

BOROUGH OF UNION BEACH UNIFIED PLANNING BOARD

RESOLUTION OF MEMORIALIZATION OF THE  
APPROVAL OF THE APPLICATION OF  
INTERNATIONAL FLAVORS AND FRAGRANCES, INC. FOR  
PRELIMINARY & FINAL MAJOR SITE PLAN  
1515 STATE ROUTE 36  
BLOCK 247 LOT 12  
APPROVED JUNE 28, 2017  
MEMORIALIZED JULY 26, 2017

WHEREAS, the Applicant, International Flavors and Fragrances, Inc. (hereinafter referred to as the "Applicant") is the owner of property located at 1515 State Route 36 and further known as Block 247 Lot 12 as shown on the Official Tax Map of the Borough of Union Beach; and

WHEREAS, the subject site is an existing 21.1 acre tract located on the north side of State Route 36 and the west side of Rose Lane; and

WHEREAS, the tract is located in the M-2 (Heavy Industry) Zone District of the Borough of Union Beach; and

WHEREAS, the Applicant is proposing to modify the originally approved Site Plan to allow the construction of a new 780 square foot addition to the lobby and to provide additional upgrades and renovations to the lobby area; and

WHEREAS, the Applicant further proposes additional limited site improvements including but not limited to walkways, drainage, landscaping, signage relocation, and walkways at the entranceway; and

**WHEREAS**, the M-2 (Heavy Industry) Zone District permits the use and bulk configuration proposed by the Applicant; and

**WHEREAS**, an application has been filed for Preliminary and Final Major Site Plan Approval and design waivers before Union Beach Unified Planning Board (hereinafter referred to as the "Board"); and

**WHEREAS**, the Applicant presented its application through its attorney, Bridget A. Sykes, Esq. of the firm of Fox Rothschild, LLP offices in Atlantic City, New Jersey at a regular meeting of the Board on June 28, 2017; and

**WHEREAS**, at the time of the hearings the Applicant presented the expert testimony of Daphne Galvin, PE, PP, & LEED AP with offices in, Eatontown, New Jersey, Andrew Balto, AIA with offices in South Plainfield New Jersey and Robert D. deVries, the IFF Facilities Manager as a fact witness in support of the application and the requested Preliminary and Major Final Site Plan and design waivers; and

**WHEREAS**, the Applicant presented the following submissions for consideration and review as part of the Applicant's application:

- Overall Site Plan, prepared by Daphne A. Galvin, P.E. of Partner Engineering and Science, Inc., dated April 25, 2017 revised through June 12, 2017, consisting of four (4) sheets.
- Topographic Survey (Partial Survey of Construction Location), prepared by James J. Heiser, P.L.S., of Partner Engineering and Science, Inc., dated April 12, 2017, consisting of one (1) sheet.
- Boundary and Partial Topographic Survey, prepared by Martin F. Tirella, P.L.S., of Schoor Depalma, dated February 27, 2001, consisting of two (2) sheets (unsigned and unsealed).
- Architectural Plans, prepared by Harry T. Osborne, A.I.A. of Gannet Fleming Architects, Inc., dated May 5, 2017 revised through June 13, 2017, consisting of three (3) sheets.

- Stormwater Management Report, prepared by Daphne A. Galvin, P.E. of Partner Engineering and Science, Inc., dated June 12, 2017; and

**WHEREAS**, the Applicant has provided notice to all property owners within two hundred feet and has caused notice to be published regarding said application in accordance with N.J.S.A. 40:55D-1 et seq.; and

**WHEREAS**, a complete application has been filed, the initial fees as required by Borough Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

**WHEREAS**, after proper public notice having been given according to law, the Unified Planning Board of the Borough of Union Beach held a public meeting on June 28, 2017 and after having given due consideration to the testimony and exhibits presented by the Applicant and its experts, and having given an opportunity for the public to be heard and having given careful consideration to all of the evidence, makes the following findings of fact and conclusions of law:

1. The Board has jurisdiction in this matter.
2. The subject property (hereafter referred to as the "site" or "tract" ) is owned by International Flavors and Fragrances, Inc. and is located at 1515 State Route 36 and further known as Block 247 Lot 12 as shown on the Official Tax Map of the Borough of Union Beach.
3. The Applicant is proposing to modify the originally approved Site Plan to the existing 98,540 square foot research

facility to allow for the construction of a new 780 square foot addition to the lobby and to provide upgrades and renovations to the lobby area along with additional limited site improvements including but not limited to walkways, drainage, landscaping and signage relocation and walkways at the entranceway.

4. The tract is located in the M-2 (Heavy Industry) Zone District of the Borough of Union Beach Zone District permits the use and bulk configuration proposed by the Applicant and no variances are required for the proposed improvements.

