

**READINGTON TOWNSHIP
BOARD OF ADJUSTMENT MEETING
July 21, 2016**

The Meeting was called to order by Chair Goodwin at 7:30 p.m. stating that the requirements of the Open Public Meeting Law have been satisfied. The meeting had been duly advertised.

Members present: Michael Denning, Meredith Goodwin, Alan Harwick, Diana Hendry, Joanne Sekella, Richard Thompson

Members absent: Karen McCullough, Patrick Ryan, Britt Simon

Ms. Hendry arrived at 7:36 p.m.

Chair Goodwin led those present in the *Salute to the Flag*.

MINUTES:

Ms. Sekella and Mr. Thompson abstained from the vote.

A Motion was made by Mr. Denning, seconded by Mr. Harwick, that the Minutes of June 16, 2016 be approved. Motion was carried with the following roll call vote:

Ayes: Mr. Denning, Mr. Harwick, Chair Goodwin

Nays: None recorded.

OTHER BUSINESS

The Escrow Agreement has been revised by the Board of Adjustment attorney and forwarded to the Planning Board for review.

TRC SUMMARY:

**Leibowitz
Block 51, Lot 37
Variance**

Application was deemed complete and scheduled for a public hearing on September 15, 2016.

PUBLIC HEARING

**AOG East Real Estate LLC
B. 15, L. 19
D Variance**

Present for Applicant: Kevin J. Moore, Esq.
Mark E. Zelina, Engineer
Nancy Dougherty, Architect

Attorney Moore advised that the Applicant had been before the Board on February 18, 2016 and completed the testimony of Mr. Zelina, Civil Engineer, and Ms. Dougherty, Architect. Based on comments and suggestions received at the February meeting, the Applicant has made significant changes to the site plan. Applicant intends to demolish the current on-site bank building and canopy, and construct a 5,035 square foot medical office building with associated parking and property improvements.

Exhibit A-6 was introduced: Ariel of Site with Site Plan Superimposed, dated July 15, 2016

Mr. Zelina testified that the existing and proposed structure are both located in the Professional Office ("PO") zone. By ordinance it is required that a septic reserve area be indicated on the site plan, the reserve area is located 150 feet to the north of the rear parking lot, in the Agricultural Residential ("AR") zone.

Exhibit A-7 was introduced: Rendering of Route 22 Medical Office Building, dated July 15, 2016

Mr. Zelina indicated that Applicant has requested a waiver for a reduction in the number of parking stalls, as they propose thirty-nine (39) stalls. The stall size will be in accordance with the ordinance. Applicant will include the required number of shade trees, no longer requiring a variance. As discussed at the February meeting, Applicant has moved the dumpster enclosure which will be constructed of masonry to match the building. By ordinance, the driveways cannot be wider than sixteen (16) feet. Applicant has redesigned the exit drive, to comply with the ordinance, but will require a variance for the entrance driveway that will remain at twenty (20) feet wide.

Mr. Zelina testified that minor regrading is required in the parking lot for drainage. Applicant will be excavating more than two (2) feet for the proposed rain garden in the western corner to assist with the roof runoff. Mr. Zelina indicated that the septic system would be located in the front of the site, requiring a grading change of 2.5 feet.

Chair Goodwin inquired about the rain garden and the location of the septic system. Mr. Zelina advised that the septic system is located in the front of the property and takes up a large

portion of the front lawn. He advised that stormwater would be recaptured by the rain garden and a stone trench along the parking lot to filter out sediments and rainwater. A maintenance manual would be provided that is recorded with the deed.

Mr. Harwick inquired if there was a pipe that discharges water runoff under Route 22. Mr. Zelina testified that there is a pipe that runs under Route 22 and discharges onto property located on Route 22 East. The rain garden will collect roof runoff and the trench will collect parking lot runoff to reduce the amount of water collected through the pipe.

Mr. Zelina advised that the on-site lighting had been reconfigured. There will be six (6) light fixtures with sealed source lighting, illuminated downward. Lights on the front of the building will be illuminated upwards to highlight architecture. The lights will remain on one (1) hour after the office closes; 9pm two (2) days a week, and 6pm three (3) nights a week.

Mr. Zelina indicated that Applicant requires a design waiver, as the concrete curbing will be retained, repaired where required, but not replaced with Belgian block.

Exhibit A-8 was introduced: Revised Plan, dated June 17, 2016

Exhibit A-9 was introduced: Truck Turning, dated June 17, 2016

Mr. Zelina indicated that **Exhibit A-9** shows the ability for emergency service, fire, garbage, and delivery trucks to traverse thru the site and out.

Mr. Hansen advised that Mr. Zelina addressed all of his comments in the Ferriero Engineering, Inc. report dated July 8, 2016.

