

## **RESOLUTION**

### **PLAINSBORO TOWNSHIP PLANNING BOARD Middlesex County, New Jersey**

**P23-01  
PBM Enterprise, LLC  
Block 2001, Lot 25  
(311 Enterprise Drive)**

#### **PCD Planned Unit Development Zone**

#### **~ MINOR SITE PLAN APPROVAL WITH SUBMISSION WAIVERS ~**

**(New Loading Dock)**

**WHEREAS**, PBM Enterprise LLC (“applicant”) has applied to the Plainsboro Township Planning Board (“Board”) for minor site plan approval to install a new loading dock on property located at 311 Enterprise Drive and designated on the Plainsboro Township tax map as Block 2001, Lot 25, and referred to as the (“site,” “property” or “subject property”); and

**WHEREAS**, the property is owned by PBM Enterprise LLC, which has consented to the within application; and

**WHEREAS**, the property is located in the PCD Planned Unit Development Zone; and

**WHEREAS**, the details regarding the applicant’s proposal are set forth in the following materials submitted by the applicant:

- Signed application form, checklists, and submission waiver requests
- Princeton Biotech Corp. (“PBM”) Loading Dock Project Design Narrative with attached exhibits (see Schedule A for list)
  - Plan set entitled “Minor Site Plan” Proposed Loading dock for 311 Enterprise Drive, prepared by Engineering & Land Planning Associates, Inc., dated October 14, 2022, last revised March 27, 2023 (11 sheets total)

**WHEREAS**, the Board reviewed the application at a public hearing held at a meeting on April 17, 2023, during which the applicant was represented by Jonathan E. Mayer, Esq. (Stevens & Lee, P.C.); and

**WHEREAS**, all applicable notice requirements for the public hearing were met; and

**WHEREAS**, during the hearing, the Board reviewed the exhibits set forth in Schedule A attached hereto and made a part hereof; and

**WHEREAS**, during the hearing, the Board heard testimony from the witnesses set forth in Schedule B attached hereto and made a part hereof; and

**WHEREAS**, the Board also considered the Planning Board Review Memo dated March 30, 2023 attached hereto as Schedule C and made a part hereof; and

**WHEREAS**, all of the materials related to the application and referenced herein were posted online and made available for public review and download more than forty-eight hours prior to the public hearing, and remained available to the public during and after the hearing; and

**WHEREAS**, members of the public and interested parties were provided with the opportunity to ask questions, cross-examine witnesses, and offer comments during the hearing, and were also provided the opportunity to submit written comments and questions in advance of the public hearing; and

**WHEREAS**, the Board based its review of the application on the plans/exhibits identified herein and the testimony provided during the hearing, as well as on its own knowledge of and expertise in the subject matter; and

**WHEREAS**, after due deliberation, the Board makes the following findings:

**PREAMBLE**

1. The findings set forth in the preamble to this resolution are incorporated herein as if restated at length.

**SUBJECT PROPERTY**

2. The subject property consists of one lot located at 311 Enterprise Drive and designated on Plainsboro's tax maps as Block 2001, Lot 25. The site is fully developed with a limited manufacturing, storage, office building with ancillary support uses, a parking lot, and an existing at-grade loading facility.

**ZONING**

3. The site is located in the PCD Planned Unit Development District with roadway frontage on Enterprise Drive.

**OVERVIEW OF APPLICANT'S PROPOSAL**

4. The applicant seeks minor site plan approval with submission waivers to install a new loading dock for the building that is used as a medical testing products manufacturer, that will allow a delivery truck to back into the loading dock and have the floor of the delivery truck level with the surface of the loading dock and the floor of the building.

5. The access to the property will continue to be from the single entrance drive off Enterprise Drive at the northwest corner of the property. Trucks servicing the property will enter the property and travel in a one-way counter-clockwise direction through the rear parking/loading areas of the subject property and the properties at 313 and 315 Enterprise Drive, before exiting onto Enterprise Drive.

6. The applicant testified that there may be daily deliveries between the hours of 8:00 A.M. and 6:00 P.M. with most of the deliveries being by box trucks. The applicant further testified that there will be occasional deliveries by full size tractor trailers. The delivery trucks when on site, will be parked in the area of the proposed loading dock so no trucks will be parked in a manner that would interfere with on-site vehicle circulation.

7. The applicant's engineer testified how each of the three properties known as 311, 313, and 315 Enterprise Drive will continue to accommodate anticipated tractor trailers coming to and from the development without interfering with existing parking and the other trucks loading and unloading products from the three properties.

