

**BOROUGH OF SOUTH PLAINFIELD
PLANNING BOARD
MINUTES OF JULY 10, 2018**

ROLL CALL:

Present

Mayor Matthew Anesh
Councilman Derryck White
Stephanie Bartfalvi; Alternate 1
Bryan Bythell; Alternate 2
Paul Grzenda
Richard Houghton
John Mocharski
Bob Ackerman; Chairman

Absent

Michael Pellegrino
Peter Smith
Jack Pedersen; Vice Chairman

Also Present: Alex Fisher, Esq.; Stanley Slachetka, PP, AICP; and Bob Bucco, PE, CME, CPWM

Chairman Ackerman opened the meeting at 7:00pm stating that the meeting is being held in accordance with the Open Public Meetings Act by posting a notice to The Observer and The Courier News and providing the same to the Borough.

It is the Policy of the Borough of South Plainfield's Planning Board not to hear any new cases after 10:00pm and no new witnesses after 10:30pm.

Minutes: None

Resolutions: One (1)

- A. **Case #18-01 – Daniel Chin**
Block 318; Lot 2; R-10 Zone
303 New Market Avenue

Chairman Ackerman calls for a motion to *approve* the above listed Resolution. Mr. Houghton made the motion, seconded by Mr. Bythell. In Favor: Mayor Anesh, Mr. Bythell, Mr. Grzenda, Mr. Houghton, and Chairman Ackerman. Opposed: None.

Current Files: None

Informal Hearings: None

Public Hearings: One (1)

A. Case #778 – New Durham Road Development LLC

Block: 528; Lots: 44 & 45; M-2 Zone
1626 & 1630 New Durham Avenue

The applicant is requesting a *Preliminary and Final Site Plan* approval with a *Lot Consolidation* to construct a medical facility. Variances being requested: *Lot Area* – Existing 69, 519.26 sq. ft. – Required 120,000 sq. ft. – Variance 50,480.74 sq. ft.; *Lot Depth* – Existing 205.97' – Required 250' – Variance 44.03'; *Side Setback* – Proposed 30.02' – Required 50' – Variance 19.98.

Chairman Ackerman stated that Walter K. Abrams, Esq. is the attorney for the applicant.

James F. Clarkin III, Esq. represents the Township of Piscataway and stated that the Township has no objection with the application. Their concern is for the privacy and quality of life of those residents who live on the Piscataway side of New Durham Road.

Mr. Abrams called forward his first witness Dr. Naveen Mehrotra; 1315 Stelton Road, Piscataway, NJ 08854. Dr. Mehrotra was sworn in. Mr. Abrams asked Dr. Mehrotra if he is one of the principals of the applicant, New Durham Road Development, LLC and if there were any other principal owners. Dr. Mehrotra responded yes he is and there is Dr. Ajay Agarwala who is a Cardiologist and Dr. Mahesh Bhagia, Dr. Agarwala's wife is a Dentist. Dr. Mehrotra is a Pediatrician. Mr. Abrams asked Dr. Mehrotra where is Dr. Mehrotra's practice presently. Dr. Mehrotra responded it is currently on Stelton Road in Piscataway. Mr. Abrams asked if Dr. Mehrotra was proposing to move into the building being proposed. Dr. Mehrotra responded yes. Mr. Abrams confirmed with Dr. Mehrotra that one of the other principals is a cardiologist and asked where his practice presently and if he was going to move into this building as well. Dr. Mehrotra responded Edison and yes. Mr. Abrams also asked if his wife who is a dentist where her practice was presently located and if she was planning on moving her practice there. Dr. Mehrotra responded Edison and yes. Mr. Abrams asked what the general hours of operation would be. Dr. Mehrotra responded 9:00 am to 5:00 pm, and two evenings until 7:00 pm Monday through Friday and a half day on Saturday's. Mr. Abrams has no further questions for the applicant. Chairman Ackerman asked if anyone on the board had any questions. There were none.