5. An application was filed for Preliminary and Major Final Site Plan approval to the Board along requested waivers by the Applicant's attorney Bridget A. Sykes, Esq. who at the time of the hearing presented the expert testimony of Daphne Galvin, PE , PP, & LEED AP, Andrew Balto, AIA and Robert D. deVries, the IFF Facilities Manager. Ms. Sykes started the presentation by providing an overview of the application, indicated the names of the witnesses she intended to introduce to the Board in support of the application and discussed the following requested design waivers:

- a design waiver from Section 13-8.4.d of the ordinance which requires shade trees at a minimum of 40 feet on center whereas none are proposed.
- a design waiver from Section 13-8.4.c.7 of the ordinance which requires one tree and three shrubs be provided for each 250 square feet of open space whereas none are proposed.
- a design waiver from Section 13-8.25 of the ordinance which requires installation of sidewalks unless waived

6. Testimony was provided on the record and a discussion took place between the Applicant and the Board Engineer Bonnie Heard, PE, CME of T & M Associates with respect to completeness waivers and the aforementioned design waivers and it was recommended by Ms. Heard that the completeness waivers and aforementioned design waivers should be granted and the Board accepted the recommendation of their Engineer and granted the completeness waivers and design waivers recommended by Ms. Heard with the exception that the Board has no jurisdiction to waive the sidewalk contribute fee pursuant to Section 13-8.25 of the ordinance as waiver of the contribution fee in lieu of sidewalk installation on site was a matter solely within the jurisdiction of the governing body.

7. Bob de Vries was then sworn in and testified in support of the requested Preliminary and Final Major Site Plan and proposed design waivers. Mr. deVries indicated that he was the Manager of Facilities and Engineering Services for the Applicant IFF and testified generally with respect to the current operation of the site, the purpose of the expansion and renovation, the proposed use of the space, and the effect of the expansion on the daily operation of the site including but not limited to that there will be no additional employees, no additional traffic generated, and no additional number of shifts or hours of operation. Mr. deVries testified that the building supports a research facility, Data processing unit and a consumer research area and the plan was to renovate the lobby to modernize it and make it more secure.

8. Andrew Balto, AIA was sworn in and accepted as an expert in architecture and testified generally about the application and the architectural, aesthetic and design aspects of the proposed lobby area expansion and additional site improvements. Mr. Balto further described the interior addition and uses in each space, the finished elevations of the addition, the materials for the exterior of the addition, the canopy feature, the new lighting associated with the addition, the locations of current signage and proposed relocation of that signage with the addition. Mr. Balto then testified as to the location of the roof drains on the canopy and addition which will drain to leaders into the storm drain system and which will be indicated on the final civil drawings and the soil boring logs and analysis raised by the Board Engineer and uses of the minimum design pressure allowed by building code. Mr. Balto further testified that the Applicant proposed to add an elevator with screening on the roof, that the metal screen that will block the elements will compliment the building, that the Applicant proposed to move the existing sign 10 feet higher than it is now and that the canopy is a poly carbonate roof with lights timed to come on at dusk and go off at day break. In support of his testimony Mr. Balto introduced the following exhibits which were marked into evidence by the Applicant's attorney Ms. Sykes:

- A-1 Floor Plan form application marked A101 of App 6/13/17-  
First floor Plan and Second floor Plan.
- A-2 A-103 6/13/17 Second Sheet elevations.
- A-3 Aerial view 6/12/2017
- A-4 Three of four pages Site Plan Partner Engineering

9. Daphne Galvin, PE , PP, & LEED AP was then sworn in and

accepted as an expert in site engineering and testified in support of the requested Preliminary and Final Major Site Plan, the proposed design waivers along with the engineering issues, the site plan, and both the current and proposed site conditions. Ms Galvin testified there the property has 21 acres and 10.7% is covered by building, 7.0 acres are impervious coverage and 67.3% is open space with 369 parking spaces. Ms. Galvin testified as to utilities at the site, drainage, storm drains and the submitted Stormwater Management Plan. Ms. Galvin further testified as to Landscaping/Soil conditions at the site, proposed changes to landscaping and removal of trees in the expansion area as to number, size, and type being removed and the new landscaping features proposed by the Applicant. She indicated that ten trees will be removed and replaced by planters and the landscapers will try to replant the trees in a different location with an attempt but with no assurance that at least one to three of the trees being moved could be successfully transplanted. Ms Galvin testified that there would be no changes to the existing parking lot or traffic circulation plan, the access points will remain the same and there will be no impact on existing vehicular traffic to the site. Ms Galvin further addressed the request for a design waiver for planting shrubs and trees for each 250 sq. ft. of open space and further discussed the basis to support the requested design waiver for no sidewalks on property frontage, and how the proposed improvements would comply with the Boroughs flood zone requirements Borough's flood damage prevention ordinance, and discussed the status of the Applicants DEP application. Lastly,

Ms. Galvin testified as to the currently pre-existing non-conformities with the existing development and how there will be no impact on the existing setbacks, coverage, non-conformities or other bulk standards in the zone district.