OPEN TO PUBLIC

William Muller – property owner on Route 22 East – questioned whether a rain garden could also be placed on the westerly side of the property as his property is where the pipe discussed earlier empties onto. Mr. Zelina advised that he would discuss the matter with Applicant.

Mr. Troutman asked about placing Do Not Enter signs and striping the entrance. Mr. Zelina confirmed that it would be done.

Ms. Dougherty testified that at the February meeting, the Board was concerned with the exterior character of the building.

Exhibit A-10 was introduced: Photo Board, dated July 21, 2016, Pictures of Walgreens, The Farm, Victorian Houses

Exhibit A-11 was introduced: SP-1 dated June 17, 2016

Ms. Dougherty testified that the inside architecture of the building has not changed. The exterior of the building decreased, the main entrance to the building was made wider and more shallow, and a ramp was added to the rear entrance in accordance with a Township ordinance.

Exhibit A-12 was introduced: SP-2 dated June 17, 2016

Ms. Dougherty indicated that **Exhibit A-12** represents the front and back façade of the building.

Exhibit A-13 was introduced: Rendered Version of Exhibit A-12, dated June 17, 2016

Ms. Dougherty testified as to specific details of the architecture of the building, specifically that the building would be clad in vinyl with a stucco finish at the foundation, behind landscaping.

Exhibit A-14 was introduced: SP-3 dated June 17, 2016

Ms. Dougherty advised that **Exhibit A-14** shows the proposed elevation from the parking lot, and that the building mounted sign had been reduced to 19.83 square feet.

Exhibit A-15 was introduced: SP-5 dated June 17, 2016

Ms. Dougherty testified that the attic space will remain unfinished. Two (2) air conditioning units with duct work will be located in this space. The roofline is peaked, and the tallest height in the attic is seven (7) feet.

Chair Goodwin inquired about the road sign. Ms. Dougherty advised that the permitted maximum height above pavement is eight (8) feet, the road sign sits nine (9) feet above road level due to the hill in the front yard. Additionally, the proposed road sign remains v-shaped to allow for maximum visibility.

OPEN TO PUBLIC at which time there were no public questions.

Attorney Thomas advised that Applicant has an additional two (2) witnesses which will be heard at the following public hearing. The application has been carried until August 18, 2016 at 7:30 p.m. with no further notice provided.

BREAK 8:47 p.m.

RECONVENE 8:57 p.m.

**PMG Retail, LLC
B 39, L 56 & 57
Use Variance**

Present for Applicant: Lawrence C. Wohl, Esq.
 William Obara, Engineer

Attorney Wohl advised that Applicant was seeking a D-1 variance to build a convenience store with fuel on property located at the intersection of Route 22 and County Line Road. The application will be bifurcated, seeking approval for the use variance first.

Exhibit A-1 was introduced: Rendered Sheet 3 of 4 of Site Plan dated April 29, 2016

Exhibit A-1 depicts Lot 57 which consists of eleven (11) acres in the Research Office ("RO") zone wherein an existing daycare center is located. Lot 56 is a residential lot that has a protected wetland easement.

Exhibit A-2 was introduced: Color Rendering of Sheet 4 of Site Plan dated April 28, 2016

Mr. Obara testified that the daycare center will remain on 5.42 acres of Lot 57, and the residence currently located on Lot 56 will be removed. Applicant proposes a 4,596 square foot convenience store with five (5) fuel pumps on the remaining 6.62 acres. In 2008 the daycare center created a detention basin that is large enough to handle the development of this site.

Mr. Hansen questioned the existing and proposed grades for the daycare and parking lot. Mr. Obara advised there would be no modifications made to either of those.

Mr. Obara testified that the daycare and residence currently utilize public water and an existing septic system. The residential septic system will be decommissioned, and a new septic system will be placed to the south of the property. Applicant is working with the Board of Health, and indicated that the septic fields will be built in accordance with Township ordinances. As such, a septic field reserve will also be added to the plans.

Mr. Obara advised that a 'will serve' letter was received from the water company, a copy of which will be provided to the Board.

Mr. Obara indicated that the site will be accessed via a right in/right out along Route 22 East and an unrestricted driveway along County Line Road. Mr. Denning questioned if Applicant had received approval from the State for the access. Mr. Obara advised that they had not. Mr. Troutman advised that Applicant's plans show a one hundred (100) foot clearance from the traffic signal, which is in compliance with the State access code.

Mr. Obara continued by stating that the site will have fifty (50) parking stalls and a trash enclosure.

Exhibit A-3 was introduced: Traffic Circulation WB50, dated July 20, 2016

Mr. Obara testified that **Exhibit A-3** shows that tractor trailers, fire trucks, emergency vehicles, and/or garbage trucks can navigate the site safely. Mr. Denning questioned if these vehicles can enter the site from County Line Road. Mr. Obara indicated that entering from County Line Road was the easier traffic motion. Mr. Denning questioned if the trucks could turn behind the store and exit onto Route 22. Mr. Obara confirmed they could.