Mr. Abrams called forward his second witness, Mr. Pavar Patel, 2 Ridge Road, Andover, NJ. Mr. Patel was sworn in. Mr. Patel, Architect was asked to give his credentials to the Board. Chairman Ackerman stated that his credentials are accepted by the Board. Mr. Patel stated that he is a registered architect in NJ and is covering for his college, Nehal Jhavera, Architect, who is out of the Country and reviewed his credentials. Chairman Ackerman stated that his credentials are accepted. Mr. Abrams asked Mr. Patel to describe the illustration on display which was marked as Exhibit A-1 identified as an exterior color rendering of the building that the firm prepared. Mr. Patel stated this is an illustration of the single story exterior of the building. The painting shows the front is laid out with theatrical medical suites. It is a single story building with 14' roofite with a berabegin at about 18' and its taller elements are going to be about 20' tall. The materials we are using are ethus for the base, some facebrick and the portals, the entry port to the suits are going to be either porcelain tiles or composite to that type of material to make it a little softer and then some light features. The exterior of the building we are using insulated batts with an aluminum frame system. Chairman Ackerman asked if there were three separate entrances. Mr. Patel responded yes. The floor plan was marked as Exhibit A-2. Mr. Patel added the floor plan as originally divided into 5 suites however one practice, the dental

practice is going to be occupying two (2) suites, the other two practices will occupy the other two suites and the fourth suite will be the utility room. Mr. Patel responded yes. Mr. Abrams asked if there was anything else Mr. Patel wanted to add about the building. Mr. Bythell asked where the parking was located. Mr. Abrams responded that the Engineer will review this. Mr. Slachetka asked if the utility room behind suite 104 was the utility room for all three practices. Mr. Patel responded yes and the service coming into the building will be underground.

Exhibits A-3 and A-4 were marked into the record. Mr. Abrams called forward his third witness, Mr. William Obara, Engineer, Delaware-Raritan Engineering, Inc. 200 Daniels Way, Suite 230, Freehold, NJ. Mr. Obara was sworn and was asked to give his credentials. Chairman Ackerman stated that his credentials are accepted by the Board. Mr. Obara gave a brief description of the property. Mr. Obara stated that Exhibit A-4 is a colorized rendering of the landscaping plan. Mr. Obara further stated that the applicant is proposing a 12,750 sq. ft. medical facility building with all the standard site improvements, storm water management, landscaping, lighting, we will be eliminating the existing non-conformative for the existing structure. Right now the front yard setback requirement is 75' the existing structure is 58.97' and we are proposing 76.53' existing. East of the site, the property is surrounded by some wetlands and we are in the process of obtaining all the necessary permits as part of that as there is a minimal amount of disturbance in that we are doing some buffer averaging. As for the storm water, the property now drains to New Durham Road and there is an existing public draining system out there now and we are maintaining that same drainage pattern. We are including an underground sub substance storm water management system for the water quality structure so it retreats the water before it re-enters the system. Utilities are both water and sewer and are available on New Durham Road although the sewer is under Piscataway's jurisdiction. The site lighting is both pole and building mounted. House side will have downside shields directing the light away from adjacent neighbors. They are relatively low; approximately 10' high and they do meet the ordinance requirements. In terms of circulation, the site will be accessed by a few access drives along New Durham Road there is a central turning lane that will be added as a county road in front of the property. We have provided some exhibits that demonstrate both delivery vehicles and the fire trucks can access and circulate the site safely. We are seeking a waiver in the ordinance which requires a 24' wide access drive and in this western portion of the site we are proposing 20'. The rear side parking spaces will be employee only and designated as such. The traffic engineer will address all the other issues regarding that. In terms of landscaping, we will provide a landscaping buffer around the perimeter of the entire property and a pretty significant buffer along the front and some additional buffering along the properties across the street. The buffering along the front of the structure we are proposing full evergreen shrubs that are at least 3' tall and will grow 4'-5' at maturity to block any headlight glare from these vehicles from across the street. There will be more decorative landscaping along the side of the building and again more landscaping along the rear of the property for the same reasons to minimize any headlight glare to the adjacent property. We are looking for a waiver (inaudible) from the additional 3' the ordinance requires, just in concern of the site triangle. There are a lot of utilities in front of the property and in order to place those trees, the only place they can be planted is where they can potentially impact someone pulling out of the site and may cause some visibility issues so we are seeking a waiver on that regard. Chairman Ackerman asked if there were sidewalks and if the turning lanes had at both openings had an ingress and egress. Mr. Obara responded yes. We are looking for a variance in the landscape ordinance. There is a buffer requirement of 35' in any residential zone or use property. Both the North, the condominium association and to the south there are residents of Piscataway Township, we are providing a significant buffer but we do not meet that 35' setback so we are looking for some relief in that regard. There is also a second ordinance

