

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES**

December 9, 2009

A. Chairperson Fort called the meeting to order at 7:36 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

Mrs. Fort	present
Mrs. Flynn	present
Ms. Hendry	present
Mr. Hendrickson	present
Mr. Simon	present
Mr. Stettner	present
Mr. Shepherd	present
Mr. Thompson	absent
Mr. Denning	present

**Donald Moore, Esq., Kelleher & Moore
Brent Krasner, Clark*Catton*Hintz
John Hansen, Ferriero Engineering
Scott Parker, Jacobs, Edwards & Kelcey**

B. APPROVAL OF MINUTES:

1. November 20, 2008 - Mrs. Flynn made a motion to approve the minutes as amended. Mr. Hendrickson seconded the motion. *Motion to granted with a vote of Ayes all, Nays none recorded*

C. CORRESPONDENCE:

No comments from the board regarding the correspondence.

D. TECHNICAL REVIEW COMMITTEE:

None

E. VOUCHER APPROVAL: Mr. Hendrickson made a motion to approve the vouchers as presented. Mr. Stettner seconded the motion. Motion to grant with a vote of Ayes all, Nays none recorded.

F. RESOLUTIONS:

**1. Hanna Saqa
Variance and minor subdivision
Block 75, Lot 33**

Mrs. Flynn made a motion to approve the resolution. Mr. Denning seconded the motion.

Roll call:

Mr. Denning	aye
Mrs. Flynn	aye
Ms. Hendry	aye
Mr. Hendrickson	aye
Mr. Stettner	aye
Madam Chair	aye

G. PUBLIC HEARINGS

- 1. Winfield Management Corp.
Preliminary-Final Site Plan &
Use Variance
Action date: December 19, 2008**

Attorney Moore informed the applicant that there is an additional use variance if the Applicant proposes to have a fast food facility within the complex. The use is allowed in the Business Zone with properties consisting of five acres or more. This site is less than five acres. The applicant agreed to provide their proofs for an additional variance.

Mark Peck, Esq., stated that he is the attorney for the applicant. This is a continued hearing. He referred to Robert Zederbaum's letter dated December 9, 2008 indicating that the revisions were made pursuant to Princeton Hydro's letter dated November 17, 2008; Mr. Hansen's letter dated November 18, 2008; and Mr. Sullivan's and Mr. Krasner's letter dated of November 18, 2008. Additionally there is a letter dated November 20, 2008 from Robert Larson of Raritan Valley Disposal representing that the trash pickup plan for the facility is acceptable. There is a letter from John Barczyk, Fire Official, and dated December 3, 2008 indicating that the proposed water lines are sufficient for the proposed construction.

Gordon Meth, Traffic Engineer, and the board's professionals were sworn in by Attorney Moore.

Mr. Meth stated for the board that he has a Bachelor's and Master's Degree in Civil of Engineering. He was licensed in the State of New Jersey in 2000. He is an associate and the director of traffic engineering for the firm of RBA Group.

Mr. Meth testified that he has reviewed Scott Parker's report dated December 4, 2008. This is a response to his report.

Exhibit A-13 – Gordon Meth's report dated November 25, 2008

Mr. Meth stated that the site will have access from Haver Place, although there is frontage along Route 22. The area of impact is the intersection of Route 22 and Haver Place and intersection of Route 22 and Oldwick Road. He expects that there will be some traffic filtering along Haver Place to Central Avenue to access Route

523. The last area of concern is the U-turn opening on Route 22 right across from Lake Drive.

Exhibit A-14 – Site plan showing only retail use prepared by Robert Zederbaum dated December 8, 2008

He analyzed the traffic counts in the field. Traffic is graded on a scale of A (being the best) through F (being the worst). He stated those locations function at a level D or better during peak hours. This is considered acceptable. There is an issue with the U-turn ramp with too many vehicles crossing paths. It is hard for him to capture the impact. The evening peak is the worst having approximately 148 cars trying to turn into Lake Drive, another 16 cars trying to make a U turn and approximately 50 cars coming out of Lake Drive trying to travel west bound. Saturdays is close to the peak PM.

In his report dated November 25, 2008, 3 different scenarios were explored to improve the situation. Most of the recommendations involved making the U-turns one way. The trip generation that they looked at was the worst case scenario. They estimated 234 trips in the morning and 238 in the evening and 348 on Saturday. The critical impact is the U-turn. Adding all of this traffic to the U-turn would be problematic. They looked at various scenarios to improve it. The first would be the closure of the U-turn opening. The second option would be to prohibit left hand turns from Lake Drive. The third option would be to turn the U-turn into a one-way U-turn in either direction. The township does not have jurisdiction of Route 22.

Mr. Denning wanted to know if the U-turn was closed, how it would impact tractor trailers trying to make deliveries at Bishops. Mr. Meth answered that their detour would be point four, to point five miles away depending on where they were going.

Mr. Meth recommended the third scenario and make the U-turn opening one way for the eastbound traffic and shift all of the west bound traffic to the next U-turn opening.