Chair Goodwin questioned the oversized stalls to the rear of the building and whether that location was also a traffic lane. Mr. Obara advised that it was a traffic lane.

Mr. Obara testified that landscaping, including the tree inventory, would comply with the Township ordinance. Applicant will provide buffering as well as a white fence along the rear property line. Currently, there is significant landscaping between the proposed development and the daycare center which will remain. The fueling canopy will have lighting that is projected downwards, pole lighting will be provided in the parking lot and the building will have security lighting. Attorney Thomas questioned whether the canopy lighting would be flush with the canopy. Mr. Obara advised that the lighting would be recessed within the canopy.

Mr. Obara advised that Applicant will comply with all of the comments provided in the July 14, 2016 report of Princeton Hydro, LLC. Additionally, all comments and/or questions within the report from Ferriero Engineering, Inc., dated July 14, 2016, had been addressed.

Mr. Obara addressed the Clarke Caton Hintz report dated July 14, 2016. He advised that Applicant is proposing a 33.4 foot buffer along Route 22 due to the unique orientation of the lot, and a 24 foot buffer along County Line Road. Although the septic system will be built according to the Township ordinance, the septic reserve area does not comply due to the required buffering and for that Applicant will seek a waiver.

Attorney Wohl questioned whether the waiver will be requested at this time or during the site plan approval. Mr. Obara was indifferent, and advised that the septic reserve area could be moved nine (9) feet north to negate the need for a waiver.

Mr. Obara testified that the parking lot would be constructed within the front yard, in compliance with Township ordinance in that the parking lot is in the front yard, but not in the front yard setback. Ms. Malcolm advised that she would review that determination and advise at the next hearing.

Mr. Denning questioned the Floor Area Ratio ("FAR") calculations. Ms. Malcolm indicated that she relied on Applicant's calculations. Mr. Denning questioned whether Applicant considered the conservation easement in their F.A.R. calculations. Mr. Obara advised that they had not. Ms. Malcolm advised that the conservation area, as well as any steep slopes, should be addressed in Applicant's F.A.R. calculations.

Mr. Obara indicated that there are no sidewalks along County Line Road or Route 22 and requested a waiver requiring Applicant to install same.

Attorney Wohl asked if Applicant intends to comply with the Township buffering requirements. Mr. Obara indicated that the buffering requirements are significant and Applicant is concerned about seeing the site from Route 22. Additionally, a variance is requested to place a sign ten (10) feet from the property line.

Mr. Harwick pointed out that the property seemed over-engineered. He inquired if the parking stalls near the canopy could be eliminated. Attorney Wohl advised that twenty-eight (28) parking stalls are required, and Applicant is providing fifty-eight (58).

Mr. Denning questioned the flow of traffic into the fuel canopy. Mr. Obara advised that there will be three (3) rows of pumps, six (6) lanes of traffic and the canopy is fifty-two (52) feet long. Chair Goodwin questioned the four (4) oversized parking stalls and whether they could accommodate tractor trailers. Mr. Obara advised that they could.

Attorney Thomas asked why Applicant is providing the oversized parking stalls if they will not fuel tractor trailers. Mr. Obara advised that the parking stalls were intended for landscaping trucks and similar vehicles.

Ms. Malcolm asked if the property had any steep slopes. Mr. Obara advised that the steep slopes were located on the daycare center property.

Mr. Troutman advised that the driveway located at 10 County Line Road should be aligned with the driveway of this property.

OPEN TO PUBLIC

Timothy Scoville – County Line Road – asked how a fueling truck, which is 78 ½ feet long (Clean Air Act to go into effect in 2018 requirements will increase trucks to 85 feet in length) will traverse the property without striking anything. Mr. Obara indicated that **Exhibit A-3** shows a fifty (50) foot long truck.

Alec Weissman – 21 County Line Road – asked if the detention basin located on the daycare center property would capture runoff from this site and whether the woods located behind this site and the daycare center would remain. Mr. Obara testified yes to both questions.

Attorney Thomas advised that the application has been carried until August 18, 2016 at 7:30 p.m. with no further notice provided.

ADJOURNMENT:

A Motion was made by Ms. Sekella, seconded by Mr. Harwick to adjourn the meeting. The motion was carried with a vote of all ayes, nays none recorded.

The meeting was adjourned at 10:00 P.M.

Respectfully submitted,

A handwritten signature in black ink that reads "Rebekah Harms". The signature is written in a cursive style with a large, stylized initial 'R'.

Rebekah Harms
Board of Adjustment Secretary