

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
JUNE 15, 2015**

MINUTES

Chairman Conforti called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman Conforti; Vice Chairman Matthews; Mr. DeRochi; Mayor Madrid; Mr. Mani; Mr. Sarle; Mr. Smith; Mr. Wilson; Mr. Glockler, Alternate #1

ALSO PRESENT: Ms. Seibold, Board Attorney; Mr. Cline, Board Engineer; Mr. Sullivan, Board Planner; Ms. Chrusz, Secretary

I. SALUTE TO THE FLAG

II. PUBLIC COMMENT

There was no public comment.

III. RESOLUTIONS

Case PB-04-15 Applicant: Sharbell Plainsboro, Inc.
Block 28003 Lot 162 and Block 28004 Lot 7
Export Soil from Block 28003 Lot 162 to Block 28004 Lot 7

A motion to memorialize the resolution was made by Mr. Sarle and seconded by Mayor Madrid. The motion carried on the following roll call vote:

Ayes: Glockler, Madrid, Matthews, Sarle and Conforti

Nays: None

IV. APPLICATION

Case PB-02-15 Applicant: Empire Holdings LRP, LLC
Block 35001 Lot 13
Submission Waivers and Preliminary and Final Major Site Plan with Variances
Expiration Date – 120 Days from Submission Waiver Approval
Affidavit of Notification and Publication Required

Richard Schatzman, Esquire, Robert Heibell, PE, Carmen Cerminara, RA and Joshua Kalafer represented the applicant. Notice was in order.

Mr. Schatzman summarized the application. The application is for site plan approval to enclose the existing service reception canopy to provide additional showroom area, provide additional parking spaces, restriping and pavement modifications to the existing parking areas, a monument sign and additional building mounted signage, replacement of existing lighting with energy efficient LEED lighting, installation of two additional inlets along the north, installation of two small bio-retention areas in the southern portion of the lot and landscaping. The waiver from providing sidewalk along the frontage of the property has been withdrawn and the sidewalk will be constructed.

Mr. Schatzman summarized the submission waivers. In 1996 when this site was last before the Board, the Township did not want the sight triangle easement recorded. The sight triangle easement will be recorded as a condition of approval (Checklist #43). Relief is being requested from providing an Environmental Impact Statement since the building exists. The stormwater quality and quantity are being improved with this application (Checklist #62). Relief is being requested from providing a Traffic Impact Statement. The property fronts on Route 206 and there have been numerous traffic studies performed along Route 206. Testimony will be provided about the traffic in and out of the site (Checklist #63). A partial submission waiver from providing information within two hundred feet (200') (Checklist #23, #24 and #35 on preliminary checklist and #13 on variance checklist) and from providing topographic base map information is being requested (Checklist #49). The applicant thinks the Board can make an informed decision with the information that has been provided.

Mr. Schatzman summarized the variances and waivers: 1) size of parking stalls to allow double stacked vehicle storage; 2) lot coverage for 66.1%; 3) car storage setback and rear yards within 10', 12.9' and 8.8'; 4) landscape coverage of 33.9%; 5) parking setback to side yard of 10', 12.9' and 8.8'; 6) number of permitted signs to be 6; 7) size of wall signs to be 88.75 square feet; 8) cross access to adjacent parking lot cannot be obtained; 9) no loading area is provided; 10) planting of shrubs in lieu of trees; 11) no street trees to be planted; 12) no trees are being planted in the parking space areas; 13) building design standards since the applicant rents the building and the building has existed since 1964.

Mr. Heibell, 32 Brower Lane, Mr. Cerminara, 224 Courtyard Drive, and Mr. Kalafer, 55 Lyons Place, were sworn in.