## ADDITIONAL DETAILS

### 8. PARKING AND VEHICULAR CIRCULATION:

a. The project engineer also testified regarding the fact that 20 existing parking spaces on the west side of the building will need to be removed to allow access to and from the loading dock. A few of the parking spaces that are shown to be removed will allow better access to the proposed enlarged dumpster enclosure needed to accommodate separate dumpsters containing trash and recyclable materials.

b. As a result of the removal of the 20 parking spaces from the property the number of spaces will be reduced from 102 to 82 spaces. Based on the January 2022 parking assessment, the required number of spaces for the existing and continued use of the property for the medical testing manufacturer's use is 41 spaces. Even with the removal of the 20 spaces as shown on the plan, there will still be twice the number of spaces on site as required. As part of the aforesaid 2022 parking assessment, the applicant agreed to have a maximum of 40 employees on site at any one time, thereby confirming the adequacy of the 82 spaces serving the property after completion of the proposed loading dock.

c. There shall be Accessible parking provided, the number and location of which shall be subject to review and approval by the Township Construction Official.

d. The applicant also agreed that tractor trailers shall not be allowed to park on site overnight and that no delivery vans or trucks shall be allowed to park or be stored in the parking areas on the north and east sides of the building. This is due to the high visibility of those spaces from Enterprise Drive.

### 9. LANDSCAPING AND STORMWATER MANAGEMENT:

a. The proposed improvements associated with this application (i.e., new loading dock, modification to existing entrance driveway from Enterprise Drive, and new dumpster enclosure) will result in a small amount of disturbance to existing landscaping. The applicant agrees to replace any disturbed landscaping and turf and has included a note to this effect on the plans submitted for this project.

b. Due to the limited area of disturbance associated with the project before the Board, the minimum threshold for compliance with the stormwater management regulations has not been met, therefore no modifications to the existing stormwater management system serving the property is required.

10. SIGNAGE:

- a. In accordance with the regulations all signage either presently existing or being installed to serve accessible spaces shall conform with the Township (Princeton Forrestal Center, Type B sign detail) and MUTCD sign standards. All other existing or proposed regulatory signage (such as fire lanes, prohibited parking areas, pedestrian crossings, etc.) shall also conform to these sign standards and faded signs shall be re-faced as needed.
- b. There is an existing Fire Department Connection (FDC) that is located on the building near the proposed loading dock. In order to improve the visibility of the FDC, removal of some existing landscaping and adjustments to the height of the existing FDC sign, as well as possibly additional signage, shall be provided to the satisfaction of the Township Fire Official.

11. MISCELLANEOUS ITEMS:

- a. The rollup door for the proposed loading dock was shown on the plans to be painted in a Dark Bronze powder coat. The color shall be consistent to match with the color of the existing rollup door on the building.
- b. The solid waste materials such as trash and recyclables are to be stored in dumpster containers within the proposed dumpster enclosure. If such items cannot be stored in this manner, they are to be temporarily stored inside the building until collected by the waste hauler serving the property. The dumpster enclosure shown on the plan shall also be stained with a Dark Bronze color.
- c. The gate on the fence surrounding the existing generator on site is damaged and shall be repaired or replaced to operate as designed.
- d. To ensure compliance with the restrictions set forth above regarding vehicle circulation, parking, and solid waste storage, the applicant shall provide contact information for property management personnel responsible for compliance with such restrictions to Township Planning and Zoning staff.

**CONFORMANCE TO ZONING REGULATIONS**

12. Both the principal use of the subject property (manufacturers of medical testing products) and the proposed new loading dock are permitted uses in the PCD zone. No variances are required in connection with this application.

**CONFORMANCE TO SITE PLAN REQUIREMENTS**

13. The project conforms to all applicable site plan requirements.

## SUBMISSION WAIVERS

14. The applicant has submitted the required Site Plan Review Check List (Form 13) portion of the application and has identified items for which submission waivers are being requested, with an explanation and justification for each waiver. Based on the recommendations of the DRC and Planning Board staff, the Board finds that the waivers are reasonable and can be granted.