requirement where the ordinance requires 10' of buffer screen from 10' from any property line where again we are not meeting that ordinance requirement along the north and south and west side of the property. Chairman Ackerman asked what the depth of the screening was along New Durham Road. Mr. Obara responded it would be 5'. As for the bulk variances, we are requesting some variances for lot area and lot depth. Those are existing conditions (inaudible) by combining two lots together we do not have the ability to acquire any additional land because all three sides are developed. This property is developed and there are parking lot improvements, there are wetlands and there is storm water management system for the condominium association and again the condominium association behind us with some pump stations. We have 69,519.26 sq. ft. where the ordinance requires 120,000 sq. ft. so we are seeking a variance in that regard. Your ordinance requires a lot depth of 250' where we have a 208.97' existing and we are just maintaining that same lot as the pump station behind that precludes us from acquiring additional land. Finally we are seeking a variance for a side yard setback. There is an existing condition of a side yard setback of 23.07' and we are proposing 30.02' which is an increase from what is existing today. Mr. Grzenda stated that he talked about the line of site and there is going to be a sidewalk with landscaping and asked if that would interfere with cars coming in and out in terms of seeing traffic or people walking in that sidewalk. Mr. Obara responded he does not feel there will be any interference with that. Councilman White asked with regard to the one section where the employee parking is, the width will be 20' and will that be an issue with the Fire Dept. Chairman Ackerman stated that they responded with a memo and had no issues with that. Mr. Abrams asked if there was some landscaping being proposed on the properties across the street. Mr. Obara responded that is correct. We met with them and sent out some information. We heard back from them. The property, Lot 60, we met with them and provided some landscaping to their satisfaction. Chairman Ackerman asked if there were people here from the neighborhood. Mr. Abrams responded at the beginning of application, Mr. Clarkin, Esq. on behalf of Piscataway Township. They were interested in making sure that anyone who lived across from our property, particularly where the driveways are across from our driveway, if they had any concern or were looking for some additional landscaping and at Piscataway's request we sent a letter to everyone who could theoretically be affected by the egress from the driveways. We did hear back from at least one person. What we proposed assuming the site plan is approved, included in the approval will be the requirement to place all landscaping and shrubs and the screening that was requested and worked on with the people across the street. Mr. Bythell asked if they were open to other residents that are to the left of those across the street. Mr. Abrams responded that they reached out to quite a few people across the road. They were all sent letters and again we only heard from a few. Mr. Bythell asked if someone is here tonight with a concern. Mr. Abrams responded yes we would talk to them. Chairman Ackerman asked for the latest revision date of the plans. Mr. Obara responded 3/28/2018. Chairman Ackerman stated that the Board is working on tonight are from 10/27/17 and have not seen the revised plans. Mr. Obara stated that the only changes are striping along the County roadway, and striping for the fire engine. Chairman Ackerman stated that this was sufficient but if this is approved we will need the revised plans as we have some comments that are going to need to be addressed so they can be compliant with the resolution if approved. Mr. Slachetka asked if the landscape plan that is represented in the exhibit does that vary from the earlier plan that was prepared and incorporated in the 10/27/17 plan and if there are changes, what are those changes. Mr. Obara responded yes. Chairman Ackerman asked if Mr. Obara's report that was presented is pretty much the same as the revised plans and if the plans that the engineer and planner reviewed and did reports on there has been really no change other than what he just mentioned. Mr. Obara responded correct. Mr. Slachetka asked specifically there are no revisions or changes on the paving and curbing as represented on that plan. Mr. Obara responded that is correct.

Mr. Slachetka added no changes with regards to building location, dimensions, and no changes to the ingress/egress positions. Mr. Obara responded that is correct. Mr. Slachetka asked again, so essentially everything that is being shown on that plan in terms of hard-scape improvements including the buffer requirements, landscape improvements as represented in the plan have not changed since the October 27, 2017 plan. Mr. Obara responded that is correct. Mr. Slachetka asked if we could ask them to very specifically represent because obviously there are key variances with regards to the buffer areas on the north and the south side and very specifically what is your ability to address the intent of the Boroughs ordinance with regards to buffering and screening giving the fact that you do not have the sufficient area to the north and the south. Mr. Obara responded they are proposing a more-dense screening required by ordinance in two specific areas, over the north and the south side. Mr. Slachetka asked based upon the type of evergreen planting and the height, in your opinion, provides sufficient screening for headlights and other activity in the parking lot specifically for the residents across the street. Mr. Obara responded that is correct. Mr. Slachetka added the plantings that you are going to have in there will not affect the site triangle of the ingress and egress. Mr. Obara responded exactly. Mr. Abrams asked Mr. Obara if in his opinion including the fact that there is screening being added across the road as well on the adjacent property. Mr. Obara responded that is correct. Mr. Slachetka stated that on the north side we are overlying in part on the existing wooded area on the adjoining area to provide sufficient buffering and screening. And are you aware of any opportunities for any potential development or reduction in that existing vegetated area that might impact the screening and buffering opportunities. Mr. Obara responded that there is actually something that would improve the development at least for a portion because there is a particular ditch that is classified as wetlands and has a freshwater buffer and then 50' which kind of creeps back which will actually improve that portion of the property. Mr. Slachetka asked if there was an opportunity to provide fencing in the back area. Mr. Obara responded he thinks they can provide fencing in lieu of the landscaping, it would be one of the other and in our opinion with the wooded area back there would be more attractive to provide the landscaping but if it is the Boards preference we could provide the fencing. Chairman Ackerman asked for confirmation on the waiver they are asking for is the width of the access isle going to the west and north parking lots as you represented are going to be parking lots are for employees only. Mr. Obara responded yes and they will be marked employees only, there is signage out there as well. Chairman Ackerman asked how many parking spots are in the front. Mr. Obara responded that there are 24 in the back and 34 in the front. Chairman Ackerman stated that they are over parked for the Borough's requirements. Mr. Obara responded yes.