Mr. Kalafer is a principal and owner of Land Rover Princeton. He summarized his April 16, 2015 letter to the Planning Board. Hazardous materials in the service and parts departments include small gas containers, lubricants, drum of solvent, drum of soap, materials to detail cars, oil, anti-freeze, brake fluid, power steering fluid, transmission fluid, fuel additives and other similar items for the servicing vehicles. Sales hours are typically 9:00 a.m. through 8:00 p.m. Monday through Thursday, 9:00 a.m. to 6:00 p.m. Friday and 9:00 a.m. to 5:00 p.m. Saturday. Service and parts hours are typically 8:00 a.m. to 5:00 p.m. Monday through Friday. There are total of approximately 32 employees with approximately 27 on site at any one time. Sidewalk will be constructed along the frontage of the property. It may take time to find out whether DOT or the Township owns the right-of-way along Route 206. Mr. Kalafer requested permission to obtain a building permit and Certificate of Occupancy prior to the sidewalk being installed if he is unable to construct the sidewalk before that time. A bond will be posted for the sidewalk and all the backup correspondence with the DOT will be provided to the Township Engineer. The traffic and vehicle storage will not be vastly different than what it is now because the Jaguar brand is relatively low volume. The wash water will be reused to the greatest degree possible. There is a recycling provision in the operations. The bollard lighting will be operated by switch. The neighboring property, Mr. Sands, will not provide cross easements. Given the layout of the facility and low volume of the Jaguar brand a loading zone will not be provided. Unloading occurs on the highway and is done very quickly so it does not impede traffic. Traffic circulation on the site will not be impeded. Shrubs will be planted in lieu of trees since the property is within the airport hazard zone. Trees will not be planted in the parking areas because pavement within the parking lot would have to be removed to accommodate the trees. A \$2,700.00 contribution will be provided for the Township tree bank.

Robert Heibell, Van Cleef Engineering, gave his qualifications and was accepted as an expert engineer. Mr. Heibell referenced a colored rendering of the site plan. The lot is a little over 2-acres on the easterly side of Route 206 with 244' of frontage. The property is within the HC zone which allows a Floor Area Ratio (FAR) of 20%. In the 1996 application, the canopy was counted as part of the FAR which was 19.68%. FAR being added with this proposal is 142 square feet so they remain under the 20%. In 1996 the impervious surface was at 65% where 55% was allowed. A variance was granted but the impervious was reduced to 61.6%. This proposal will increase the number of parking spaces from 83 to 106 which will increase the impervious surface to 66.1%. The site will meet current stormwater requirements. There will be two bio retention basins in the area of the former septic system. The bio basins are oversized for the 55% that is permitted by ordinance for water quality. By doing this they also pick up some water quantity. Currently there is no stormwater on site and it is all sheet flow into an inlet. The parking spaces at the easterly end of the site are 16.5' car storage spaces. They are proposed to remain that size so additional impervious is not created. Proposed on the south side of the site are 18' deep parking spaces. Three handicapped parking spaces are proposed. Eleven other spaces are proposed toward Route 206. Shrubs will be installed along Route 206 and money will be posted into the tree bank. The sidewalk will be installed within the right-of-way which is 33' from the centerline. However, it is not known whether the right-of-way has been granted to the Township or DOT. It will take approximately 7 weeks for DOT to determine ownership. With regard to sewer, there is a need for an additional 122 gallons and the applicant will pay the additional capacity charges.

Mr. Heibell testified about the variances. The existing setback in the rear violates the ordinance and a variance was granted in 1996. The parking on the northerly side has been reconfigured from perpendicular to parallel spaces. The front parking does not require a variance. In the areas that can accommodate an overhang, the spaces were reduced from 20' to 18'.

