

BOROUGH OF RARITAN
Planning Board Regular Meeting
MINUTES
January 25, 2017

CALL TO ORDER

Chairman Miller called the meeting to order at 7:01 p.m. in the Raritan Municipal Building. He read the Open Public Meetings statement as follows: This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Courier News and Star Ledger on January 6, 2017. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Raritan Borough website and filed in the Office of the Borough Clerk. They were also sent to those people who have requested and paid the cost for mailing same. Notices on the bulletin board have remained continuously posted. Proper Notice having been given, the Board Secretary is directed to include this statement in the Minutes of this meeting.

ROLL CALL

Present:

Chairman R. Miller
Vice Chairman Brown
Councilman Z. Bray
Mr. R. Zack
Mr. J. Gausz
Mr. B. Cunningham
Ms. D. Thomas
Mr. M. DeCicco
Mr. J. Krajewski
Mr. E. Wilde
Ms. A. Goetsch

Also Present:

Susan Rubright, Esq.
Stan Schrek, P.E.
Angela Knowles, P.P., A.I.C.P.
Lou Gara, Construction/Zoning Official

Absent:

Mr. McMullin
Mr. Fortkus

APPROVAL OF MEETING MINUTES

Motion by Mr. Gausz, **seconded** by Mr. Cunningham and unanimously carried to approve the Minutes of the **January 11, 2017 Reorganization Meeting**, as written.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Councilman Bray, Mr. Zack, Mr. Gausz, Mr. Cunningham, Ms. Thomas, Mr. DeCicco, Ms. Goetsch*

Nay:

Abstain: *Mr. Krajewski, Mr. Wilde*

ENGINEERING REPORT

Mr. Schrek advised that Borough Council moved to pursue a lien in connection with Tillman.

ZONING OFFICER/CONSTRUCTION OFFICIAL REPORT

Mr. Gara advised that the Board can expect to see an improvement in the general condition of the Shop n Stop property.

TRC MEETING UPDATE

Chairman Miller advised that there were had been no TRC meetings held since the last Planning Board meeting and that there were none scheduled at this time.

PLANNER'S REPORT

Ms. Knowles provided an update on the Priority Growth Area Phase III with respect to the Regional Center Partnership meeting she attended the prior week. She advised that she received a call from Raritan Headwaters Association regarding a clean up on 04/22 which she referred to the Environmental Commission.

Chairman Miller asked Ms. Knowles about the plan for the LaGrange Redevelopment Area. Mr. Schrek advised that the process for funding was being discussed. The Board Attorney asked Mr. Schrek and Ms. Knowles to provide the Borough with a proposal.

MISCELLANEOUS

- Proposed Ordinance Amendment (Land Use Application Checklist)

The Board Attorney provided a summary of the changes to the proposed ordinance.

Motion by Vice Chairman Brown, **seconded** by Mr. Bray and unanimously carried to recommend the proposed ordinance changes.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Councilman Bray, Mr. Zack, Mr. Gausz, Mr. Cunningham, Ms. Thomas, Mr. DeCicco, Ms. Goetsch, Mr. Wilde, Mr. Krajewski*

Nay:

Abstain:

There was a brief discussion about the status of COAH in response to a question from Mr. Brown. Chairman Miller offered that it was important for the professionals to keep the Board informed on the matter. Ms. Rubright suggested that Ms. Knowles be charged with providing updates to the Board on COAH.

RESOLUTION

Satyanarayana Varre, Applicant (Owner - Hopper II, LLC)
Block 29, Lot .01 (600 Route 206 South)

Motion by Mr. Zack, **seconded** by Mr. Gausz and unanimously carried to adopt **Resolution PB-2017-05** memorializing denial of the Varre application.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Councilman Bray, Mr. Zack, Mr. Gausz, Mr. Cunningham, Mr. Wilde*

Nay:

Abstain: *Ms. Thomas, Mr. DeCicco, Mr. Krajewski*

Councilman Bray recused himself at 7:28.

APPLICATION/HEARING (Continued from 01/11/17)

East Ridge Development, LLC
Block 29, Lot 1 (119 Route 202)
Site Plan, D Variances, Bulk Variances, Waivers

Attorney Henry Kent-Smith of Fox Rothschild, LLC appeared on behalf of the applicant. He explained that testimony from the 01/11/17 meeting would be summarized and a new plan presented in light of a Notice deficiency that was subsequently addressed.

Mr. Schrek advised that the Board had previously deemed the application complete and reviewed the waiver requests.

Motion by Ms. Thomas, **seconded** by Vice Chairman Brown and unanimously carried to grant the requested waivers thereby confirming that the application was deemed complete.

ROLL CALL

Aye: *Chairman Miller, Vice Chairman Brown, Mr. Zack, Mr. Gausz, Mr. Cunningham, Ms. Thomas, Mr. Wilde*

Nay:

Abstain:

Robert Vallario was sworn in and identified himself as a Real Estate Manager for Quick Check Corporation. He explained what drew the company to the proposed location and explained how Quick Check operates its gas convenience stores. Mr. Vallario spoke to the proposed hours of operation, other locations, placement of employees inside and outside the store, the number of employees and the nature of their "on demand" fuel service which utilizes an in-house monitoring system. He testified that low flow diesel would be available for passenger vehicles only and spoke to product delivery. Mr. Vallario offered that the timing of deliveries could be regulated and spoke to how they would be accommodated by a loading zone in the rear of the building. He provided details on landscaping and garbage maintenance and spoke to the location of the enclosure area which he indicated was separate from the building.