Mr. Abrams called forward his third witness, Gary Dean, Traffic Engineer, 181 West High Street, Somerville. Mr. Dean was sworn in. Chairman Ackerman asked for his credentials. Chairman Ackerman stated that Mr. Dean's credentials have been accepted. Mr. Dean stated that his office submitted and prepared a traffic impact and assessment that addressed an inventory of existing traffic conditions surrounding the site. Mr. Dean began by explaining as is typical in a traffic study doing traffic counts during peak traffic hours a traffic engineers call them, coincident with typical commuting patterns. From our traffic counts that the peak time of activity was between 8:00 am and 9:00 am where there were about 1100 on New Durham Road in both directions and roughly 300 or so on Hanes Ave. which is somewhat directly across from the subject site. The afternoon traffic was a little bit lower, closer 900 vehicles per hour on New Durham Road and 200-250 per hour on Hanes Ave. and those volumes give us an indication of generally how busy the street is and then through a series of calculations that we make at the site driveways once we forecasted the projected traffic we then can ascertain how easy or difficult it may be for traffic to enter and exit. By being directly opposite of Hanes Ave., that intersection itself gives us some guidance in terms of business how relatively easy we

expect the operations at the site driveway. To forecast our traffic we applied industry standard data that is specific for medical and dental office buildings and that is data has been compiled by other traffic consults who put machines out or sent staff to actually count how much traffic comes out of a given land use and giving the size of this building and the number of suites that are proposed we would expect at peak times a total of 30 trips in the morning peak hour. There are 1100 vehicles on New Durham Road at that time period and of course it is metered out in the course of an hour so 30 trips is about one car entering or exiting the site every other minute. The afternoon we may expect a little higher, about 48 trips, where we may have 13 patients coming in and 35 exiting vehicles, using the standard of one car every other minute. The test in terms of operations are called levels of service and we make these calculations based on the truck percentages on the given road, the volume on the main arterial, and another projection of how much traffic we might expect either turns left or right, simply turning right is much easier we only need a break in one direction of traffic and a left turn is a break or gap in both directions and added that it conservatively estimated approximate 50/50 split so an equal number of left and right turns. The site driveways will operate at a very favorable level of service: "C" in the morning and "B" in the afternoon. By contrast Hanes Ave. which carries a lot more traffic than these driveways also operate at a level of service "C" in both peak hours. Level of service is a report card that Traffic Engineers use. "A" is the best possible grade, which means delays that we experience as drivers are short 5 seconds or less. At the bottom of the spectrum is level "F" that is where people are waiting in excess of 50 seconds or 80 seconds at a traffic signal. The use is permitted in the M-2 Zone. One benefit of medical office uses and described them as a slow and steady generator and that is unlike an office or manufacturing operation, at the close of day for example 5:00 pm or 6:00 pm, at rush hour everyone leaves at once. With a medical office practice where we have patients coming in seeing the practitioner, there is a much steadier but lower volume of traffic throughout the day so we do not have that concentration at peak hours that we may see with other uses. They worked with the Mr. Obara and the County, Exhibit A-4, and helped lay out the proposed striping that effectuates a two-way center left turn lane as it approaches Hanes Ave. it turns into a dedicated left turn lane and that will allow for left turn movements to come in at the more easterly driveway and part of the reason is the proximity from Hanes Ave. to the westerly driveway, those left turn movements if they happen at the same time and we do know Hanes Ave. does get a fair amount of left turn traffic we did not want that to create conflict with the site driveway so our left turns coming in should they be from Hanes Ave. or further west would be accommodated at the easterly driveway. Beyond that we are seeking some relief particularly for access isle width towards the rear of the building. What has been proposed is 20' and to put that into a relative perspective, that carries two-way traffic there is not an issue in fact it is a wider dimension in many public streets that tracks trucks and school buses, so for a low volume interior site driveway 20' readily accommodates two-way traffic flow without any issue and would expect giving rear and westerly parking areas will be limited to employees would have infrequent use, inbound traffic in the morning and outbound traffic at night without that potential two-way traffic. Even if that were to occur, that easily can accommodate two-way traffic flow. We have reviewed the access with the County and finds that it meets all recognized standards for safe and effective traffic movements and certainly by having favorable levels of service, we do not expect there to be any negative traffic consequences associated with the application and of course we are subject to final County Planning Board approval as hopefully a condition of any favorable action here. Chairman Ackerman asked if Mr. Dean felt the site line proposed by the Engineer coming out of the driveways will be okay. Mr. Dean responded that he does and knows there was some concern about landscaping that the ornamental trees will be set far enough back and any further landscaping would be limited to low vegetation, nothing that grows over 30' so as drivers we can see over the shrubbery in front which