Mr. Heibell said all the existing lighting will be replaced with LED lighting. The light poles are either 20' or 13'. The bollards are 3.5'. All of the lighting complies with the ordinance requirements. There is no significant impact on traffic off-site or on-site and all traffic patterns are safe due to the low volume of sales for the Jaguar brand. A sight triangle easement will be prepared and recorded. The existing storm inlet grate will be replaced with a bicycle safety grate. A form similar to an easement or deed restriction, subject to the review of the Township Engineer and Township Attorney, will be granted to preserve the bio-retention basins. On the northerly side of the building there is a drainage problem because of the elevations. Some storm drainage inlets will be installed to tie into that area. Because of the depth of the existing storm sewer a 12 inch pipe will be used. If it was a public storm sewer a 15 inch pipe would be required. Because it is private and not maintained by the Township Mr. Cline will consent to using a 12 inch pipe. Permeability testing for the bio-retention basin has been completed and found to be satisfactory. The trash and dumpster enclosure will be constructed with the same block as the building. The gate will be board on board or vinyl. The construction work will occur while the site remains open. They will operate out of trailers during the construction process. The bollards on the off-road demonstration area will be turned off when not in use.

Mr. Cerminara gave his qualifications and was accepted as an expert architect. The site has been used as a single car dealership. As part of the expansion to two brands they needed to create an image that showcases both brands. The Land Rover tower stays in place and at the north end the Jaguar tower will be created. The sloped roof breaks up the long façade. The two tower elements help break down the one long roof. The new treatment has been wrapped around the building from the showroom to the new service area. There is now a service reception area that acts as a drive-through. Material samples, which were marked as Exhibits A-1 and A-2, were shown and described. There are 7 signs in total. The freestanding monument sign is a double sided sign that is 5 foot 4 inches in height and complies with the ordinance. It will be setback 20 feet. Variances are needed for the number of wall mounted signs and their sizes. The Jaguar element will include a leaper on top of the word "Jaguar" that will be placed on the front elevation. The leaper will be 26 square feet and the Jaguar wording will be 12.5 square feet. The existing tower element for Land Rover will have a new Land Rover sign and a new Range Rover sign. The Land Rover sign will be 24.3 square feet and the Range Rover sign

will be 11.7 square feet. Two other signs are the "Service" sign and the "Princeton" sign. In total there will be 88.75 square feet of building mounted signage where 45.5 square feet is allowed. There are now two brands so each has to have its own element. The service area needs to be identified since it is a drive-in. The mechanical equipment will be screened from view.

Mr. Schatzman discussed Jason Cline's memo dated June 12th, Mr. Sullivan's memo dated June 10, 2015, Mr. Bartolone's memo dated June 15, 2015, Public Safety memo dated June 12, 2015, Shade Tree Committee memo dated May 7, 2015, Open Space Committee memo dated June 4, 2015 and Environmental Commission memo dated May 7, 2015.

Mr. Glockler asked if the applicant could remove the off-road driving course to help decrease the amount of impervious coverage. Mr. Kalafer responded that he is required by dealer agreement with Land Rover to have the driving course.

Chairman Conforti opened the meeting to the public. There being no public comment, a motion to close the public hearing was made by Mr. DeRochi and seconded by Mr. Wilson. The motion carried unanimously.

Mr. DeRochi asked if pervious pavement was considered for the parking spaces. Mr. Cline responded that pervious pavement is not appropriate in the case where car maintenance activities will occur on site. Mr. DeRochi said the signs are nice but he is concerned that the Jaguar sign will stay a lighter color so it won't contrast heavily with the background material.

Mr. Schatzman summarized that the Board could find the benefits outweigh the detriments. The project promotes the establishment of appropriate concentrations of development that will contribute to the well-being of neighborhoods and regions by providing sufficient space in appropriate location for a commercial use in accordance with the respective environmental requirements. It gives two brands of car dealerships in the HC zone in one location and some of the setbacks are being mollified. The efficiency of the storm drainage quality and quantity is being increased.

A motion to approve the application subject to the conditions was made by Mr. Smith and seconded by Mr. Sarle. The motion carried on the following roll call vote:

Ayes: DeRochi, Glockler, Madrid, Mani, Matthews, Sarle, Smith, Wilson and Conforti

Nays: None

V. MINUTES

May 18, 2015 – Regular Meeting

A motion to approve the minutes was made by Mr. Sarle and seconded by Mr. Glockler. The motion carried on the following roll call vote:

Ayes: Conforti, Glockler, Matthews, Madrid and Sarle

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 9:10 p.m.