Mr. Vallario provided details on the rationale for convenience seating and on the types of products (food in particular) that Quick Check sells. He provided data for fuel dispensed by convenience operations such as this one. He spoke to accolades that the company received from industry specific publications. Mr. Vallario confirmed that Quick Check intends to continue operating the existing store in town. Traffic volume was discussed. He offered that they would be feeding mainly off of pass by traffic. He spoke at length about the availability of a (portable) backup generator via a contracted provider. He explained how Quick Check purchases their fuel product but was unable to provide the number of fuel deliveries for the Hillsborough location in response to a question from the Chairman regarding same. Profitability of the existing store in town was discussed. Ms. Thomas spoke to a problem with loitering on that site. Mr. Vallario offered that he had spoken to the head of security and operations and confirmed that there had been no matters of record with the Police. He related that the property in question is not owned by Quick Check, making it difficult "to police." He offered that he would address the Board's concerns with the landlord.

The Chairman opened the floor to questions of the witness. There were none.

Zack Bray of 101 Anderson Street asked whether both stores would be 24 hour operations. Mr. Vallario confirmed that they would.

Mr. Kent-Smith explained that while the developer [**Larry Harder**] was present, he was not feeling well and would be leaving if there were no questions for him. He offered that the variance for the 12,000 s.f. retail building was for general retail as a tenant for that building had yet to be identified. He spoke further to the

need for the second use. Mr. Harder left at 7:50.

Keith Cahill, P.E. of Bohler Engineering was sworn in and requalified himself before the Board. He identified **Exhibit A-1** entitled "Aerial Exhibit, Sheet 1 of 1" which was marked into testimony. Mr. Kent-Smith distributed copies of each exhibit, as presented. Mr. Cahill identified the frontage and surrounding uses/zones. He then marked **Exhibit A-2** entitled "Existing Parking Exhibit, Sheet 1 of 1" and proceeded to identify the existing uses on the site. He spoke to the size of lot, coverage, parking need and intensity with respect to what currently exists there. Mr. Cahill identified the four existing buildings with different uses and provided their respective square footage for a total of 41,234 s.f. He testified that 497 parking spaces were required by ordinance based on the types of uses currently on site.

Exhibit A-3 identified as "Photo Location Exhibit, Sheet 1 of 1" was marked into testimony. Mr. Cahill provided detail with respect to each photograph and identified the tower. He spoke to the existing conditions as they relate to **Exhibit A-4** which was identified as "Existing Site Conditions A" and marked into testimony. Access points were identified and discussed at length as they relate to **Exhibit A-5** entitled "Route 206 Lane Widths," (also marked into testimony). **Exhibit A-6**, entitled "Site Plan, Sheet 4 of 19" was identified as a colorized version of the sheet in the plan set and marked into testimony. Mr. Cahill identified the proposed convenience store and spoke to the dimensions of the canopy, fueling positions and underground tanks. Number of tenant spaces, seating, the need for a loading zone and trash enclosure with respect to the retail building were also discussed.

Referring back to Exhibit A-1, Mr. Cahill testified that the driveways would remain in the same location and that circulation would also remain unchanged. He spoke to the rationale for the trash enclosure location and for lack of a loading zone on the retail building site.

Referring to sheets 18 & 19 of the plan set, Mr. Cahill further discussed circulation. He explained how both store deliveries and "on demand" fuel deliveries would be made and testified that deliveries would not impede the drive aisles and/or would not be received during off peak hours. He spoke to the parking requirements for both buildings and indicated that the project would be both ADA and Ordinance compliant. He spoke to curbing, utilities and stormwater management including a reduction in impervious coverage. He spoke at length to lighting for both the store and canopy and then to landscaping, particularly with respect to the buffer along Frelinghuysen Avenue.

Exhibit A-7, identified as "Rendered Elevation R1" by GIA Architects was marked into testimony. Mr. Cahill identified the proposed signage and the extent of relief needed for each of the three signs. He referred back to Exhibit A-6 with respect to illumination.

Exhibit A-8, identified as "Aerial 1 of 1" was marked into testimony. Mr. Cahill spoke to the rationale for the location of the identification sign.

Exhibit A-9, identified as "Route 202 North View" and **Exhibit A-10** identified as "Rendered Elevations R2 Sheet 2 of 2" were marked into testimony and discussed at length.

Exhibit A-11 showing the signage on Route 206 was identified as "Monument Sign Exhibit" and marked into testimony. Mr. Cahill spoke to a reduction in the initial proposed height of the monument sign.

Exhibit A-12 showing the pylon sign for Route 202 was identified as "Freestanding Sign Exhibit, Sheet 1 of 1" and marked into testimony. Mr. Cahill spoke to the rationale for the proposed height and the ensuing modification (reduction) in same.