is intended to screen headlights so it shouldn't be and I do not know the exact species and certainly would work with the professionals if they are not low growing that they would be and again maintained at 30", something that never gets too tall. Ms. Bartfalvi asked if it was a one way or two ways, to the right is that an entrance only. Mr. Dean responded no both driveways are 24" wide and they will accommodate ingress and egress traffic. Mr. Bythell asked if any consideration was given to make one of them a one way, one in and one out. Mr. Dean responded that he does not advocate that and one of the reasons is that traffic that originates from the west tends to gravitate and use the first driveway they encounter and traffic from the east does the same so when they leave they are not crossing one another and if we made one ingress only we then force all of that traffic through the parking lot and where we do have patients walking in and out he would like to have it separated naturally but yes we did consider it. Mr. Slachetka stated that we are assuming in that in terms of the functioning of the parking lot that people are going to the site and parking, there is not going to be a significant amount of drop off activity to the medical offices and asked if that was correct. Mr. Dean responded that he has not seen that with medical offices they studied, i.e. an elderly patient, usually that care provider goes in with them or if it is a small child they are with the child. Mr. Slachetka added that it is a small enough of a parking lot that there is not somebody that needs to drop somebody off to the entrance way, you have three entrance ways correct and you are close enough to the entrance ways giving the size of the parking lot. Mr. Dean responded correct. Mr. Slachetka stated finally being this is a medical practice one would assume that the same number of patients entering the site would be the same number leaving the site. Mr. Dean responded yes. Councilman White asked Mr. Dean if he anticipated any issues with people making a right hand turn during peak hours onto New Durham Road and Hanes Ave. and people making a left hand turn exiting the doctor's office during peak hours because that can get backed up pretty intensely between Corporate Blvd. which is a few feet up the road, then Hanes and now you have this. Did you take this into account, did you anticipate any issues with regard to that? Mr. Dean responded that we always look at the offset between driveways and intersections and you can see the neighboring property in the west just in the non-rendered, the big triangular property (referred to the Exhibit A-4) so the offset between the two driveways we usually look at that to make sure that somebody that exits and turns right has sufficient distance if they want to cross the westbound through lane to get into the dedicated turning lane. That was moved somewhat to the east to accommodate that and provide as much staffing as possible. The benefit of this site and the neighboring site is that we do have that offset unfortunately we could not align it directly opposite but that has been part of the review process with the County. Mr. Houghton asked if there was any consideration given for loading for deliveries and stuff. Mr. Dean responded that he cannot speak for the applicant's particular needs but deliveries as they would be to any office are typically a UPS or FedEx truck. If there is any type of medical waste that is done by a licensed hauler, I would expect that activity to be done on off peak hours or to be accommodated in the back so it is away from the pedestrian area. There is no dedicated loading. Mr. Bythell asked where the trash was located. Mr. Dean responded the trash enclosure is on the easterly side, (referred to Exhibit A-4) the tan shade on the easterly driveway with trash and recycling so that can be picked up either way a front loader or rear loader will have access to that enclosure.