10. Bridget A. Sykes, Esq. then summarized the application and concluded to the Board that the proposed approved design waivers were in furtherance of the Municipal Land Use Law and conducive to the orderly development of the site and the general area in which it is located and that all the requirements for granting of Preliminary and Final Major Site Plan had been met and therefore approval was appropriate.

11. After due deliberation, the Board finds that the Applicant has satisfied all requirements of the Borough of Union Beach's Site Plan Ordinances and therefore Preliminary and Final Major Site Plan approval pursuant to N.J.S.A. 40:55D-47 & 50 et seq. and related statutes thereto is therefore appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the Unified Planning Board of the Borough of Union Beach that the application of International Flavors and Fragrances, Inc. for Preliminary & Final Major Site Plan Approval is hereby granted in accordance with the plans filed herein and the presentation and representations of the Applicant and the Applicant's professionals and is granted subject to and conditioned upon the following:

**SPECIAL CONDITION:**

1. Submission of a copy of the Applicant's NJ Dep permit.



2. Submission of revised plans consistent with the testimony and agreement of the Applicant at the time of the hearing.

**GENERAL CONDITIONS**

1. Subject to all the terms, conditions and requirements of all T & M Associates Review letters specifically the conditions found in the T & M First Completeness and Engineering review letter dated June 23, 2017.

2. Contribution by Applicant to the Borough trust account for sidewalk construction and tree planting in accordance with Borough Ordinances in the amounts calculated by the Borough Engineer, as is applicable and to the extent not waived by the Borough.

3. Applicant will comply with all representations made during the testimony and will address the comments and conditions of the Board professional reports.

4. The Applicant shall comply with the Planning Regulations of the Borough of Union Beach to the extent that they are consistent with this resolution and shall comply with all the requirements of the Construction Code and the Fire and Health Code Officials.

5. The Applicant shall procure all state, county and local government approvals required by law.

6. The Applicant shall pay of all taxes, fees, professional fees, and costs due to the Borough of Union Beach and the posting of all bonds required by law and by ordinance.

7. The Applicant shall obtain all necessary building permits and other construction permits required by any local, county or state law, rule or regulation.

8. The Application is granted only in conjunction with the conditions noted herein and but for the existence of same the application would not be approved.

9. The action of the Planning Board in approving this application shall not relieve the applicant of the responsibility of any damage caused by this project, nor does the Planning Board or its reviewing professionals and agencies accept any responsibility for the structural design of the proposed improvements or for any damage caused by the project.

10. All representations made by the Applicant or the Applicant's professionals at the time of the Planning Board Hearing on this matter or in any documents submitted pursuant to this application are considered specific conditions of the approval. Any deviation or misrepresentation therefrom shall be considered a material breach of the facts upon which the conclusions of the Board were made and shall be considered a violation of this approval.

11. This Resolution reflects a summary of the conditions, facts, findings, determinations and conditions determined at the hearings in this matter and is not to be deemed all inclusive. The hearing minutes and transcripts are incorporated by reference in this Resolution and are made a part hereof and are deemed to be in augmentation or clarification of the within Resolution.

BE IT FURTHER RESOLVED, that nothing stated in the within approval shall be interpreted to excuse compliance by the Applicant with any and all other requirements of the Borough of Union Beach or any other governmental entity, agency or subdivision as set forth in any laws, ordinances, regulations or fee ordinances.

BE IT FURTHER RESOLVED, that the Chairman and the Secretary of the Borough of Union Beach Planning Board be and are hereby authorized to sign any all documents necessary to effectuate the purpose of this resolution, provided that the Applicant has complied with all of the above stated conditions.

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Secretary of the Planning Board be forwarded to the Borough Zoning Officer, Borough Construction Official, Borough Tax Assessor, Borough Tax Collector, and the Applicant within ten (10) days from the date hereof.

BE IT FURTHER RESOLVED, that the Board Secretary is hereby authorized and directed to cause a notice of this Resolution to be published in the Asbury Park Press at the Applicant's expense.

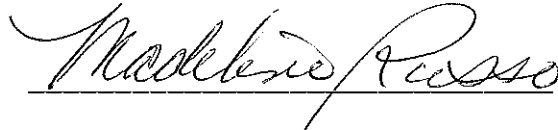
Dated: *July 26, 2017*

Moved By: *Mr. John Morin*

Seconded by: *Mrs. Carol Schultz*

Those in Favor: *Steiner, Andruzzi, Hoadley, Morin*  
*Abstaining: Coffey<sup>11</sup>*

I hereby certify that on the 30<sup>th</sup> day of July , 2017 the Unified Planning Board of the Borough of Union Beach adopted the foregoing Resolution by the aforementioned vote which memorializes an action adopted by the Unified Planning Board of the Borough of Union Beach at its meeting of June 28, 2017.

A handwritten signature in cursive script that reads "Madeline Russo". The signature is written in black ink and is positioned above a horizontal line.

**Madeline Russo, Secretary  
Union Beach Unified Planning Board**