Exhibit A-13, identified as "Route 202 North View" was marked into testimony and discussed.

Exhibit A-14 identified as "Phase II Site Plan Exhibit" was marked into testimony. Mr. Cahill pointed out the addition of the loading zone. Traffic impacts with respect to Frelinghuysen Avenue were discussed. Mr. Cahill confirmed that there would be no change in the number of parking stalls previously proposed and spoke to modifications to the Route 206 driveway. He spoke at length to the rationale for the phasing.

The Board took a recess at 8:48 and resumed testimony at 8:52.

Exhibit A-15, identified as "Phase 1 WB-50 Truck Turning Exhibit" was marked into testimony. Mr. Cahill spoke to circulation and modifications that had been made to the plan. The phased plans were shown side by side. **Exhibit A-16**, identified as "Phase I Site Plan Exhibit Sheet 1 of 1" was marked into testimony. Mr. Cahill confirmed that all demolition work would be done simultaneously in response to a question from Mr. Zack.

Exhibit A-17, identified as "Phase I Route 206 WB-50 Truck Turning Exhibit" was marked into testimony. Mr. Cahill spoke to truck circulation, clearance and turning radii. He testified that the plan meets ordinance safety standards. **Exhibit A-18**, identified as "Phase II WB-50 Truck Turning Exhibit" was marked into testimony and discussed with respect to a loading zone for the retail space.

Exhibit A-19, identified as "Line of Sight Exhibit" was marked into testimony. There was an extensive discussion about the location of the trash enclosure with respect to the residences on Frelinghuysen Avenue. Mr. Cahill offered that there were visual and physical barriers. He provided testimony as to the frequency of hauling and odors. Noise pollution, particularly with respect to the back up beeps made by garbage trucks was discussed. Mr. Cahill indicated that regulations could be placed on pick up times. Mr. Kent-Smith affirmed this, offering that they would be utilizing a private hauler.

Placement of a bike rack was discussed. Mr. Cahill offered that while provisions had been made for bicycle parking, they were not noted on the plan (but would be). An extensive discussion ensued on pedestrian access to the site via two entrances from Frelinghuysen Avenue. Mr. Cahill confirmed that one of them would be ADA compliant. Mr. Gausz expressed concern about the location the tanks with respect to trucks overturning on the circle and potentially sliding into them. An extensive discussion ensued on remediation measures to address this. Mr. Schrek offered that the location of the air/vacuum service might be better suited elsewhere. Mr. Cahill offered that it could be adjusted.

Further discussion about walkway access ensued. A single point of access was considered. The Applicant's team was receptive to Mr. Krajewski's idea to switch the bike rack location with one of the access points.

The Chairman opened the floor to questions of the witness. There were none.

Oliver Young, A.I.A. of GKA Architects was resworn. Referring to [previously marked] Exhibits A-7 and A-10, he discussed dimensions, building materials, lighting, canopy elevations and details of the awning. He

testified that the parapet would act as a screen for the rooftop HVAC system.

Mr. Young marked **Exhibit A-20**, identified as "Rendered Quick Check Building Elevations" into testimony. He explained that this was a revision of Exhibit A-7 and spoke to the specific modifications that had been made in order to address concerns regarding the rear elevation of the building which faces Frelinghuysen.

Exhibit A-21, identified as "Rendered Retail Building Elevations" was marked into testimony. Mr. Young explained that this was a revision of Exhibit A-8 and spoke to the modifications that had been made to it.

The Chairman opened the floor to questions of the witness. There were none.

Traffic Engineer Elizabeth Dolan was sworn in and qualified herself before the Board. She confirmed that she had prepared the Traffic Impact Analysis for the application and provided testimony regarding same. Sign size as it relates to traffic safety was discussed. Potential problems with on demand deliveries were identified. The anticipated direction of travel for tanker trucks was discussed at length. Mr. Cahill explained that an operational restrictions exhibit is circulated to Quick Check and their vendors. The relevance of the Route 202 signage was discussed. In response to a question from the Chairman, Mr. Kent-Smith confirmed that use of the shoulder as a deceleration lane would be acceptable to the DOT.

Traffic count data was discussed, particularly with respect to the relevance of the proposed Route 202 signage. Traffic impacts with respect to the circle and cut-through traffic was discussed. The necessity and safety of a loading zone location was discussed.

Chairman Miller read the comments from the Police Department out loud. Mr. Kent-Smith confirmed that the exhibits were designed to ameliorate the concerns brought up in the letter with respect to adequate shoulder width on Route 206 as it relates to adequate acceleration and deceleration time.

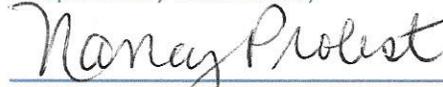
The Chairman opened the floor to questions of the witness. There were none. He opened the floor to public comment. There was none.

The hearing was adjourned to 03/08/17 without further notice.

ADJOURNMENT

Motion by Mr. Gausz, seconded by Mr. Zack to adjourn the meeting at 10:15 p.m.

Respectfully submitted,



Nancy Probst, Planning Board Secretary

APPROVED 02/22/17