Mr. Dean stated Mr. Chairman just for the record most of the traffic engineering comments have been addressed and asked if he had the opportunity to review our letter dated April 26, 2018. Chairman Ackerman responded yes I have. In reference to question number 7, the egress was addressed. Mr. Dean stated that this was a comment he candidly did not understand we not only did meet but we exceed the ordinance for parking so I wasn't really sure what this comment pertained to. Mr. Bucco responded he guesses the way they calculated the number of spaces with the ITE parking generation

management for the clinic and dental offices and knows they meet the Borough requirements but we were looking at this and the parking ranges 2.28 to 9. Mr. Dean responded correct and obviously there is some empirical data that is used in developing ordinance standards and as an applicant when an ordinance prescribed a certain amount of parking and the applicant complies, I don't know that we need to justify the ordinance and understands that there is some data that suggests higher parking and will refer to the traffic study. In terms of parking we have done some recent traffic counts and data that we collected at medical office buildings not quite of this size but a variety of buildings principally in Morris County and we found an average parking demand of 3 ½ parking spaces per thousand, which for this site is roughly 42 spaces, we are exceeding that data and the ITE average data. There couldn't be a practice that exceeds the ratio for that unit but what we have seen in multi medical office buildings is that the practices next door is low traffic unlike clinics that doesn't schedule appointments or may have walk in type activity, where one cannot predict or schedule patients, those uses tend to have a little higher parking. Based on the representations he heard tonight this is a medical office as opposed to a clinic and the fact that we comply with the ordinance, in his opinion we have exceeded the ordinance and will have sufficient parking 5 spaces per thousand. Mr. Bucco asked for testimony on page 8 #6 and goes to page 9. Mr. Dean responded that it seems to be the same comment as the parking ratio and I think your comment was that the town ordinance be strictly enforced and clearly that is zoning and it is just a matter of oversight as to the tenants and the number of medical professionals and feels how that assurance is provided. Mr. Bucco stated that those were the only traffic concerns that he had. Mr. Slachetka reviewed his report dated March 19, 2018. The planning and zoning side was addressed. The bulk and yard variance and the testimony presented was consistent with the information that is presented in our report and obviously we talked about the variances related to the screening and buffering and again with regards to the screening and buffering along Durham, is there any possibility of further enhancements on the plantings, I know we have to be careful about the site triangle but maybe adding something just a little more substantial towards the center of that landscape strip. I know we do not have too much room between the curbing and easement area, essentially not putting any landscaping on the easement area that runs along Durham. Mr. Dean stated that there may be a small opportunity on the eastern portion, on the west side there is (inaudible) there and placing landscaping right on top of those electric services really is not a good idea. Mr. Slachetka stated that he is constrained with that and on the eastern side there is not any activity so there is really no need to place anything there. Mr. Bucco asked if the parking spaces could be cut a foot there is an overhand and provide more space for landscaping. Mr. Dean responded that he does not know the depth. They are 18' now. Mr. Bucco added if they were 10' x 20' there may have been an opportunity. Mr. Slachetka continued to review his report and under the planning comments, bottom of page 7 of the report, there is some required variances for the ground sign and we questioned that you discuss what those variances are or describe the ground sign, there are no facade sign, just the ground mounted. Mr. Bucco added that it was approximately 4 times the size permitted. Dean responded yes, it is 15' and the ordinance permits 6' and it is 8' wide and the ordinance permits 6' as well. Mr. Slachetka asked if there was any rationale for the requested variances. Mr. Dean responded no, after taking a closer look at it our decision was to comply with the ordinance. Mr. Slachetka asked for confirmation that they were going to comply with the ordinance and the variances would be requested. Mr. Abrams responded yes only difference is that there could be facade signs but they would comply with the ordinance. Chairman Ackerman asked where the ground sign would be. Mr. Dean pointed it out on the drawing and stated the eastern portion of the driveway and that would be back as well. Your ordinance requires 15' it is shown at 11' but we will move it back an additional 4' and it will comply with the ordinance. Mr. Slachetka asked if it was going to be internally