**NOW, THEREFORE, BE IT RESOLVED** by the Plainsboro Township Planning Board on this 17<sup>th</sup> day of April, 2023, that the application by PBM Enterprise, LLC for minor site plan approval with submission waivers be and is hereby granted, subject to the following conditions (to which the applicant has agreed):

1. The delivery trucks when on site, will be parked in the area of the proposed loading dock so no trucks will be parked in a manner that would interfere with on-site vehicle circulation.
2. The applicant will comply with the note on its site plan that no tractor trailers shall be allowed to park on site overnight nor are any delivery vans or trucks allowed to be parked or stored in the parking areas on the property which are located along the north and east sides of the building. Signage shall be posted indicating such restrictions, the location and details of which shall be subject review and approval of the Planning Board staff.
3. Accessible parking shall be provided and designated by signage, with the location of both subject to review and approval by the Township Construction Official.
4. In the event any landscaping is removed from the site in order to accommodate any of the proposed improvements and to improve the visibility of the FDC to the satisfaction of the Township Fire Official, the removed or disturbed landscaping shall be replaced in accordance with the approval of same by the Planning Board Engineer's office.
5. The rollup door proposed for the new loading dock shall be painted a dark bronze powder coat color, consistent with the color of the nearby existing rollup door.
6. The solid waste materials such as trash and recyclables are to be stored in dumpster containers within the proposed dumpster enclosure. If such items

cannot be stored within that area, they are to be temporarily stored inside the building until collected by the waste hauler serving the property. The dumpster enclosure shown on the plan shall also be stained with a Dark Bronze color.

7. All new or existing Accessible parking spaces shall comply with the Township (Princeton Forrestal Center, Type B sign detail) and MUTCD sign standards, as shall all existing or proposed regulatory signs on site. All faded sign faces shall also be re-faced or replaced as needed to comply with this standard.
8. The existing Fire Department Connection (FDC) is located on the building near the proposed loading dock. In order to improve the visibility of the FDC, removal of some existing landscaping and adjustments to the height of existing FDC signs and additional signage shall be provided to the satisfaction of the Township Fire Official.
9. The gate on the fence surrounding the existing generator on site is damaged and shall be repaired or replaced to operate as designed.
10. To ensure compliance with the restrictions set forth above regarding vehicle circulation, parking, and solid waste storage, the applicant shall provide contact information for property management personnel responsible for compliance with such restrictions to Township Planning and Zoning staff.
11. Unless expressly modified herein, the applicant will comply with all unfulfilled conditions and requirements, if any, set forth in the Planning Board Review Memo attached hereto as Schedule C, even if omitted from this resolution.
12. The applicant shall comply with all representations made and conditions agreed to on the record, even if omitted from this resolution.
13. The applicant will obtain the approval of and/or waivers, exemptions, or letters of no interest from the following outside agencies as applicable:
  - a. Middlesex County Planning Board
  - b. Delaware and Raritan Canal Commission
  - c. Freehold Soil Conversation District
  - d. Any other agencies having jurisdiction over the applicant's proposal
14. The applicant shall submit revised plans if and as called for in the foregoing conditions.
15. The applicant shall pay all outstanding real estate taxes, if any, within thirty days of the date of this approval.

16. The applicant shall post such engineering inspection fees, performance guarantees, temporary certificate of occupancy guarantees, maintenance guarantees, and other guarantees as may be required, consistent with the provisions of S-3233 (P.L. 2017, c. 312), and shall provide cost estimates to the Planning Board Engineer from which to calculate all such guarantees and inspections fees.
17. Unless otherwise specifically set forth herein, all conditions of approval must be satisfied prior to the signing of the final plans and issuance of any construction or other permits.

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**ROLL CALL ON THE APPLICATION AND RESOLUTION, April 17, 2023**

Yes:

No:

Absent:

Abstain/Not Voting:

S. Agarwal:		A. Lehrhaupt:	
P. Cantu:		S. Raturi:	
J. Doshi:		C. Spiegel:	
J. Greer:		E. Yates:	
R. Keevey:		R. Rajagopal (Alt. 1):	
		[vacant] (Alt. 2):	(n/a)

I hereby certify that the foregoing is a true copy of a resolution adopted by the Plainsboro Township Planning Board on the 17<sup>th</sup> day of April, 2023.

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Josi Easter, Planning Board Secretary

## **SCHEDULE A**

### **APPLICANT'S EXHIBITS**

#### A-1

Minor Site Plan – Proposed Loading Dock for 311 Enterprise Drive, prepared by Engineering & Land Planning Associates, Inc., dated October 14, 2022, last revised March 27, 2023 (11 sheets).

## **SCHEDULE B**

### **WITNESSES**

#### ***Applicant's Witnesses:***

- Kelley O'Such, PE, E&LP, project engineer
- Walter Kang, PBM Enterprise, LLC
- Roger Kang, PBM Enterprise, LLC

#### ***Planning Board Staff and Consultants:***

- Bonnie N. Flynn, AICP/PP, CFM, Township Director of Planning and Community Development
- Ronald Yake, AICP/PP, Township Planner and Zoning Officer
- Lou Ploskonka, PE (CME Associates), Planning Board Engineer
- Michael Balint, Esq. (Law Offices of Michael P. Balint), Acting Planning Board Attorney