed as part of the manufacturer process with the applicant's clients, and it is preferred that the unit be on ground level in the parking lot so that it can be accessed by personnel. It will be safer for employees to access in the parking lot than on the rooftop, and it requires bi-monthly maintenance. The chiller will take up three parking spots directly adjacent to the rear southwest corner of the building. The parking spaces on site exceed those required for the use at the building, and the reduction of three parking spaces will have no negative impact on the site or use at the premises.

5. The applicant's professional engineer, Eric Hough, P.E., was sworn and accepted as an expert in the field of engineering. He testified as to the specifications of the chiller unit and the safety containment process and concrete pad to be put in place under the unit. The safety containment process would protect against any spills, even though the chiller is a self-contained

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“closed loop” system. It will not exhibit excessive noise, nor will it adversely impact any surrounding properties. There will be fencing and bollards around the chiller unit for safety and to minimize visual impact. He testified that the remaining 91 parking spaces were adequate and in excess of that required for the premises.

6. No members of the public appeared in connection with the application.

BE IT FURTHER RESOLVED, based upon the factual and legal evidence, and testimony and contentions set forth herein by the applicant’s professionals and the Borough Engineer, said testimony and evidence which is specifically adopted by the Land Use Board, that the Allendale Land Use Board hereby grants the applicant’s request for a site plan amendment to allow placement of the chiller in the parking lot as proposed in the application; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval of the site plan amendment, subject to the following conditions:

- A. All fees and assessments required by ordinances, and due and owing to the Borough of Allendale for this site for professional review and approval of the applicant’s plans, shall be paid in full to the Borough of Allendale by the applicant.
- B. The applicant agrees that if the chiller unit is no longer needed as part of its operations, or if the applicant vacates the premises, that the unit will be removed from the parking lot, and the parking spaces restored in that area.
- C. The Site Plan submitted with the application shall be amended to include the fencing and bollards testified to by the applicant’s Engineer.
- D. Safety precautions and buffering as testified to and to be included on the amended Site Plan shall be addressed in the field in consultation with the Borough Engineer.

BE IT FURTHER RESOLVED construction shall proceed in accordance with this Resolution, the approved plans and drawings marked in evidence, the testimony of the applicants

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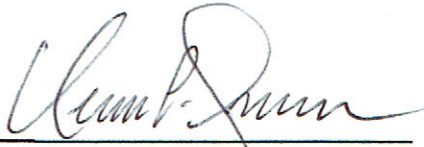
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and in accordance with all applicable State, County and Municipal codes, ordinances, rules and regulations.

BE IT FURTHER RESOLVED that the Land Use Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicant or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Borough Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Borough Attorney and shall publish a brief notice of the decision in the official newspaper, the cost of which shall be paid for by the applicant.

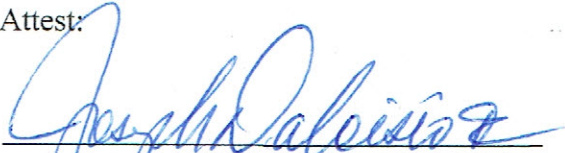
Approved:

ALLENDALE LAND USE BOARD



KEVIN QUINN, Chairman

Attest:



JOSEPH DALOISIO, SECRETARY

Adopted: September 18, 2019