illuminated. Mr. Abrams responded assuming it is illuminated it will be internally not externally. Mr. Slachetka asked if they were going to set limitations in terms of the hours of operations the sign is illuminated for example during operation hours. Mr. Dean responded typically it is a half hour after closing for janitorial reasons. Mr. Abrams added that a couple nights per week the building office closes at 7 usually it is 9:00 am to 5:00 pm. Chairman Ackerman asked if there are building signs will they be in compliance with the ordinance. Mr. Abrams responded yes they would be in compliance with the ordinance. Mr. Abrams further states they signs would be shut down within an hour of closing. Mr. Slachetka further stated the other item that has not been addressed is item number 10 on page 9 of my report, the applicant intends to dedicate the eastern tract as a conservation; a is that correct and if so we need to see the easement documentation. Mr. Dean asked if that was for the wetland. Mr. Slachetka responded yes. Mr. Dean added that is a requirement. Mr. Slachetka asked if he would submit the information on the conservation. Mr. Abrams responded yes. Mr. Bythell asked how soon they would start providing they get approval tonight. Mr. Abrams that the need the outside approvals. Mr. Houghton stated that they mentioned earlier that you basically addressed most of the comments and the ones that were not addressed or partially addressed you have no issue with complying. Mr. Dean responded that is correct. Chairman Ackerman stated that there was a letter from the environmental commission and asked Mr. Dean to respond to that. Mr. Dean stated that they are saying disturbing wetlands with the buffer, that we are disturbing 900 sq. ft. we are required compensate to provide an additional protective area of 900 sq. ft. and one of their comments is saying that our compensation area is a restoration area. That is only partially correct. There is only a small portion if the property that is in violation predated to regulation there is no penalty but it was encroaching into the wetland buffer area and we are restoring that but that was only about 200 sq. ft. The additional 900 sq. ft. of wetland and buffer conservation area is presently the wooded area. It is not like we are restoring a previous disturbed area and just wanted to clarify that. Mr. Ackerman stated that there was also a comment on the trash enclosure. The requirement I think is 5' and your plans show 3' $\frac{3}{4}$ ' and you were going to address that tonight and is there any problem adjusting that. Mr. Dean responded we do not have a problem complying. Chairman Ackerman added that the letter from the Fire Department had no problems; the Board of Health had no objections and the one from the police department. Mr. Abrams added that they would comply with the tree ordinance as well. Chairman Ackerman stated that they were asking for sidewalks on the plan which he believes were added and they questioned the movement of the fire trucks, that they would meet the turning radius going to the back without a problem which were covered. Mr. Abrams responded yes. Mr. Bucco asked when they met with the Fire Marshall did he request any hydrants or building (inaudible) connection or anything like that and when he reviewed it he reviewed where he would have to tie in at the fire hydrant, all that was reviewed. Mr. Abrams responded yes. Mr. Abrams added that there was a question from the Fire Department to connect the parking lot with 121 Corporate and where would that be on your plans. Mr. Dean stated to the west. Mr. Bucco added that the Board cannot require them get an easement from a neighbor. The suggestion was made to allow the egress of fire trucks and the fire department signed off on it, they are the only arbitrator and that is the only recommendation that was made by the police department.

Chairman Ackerman opened this portion to the meeting to the public and asked if there were any questions or comments.

Mr. James Clarkin, III, Esq. stated on behalf of the Township of Piscataway, the Township appreciates the applicant's attorney reaching out to the Piscataway property owners. We have had Mr. Abrams representation and Mr. Obara's who has indicated they were going to be planting shrubs. They were

the only ones who responded, we also have the representation that if there are any other additional residents here tonight that would like shrubbery on their property, that would be done as well. We are satisfied with the conditions with turning off the lights, so all in all he feels that we have done an adequate job with protecting the interests of the Township.

Mike Zubina (?) 317 New Durham Road, Piscataway was so sworn. Mr. Zubina asked if the sewerage which is on the Piscataway side there is no sewerage across the street in South Plainfield, how is that going to heir tax, extra tax us extra sewerage for the residents in that. Mr. Dean responded that the existing buildings are presently sewerred, they are tying into that Piscataway system the demands are not significantly different because someone is not occupying the facility 24 hrs. per day. There was a medical office use there already and we are providing services that are up to standard. We are not significantly changing the flow. Mr. Zubina asked what will happen to the shoulder since turning lanes will be put in. Mr. Dean responded that they are going to be reduced. Mr. Zubina stated that they had the shoulders made wider so they could pull into a shoulder to pull into their driveways. Mr. Dean responded that it is a tradeoff of left turns tend to have a higher accident frequency and understand a right turns involve a deceleration, if something negative were to happen it would be a rear end collision and at a left turn, it is a head on collision. Therefore the balancing of safety verses convenience, the left turn lanes are safer but understand that it comes at an expense. Mr. Zubina asked if a traffic light could be put up at Hanes Ave. Mr. Dean responded that traffic lights have to meet certain standards before they are put in and there has to be enough sustained traffic over 8 hrs. of the day to justify it. Mr. Zubina stated that he just wanted to express his concern. Chairman Ackerman added that there is nothing we could do even if we wanted a traffic light there as it is a County Road and under their jurisdiction. Luis Fuentes 321 New Durham Road, Piscataway was so sworn. Mr. Fuentes stated that his driveway is approximately 60' away from the entrance is would like the landscaping but wants it to look nice, is concerned about half bushes and the other half nothing. (Block 8601 Lot 29.02) and 401 New Durham Road, Piscataway (Block 8504 Lot 63). Mr. Bucco asked Mr. Dean if Mr. Fuentes wanted the landscaping across his whole front yard not just part of it would they do that. Mr. Dean responded sure. Mr. Fuentes also is concerned with the left hand turn as it is not easy to get out of his driveway now at peak times. Mr. Dean responded that it will be no different than what you have today and very few people are leaving this facility, they are coming in.

