

RESOLUTION
 LAND USE BOARD
 BOROUGH OF ALLENDALE
 BERGEN COUNTY, NJ

DATE: 8/21/2024

RESOLUTION: LUB 24-16

Land Use Board	Motion	Second	Yes	No	Abstain	Absent
Bergen		✓	✓			
Warzala			✓			
Putrino	✓		✓			
Agugliaro						✓
Daloisio						✓
Dalo					✓	
Sirico			✓			
Wilczynski			✓		✓	
Butler-Alt.#1						✓
Conte-Alt. #2					✓	

Carried Defeated Tabled

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LAND USE BOARD OF THE BOROUGH OF ALLENDALE
 RESOLUTION APPROVING
 APPLICATION FOR MINOR SITE PLAN APPROVAL FOR
 INTERCHEM CORPORATION
 BLOCK 601, LOT 6
 (a/k/a 6 PEARL COURT)

WHEREAS, the applicant, INTERCHEM CORPORATION, the lessee of the property located at 6 Pearl Court, known as Block 601, Lot 6, on the Tax Map, in the Borough of Allendale, County of Bergen and State of New Jersey (the “Property”), applied to the Land Use Board of the Borough of Allendale in an application dated May 19, 2024 for Minor Site Plan approval for the installation of a diesel generator on site at the Property which is located in the E Industrial Zone; and

WHEREAS, the Property is owned by C&W: Faropoint with an address of 111 River

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Street, Hoboken, New Jersey 07030; and

WHEREAS, the Applicant was represented by counsel, Mr. Joseph Mecca, Esq. of the Mecca Law Firm; and

WHEREAS, the proposal requires approval from the Land Use Board as the proposal meets the definition of a Minor Site Plan; and

WHEREAS, the application and plans specifically seek approval to install a diesel generator on the Property to provide added security and climate control in the event of a power outage; and

WHEREAS, the Land Use Board considered the matter at the July 17, 2024 regular meeting of the Land Use Board at which time the applicant appeared by counsel;

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. Notice of the public hearing was properly given by the applicant in accordance with applicable law.

2. The Property is located at 6 Pearl Court, known as Block 601, Lot 6, on the Tax Map of the Borough of Allendale. The property is located in the E Industrial Zone. The application was in evidence.

3. As part of the application, the applicant submitted a Land Use Application and associated documents; a 2021 ALTA NSPS Land Title Survey prepared by LMS Surveying LTD, dated September 20, 2023; copies of the Notice of Appeal and Variance Application Form; copies of the Description of Proposed Structure or Use; copies of the Site Plan consisting of one (1) sheet prepared by Costa Engineering Corp., dated June 5, 2024; copies of Floor Plan – Emergency Generator One Line Diagram, Detailed prepared by H & H Engineering, LLC, dated May 3, 2024.

4. Borough Engineer, Michael Vreeland, P.E. reviewed the submissions by the applicant and visited the Property. He had no objections to the installation of the generator.

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5. The Property is ±10.6636 acres and is located within the Borough's E Industrial Zone District. The Property is developed with a single-story masonry building which houses medications for distribution.

6. Next, applicant's warehouse manager, John Tate, was sworn in and testified as to the day-to-day operations of the facility. More specifically, Mr. Tate testified to the need for the diesel power generator due to the need to safeguard the medications / product in the warehouse. Further, Mr. Tate explained that the Drug Enforcement Administration ("DEA") is now requiring a generator in the event of extended power outages. Mr. Tate explained that the generator would also aide in securing the Property in the event of a power outage, the alarm systems will still work. The public had no questions.

7. Next, applicant's engineer Robert Costa, was sworn in, accepted as an expert, and provided testimony as to the placement of the generator on the property, which shall be in the back of the building, spanning three (3) parking spaces, and reinforced on a concrete pad. Mr. Costa testified that the generator meets the specifications of the local and State noise ordinances. Mr. Costa was cross-examined by the Board and answered the Board's questions to their satisfaction. The public had no questions.

BE IT FURTHER RESOLVED, based upon the factual and legal evidence, testimony and contentions set forth herein, that the Allendale Land Use Board hereby grants the applicant's request for Minor Site Plan approval, and to permit the installation of a diesel-powered generator on the site; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board specially adopts and accepts the testimony of the applicants in connection with the testimony that the Applicant is entitled to Minor Site Plan approval, due to the nature of the business and the need for the generator; and

BE IT FURTHER RESOLVED that the Allendale Land Use Board hereby grants approval of the Minor Site Plan, subject to the following conditions, which shall be complied with prior to the issuance of any permits:

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- 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. Applicant shall revise plans to include containment in the form of a curb around the generator. The generator shall also be moved slightly in accordance with discussions between the Applicant and the Board.
- C. The concrete pad the generator will sit on shall be raised from 3 inches to between 6 and 8 inches, as well as bollards around the generator.
- D. The plans shall be revised to include hatching across the three (3) parking spaces in which the generator shall sit. The plans shall be reviewed by the Board 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 applicant 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.

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Approved:

ALLENDALE LAND USE BOARD



MICHAEL A. SIRICO, Chairman

Attest:



~~JOSEPH DALOISIO, SECRETARY~~

Melissa Bergen, Vice Chairwoman

Adopted: August 21, 2024