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PUBLIC NOTICE

August 16, 2021

Commercial SG/Sitex Group - Site Improvement & Variances

File No.: 20-226

Please take notice that an application for six bulk variances has been filed with the NJSEA by Valley Brook 1201 SG LLC, for the premises located at 1201 Valley Brook Avenue and identified as Block 229, Lot 5, in the Township of Lyndhurst, New Jersey. Said premises is located within the District's Light Industrial A zone. The six bulk variances are sought in connection with the applicant's proposal to construct five loading areas and paved vehicular use areas, inclusive of vehicle and trailer parking spaces and maneuvering areas, on the subject premises in the front yard facing Clay Avenue.

Specifically, the applicant is requesting bulk variance relief from the following:

1. N.J.A.C. 19:4-8.2(b)1, which prohibits vehicular use areas in required front yards or within buffer areas. Paved vehicular use areas, inclusive of vehicular parking spaces, are proposed within the required front yard facing Clay Avenue at a minimum setback of 4.35 feet.
2. N.J.A.C. 19:4-8.2(b)1, which prohibits vehicular use areas in required front yards or within buffer areas. A paved vehicular use area inclusive of the trailer parking spaces and maneuvering area is proposed within the required front yard facing Clay Avenue at a setback of 4.35 feet.
3. N.J.A.C. 19:4-8.2(c)7, which requires that all vehicular use areas shall be properly screened and landscaped in accordance with N.J.A.C. 19:4-8.9. The proposed re-configured parking spaces along Valley Brook Avenue do not allow for the construction of a landscaped berm or the dense planting of evergreens on the subject premises sufficient to reduce headlight glare from within the parking lot as required by N.J.A.C. 19:4-8.9(d)6i.
4. N.J.A.C. 19:4-8.3(b)1, which prohibits loading in any front yard. Five new loading areas are proposed in the front yard facing Clay Avenue.
5. N.J.A.C. 19:4-8.3(b)4, which requires that all entrances and exits to loading areas shall be located in a safe and convenient manner with minimal impact on traffic movement on the site and adjacent streets. In order to access the proposed exterior loading areas and the proposed trailer parking area, maneuvering vehicles will encroach within the Clay Avenue right of way.
6. N.J.A.C. 19:4-8.3(c)3, which requires that all loading areas be screened and landscaped in accordance with N.J.A.C. 19:4-8.9(d)6iii. The proposed re-configured loading areas along Clay Avenue do not allow for the construction of a solid and continuous fence supplemented by evergreens capable of maturing to a

height and width sufficient to screen the loading areas and vehicles from the Clay Avenue right of way.

The NJSEA held a virtual public hearing for this matter on July 20, 2021. During the course of the public hearing, NJSEA staff had requested that the applicant provide additional exhibits, which were discussed by the applicant's professionals during the course of the hearing, but were not submitted and marked in advance of the hearing. Accordingly, the record of the public hearing was left open until the close of business on July 26, 2021, to allow for the submission of those items. Additional items that were provided by the applicant by email on July 26, 2021, included aerial photographs, truck turning templates, and an updated planning report, and effectively introduced new exhibits and/or testimony into the record of the public hearing for this matter.

As a result, this Office hereby reopens the record of the matter to provide an opportunity for public comment on this newly submitted information with the implementation of a ten (10) day public comment period starting on the date of publication of this notice. In accordance with N.J.A.C. 19:4-4.17(j), the Chief Engineer may waive a public hearing, but may not waive the notification requirements thereof. As such, barring any objections received in writing within 10 days of publication of this notice, this Office will waive the public hearing. Should any objections be received by this Office during the ten (10) day public comment period, the NJSEA reserves the right to require a public hearing.

Written comments must be submitted to Ron Seelogy of the NJSEA prior to the close of the public comment period, by email at rseelogy@njsea.com or by mail to One DeKorte Park Plaza, P.O. Box 640, Lyndhurst, NJ 07071. Plans and exhibits filed by the applicant are available electronically for public inspection by contacting Ron Seelogy of the NJSEA at rseelogy@njsea.com during regular business hours.

If there are any questions, please email Ron Seelogy at rseelogy@njsea.com during regular business hours.

Sincerely



Sara J. Sundell, P.E., P.P.
Director of Land Use Management
Chief Engineer