With no other questions or comments, Chairman Ackerman closed the public portion of the meeting.

Mr. Bucco stated that if the board is going to vote on the preliminary and final major site plan with a number of variances: minimum lot area, minimum lot depth, side yard setbacks, interior driveway width, drive isle width, and buffering. Mr. Abrams stated that there is a waiver for partial isle width. Mr. Slachetka stated that there are 2 pre-existing non-conformities. One is the minimum lot area the other is the minimum lot depth and the remaining bulk variance is the side yard setback and there are 2 buffer variances, one for the north side and one for the south side and thinks there is one provision that states that the landscape screen shall be located not closer than 25' to a street line or 10' to any adjacent property line and the proposed landscape is located within 10' of a street line and that is a variance too. Mr. Abrams stated that there is a waiver for partial isle width. Mr. Bucco stated that the conditions are they will comply with the engineer and planning review letters, signs will comply with ordinance requirements, there will be a timer to shut off sign illumination within one hour of closing, trash enclosure height will be increased to 5', will extend the screening on the other side of New Durham Road to Block 8601; Lot 29.02, which is 321 New Durham Road, Piscataway, the west and north parking will be employees only. Chairman Ackerman asked if this was a sprinkled facility and

where is the connection. Mr. Dean responded yes it is and it is located in the back of the building. Chairman Ackerman stated that it should be in the front and that has to be changed. Mr. Abrams stated that the fire marshal's reviewed it and did not have an issue with this, we met with them and the plans were reviewed and if they want us to put it in the front that will not be a problem. Chairman Ackerman added that this will be a condition if requested by the fire department to move the connection to the front.

Chairman Ackerman calls for a motion based on everything that has been gone over and proposed. Mr. Mocharski made the motion, seconded by Ms. Bartfalvi. In Favor: Mayor Anesh, Councilman White, Ms. Bartfalvi, Mr. Bythell, Mr. Grzenda, Mr. Houghton, Mr. Mocharski and Chairman Ackerman. Opposed: None.

Mr. Abrams asked for confirmation that this included preliminary and final site plan and variance relief. Chairman Ackerman responded yes.

New Business: New Application – Commercial

Everyone got a copy of the new Commercial Application form and asked if there were any questions or changes. Alex Fischer, Esq. informed the Board that the Supreme Court ruling is that if you have a checklist that is adopted by ordinance it is important that each municipality codified what their application form and checklist is. If the Board reviews this favorably they should instruct the secretary to send copies of this to the governing body and borough attorney requesting that it be codified.

Chairman Ackerman calls for a motion to forward the new commercial application to the governing body and borough attorney for their review and adoption. Mr. Mocharski made the motion, seconded by Ms. Bartfalvi. In Favor: Mayor Anesh, Councilman White, Ms. Bartfalvi, Mr. Bythell, Mr. Grzenda, Mr. Houghton, Mr. Mocharski and Chairman Ackerman. Opposed: None.

Old Business: Chairman Ackerman has nothing to review under old business.

An (Unidentified gentleman) asked who has the property for 333 Hamilton Blvd. right now, that empty lot. Mayor Anesh asked if he was referring to the superfund site. The gentleman responded yes and stated that green fencing they have up is a traffic issue because you can see a tractor trailer but cannot see a car when you are approaching the intersection and would like to see if some of the screening could be taken down. Councilman White referred the gentleman to speak Councilman Wolak so he can bring it up at the traffic safety meeting and cc Lt. Dave DeLair who is in charge of traffic safety.

Committee Reports:

- a. Street Naming Committee – Chairman Bob Ackerman reported progress
- b. Environmental Committee – Richard Houghton & Bryan Bythell reported progress
- c. Council Report – Councilman Derryck White reported progress.
- d. Mayoral Updates – Mayor Anesh reported progress.

Minor Site Plan: None

Correspondence: None.

Audience comments – other than agenda items: None

Executive Session: There were no matters for Executive Session this evening.

Adjournment:

Chairman Ackerman announced that the next Planning Board Meeting is July 24, 2018 and called for a motion to adjourn at 8:44 pm.

Mr. Mocharski made the motion, seconded by Ms. Bartfalvi. The motion passed unanimously.

Respectfully submitted,

Carmela A. Miller
Alternate Planning Board
Recording Secretary