Mr. Parker agreed that the board should go with the third option presented.

Mr. Meth testified that using the worst case scenario, there are approximately 200 vehicles using the U-turn. The added traffic in the peak hour would be an additional 50 vehicles.

Mr. Hansen asked if the applicant is proposing to donate an off-tract contribution to highway openings. Mr. Peck stated that the applicant will only contribute his pro-rata share. Mr. Meth did not feel that NJDOT would allow an applicant to work on the U-turn openings.

Mr. Parker stated that he was provided with all of the electronic files so that he could run the numbers for himself. He agreed with Mr. Meth's analysis. Mr.

Parker felt that the additional numbers of traffic made a significant impact on the U-turn.

Mr. Meth addressed the Central Avenue intersection conditions. He stated that without connection between this site and the proposed Walgreen's site traffic will travel the connection from Haver Place to Central Avenue to get to Route 523. He estimated that there would be approximately 20 additional vehicles under the worst case scenario. The site distance at Central Avenue and Oldwick Road is deficient. The applicant will do whatever he can to improve the site distance.

Mr. Meth testified that a shopping center is a mix of stores of various types. He applied the rate of cars that would be seen from a variety of stores located on one site. On the assumption that they would have one morning generator, such as a coffee shop or a convenience store, they used this information into his analysis.

John Hansen referred to the Haver Place and Route 22 intersection, he wanted to know what the stacking would be in this area during the peak hours of the day. The reason he is asking is that the applicant has agreed to make the road wider in this area. Mr. Meth calculated that the worst case would be two car lengths stacked in this area. He stated that the township would have to make application to NJDOT to improve the roadway.

Mr. Parker testified that he is satisfied with the Haver Place and Route 22 intersection as long as there is some form of road widening.

Mr. Hansen stated for the record that the applicant is proposing to widen Haver Place on both sides so there will be 28 feet in width up to approximately 60 to 70 feet from the intersection and then a half width improvement for the remainder of the frontage on Haver Place which would be 14 feet from the centerline.

Regarding the parking lot, Mr. Meth stated that there will be 12 apartments and 13,639 square feet of retail space. The applicant is proposing 78 parking spaces. In his professional opinion he felt that there were sufficient parking spaces available on the site. Referring to his report dated November 25, 2008, it states how much parking will be used by both uses. The convenience store has the same demand as other retail uses. In his opinion, the site will only need 72 parking spaces.

Mr. Hansen stated that Mr. Meth's report was based upon retail, apartments and a 15,000 square foot fast food facility. There are other uses that are permitted if you don't have the residential component on a lot between 2 acres and 5 acres. Personal service, banks, and full services restaurants are allowed on this site. He wanted to know if the applicant was agreeable not to include these uses in his approval, or does Mr. Meth's analysis need to take this into consideration. Mr. Meth stated that this site was studied as a shopping center. These are all common components that were taken into account in the parking demand per square foot that he used for analysis purposes. If there is a use and an assessment would have to be made to see if it was allowed. If additional parking is generated, then the applicant should make application before this board. Mr. Hansen stated that there is no restriction on full services restaurants. If there were no limits on a 15,000

square foot full service, then the parking could overlap the residents use. This could be a problem. Patrons have an option not to go to the restaurant, but the residents would have to park and it would probably be on Haver Place. Mr. Hansen stated that limits will have to be imposed. Also, a Dunkin Donuts, Starbucks, etc. these types of uses have a tractor trailer delivery once a week. The problem will be that a tractor trailer cannot maneuver through the site in a safe manner. Mr. Meth stated that the site is not conducive to the usual turns of a tractor trailer.

Mr. Parker agreed that tractor trailers cannot navigate internally through the site.

Madam Chair requested that the applicant supply her with information regarding a "day at the site". She would like to walk through the applicant's vision as how he sees how the site is going to work. She wanted the applicant to provide a list of the types of stores that they would envision.

Mr. Hansen stated that in Mr. Zederbaum's letter he indicated that he did not have time to revise the site plan. He wanted to know if Mr. Zederbaum would have sufficient time to submit the new plans. Also, Mr. Hansen suggested that since the board has to consider several D and C variances, the applicant should get to the point where they can identify what they want to do with the building, and then try to get direction from the board if there are any significant problems with what the applicant presents.

Mr. Peck informed the board that it appears that as far as traffic and parking are concerned, it is the tractor trailer getting in and out and the loading and unloading on the site that remains to be worked out.

Ms. Hendry disagreed with that statement. She stated that the parking numbers and traffic are speculative.

Mr. Flath informed the board that he will agree to whatever the board wants. Mrs. Flynn stated that the tractor trailer delivery's is not the only problem with the site. Ms. Hendry agreed and stated that it is also the safety to support all of these uses.

Mr. Peck signed an extension to January 15, 2009. The Chair announced that there would be no further notice to the public.

H. ADJOURNMENT:

Ms. Hendry made a motion to adjourn at 10:25 p.m. Mr. Denning seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

Respectfully submitted,

Linda A. Jacukowicz