

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
JUNE 20, 2016**

MINUTES

Vice Chairman Matthews called the meeting to order at 7:35 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: Vice Chairman Matthews; Mr. DeRochi; Mr. Sarle; Mr. Smith; Mr. Wilson; Mr. Chang, Alternate #2

ALSO PRESENT: Kristen Seibold, Board Attorney; Jason Cline, Board Engineer; Michael Sullivan, Board Planner; Joseph Fishinger, Board Traffic Engineer; Lori Savron, Planning Director

I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION - None

III. RESOLUTIONS

Case PB-14-15 Applicant: Steven and Margaret Davis
Block 15001 Lot 49
Submission Waiver and Minor Subdivision with Variances

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

Ayes: DeRochi, Matthews, Sarle, Smith and Wilson

Nays: None

Case PB-15-15 Applicant: Gurdon and Heather Hornor
Block 7013 Lot 22
Submission Waiver and Minor Subdivision with Variances

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

Ayes: DeRochi, Matthews, Sarle, Wilson and Chang

Nays: None

Case PB-11-15 Applicant: Village Shopper III, LLC
Block 28005 Lot 65
Amended Preliminary and Final Major Site Plan with Variances

A motion to memorialize the resolution was made by Mr. DeRochi and seconded by Vice Chairman Matthews. The motion carried on the following roll call vote:

Ayes: DeRochi and Matthews

Nays: None

Case PB-13-15 Applicant: Empire Holdings Cherry Valley 39, LLC
Block 34001 Lot 64
Submission Waivers and Preliminary and Final Major Site Plan

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

Ayes: DeRochi, Matthews, Sarle and Wilson

Nays: None

Case PB-01-16 Applicant: Country Club Meadows, LLC
Block 4001 Lots 33 and 33.01; Block 5023 Lots 2 and 3; Block 6001 Lot 1
Final Major Site Plan and Subdivision

Ms. Savron noted two modifications. The adoption of the resolution was moved to the end of the agenda to allow Mr. Shimanowitz time to review the modifications.

A motion to memorialize the resolution as amended was made by Mr. Wilson and seconded by Mr. Smith. The motion carried on the following roll call vote:

Ayes: DeRochi, Matthews, Sarle, Smith and Wilson

Nays: None

IV. APPLICATION

Case PB-16-15

Applicant: Country Club Meadows, LLC

Block 5023 Lots 2 and 3; Block 5016 Lots 1 & 3

Preliminary Major Subdivision and Site Plan with Variances

Expiration Date – July 8, 2016

Affidavit of Notification and Publication Required (Previously Found to be in Order)

Ronald Shimanowitz, Esquire represented the applicant.

Laurance Appel was sworn in. Mr. Appel gave the Board his qualifications and was accepted as an expert architect. Mr. Appel prepared the Community Operations Building plans. The front elevation rendering was displayed. There have been material changes and plan notations to address the Board Planner's comments. The floor plan of the building was displayed. There is an office and reception area for staff. The building is intended for storage and maintenance of the buildings that are part of the development. At the request of Mr. DeRochi, the elevation that faces the residential area was shown. The building is landscaped and buffered along the rear and sides. He described the building colors and materials. The front area of the first floor is administrative space and the other area will be storage.

Henry Stein, principal of Country Club Meadows and Pike Run, was sworn in. Mr. Stein explained he offered to construct the Community Operations building to move the current operations location from the Association's Building located in Pike Run. The operations are to serve the 825 apartments as well as maintain the retail spaces. The landscaping is handled by outside contractors so they don't have their own lawn mowers. There will be both small and large vehicles that are used to bring maintenance men and materials to the apartments and retail centers. Most of the activity occurs between 7:30 a.m. to 5:00 p.m. Monday through Friday but some emergency work does occur on Saturdays, Sundays and evenings. There will be snow removal equipment stored on site; the small equipment will be stored inside and the trucks with plows will be stored outside. There is a small shop inside the building where they make keys and do light equipment repair.

Mr. Appel testified the Operations Building will be at or below 27.5' and will need a variance from the 25' allowance. Documents will be provided to show compliance of the building height as measured by Ordinance. The building will not be more than 2 stories. The brick will be elevated so it's the same height all the way around the building.

Vice Chairman Matthews opened the meeting to the public to question Mr. Appel.

Fan Jiang, 26 Muirhead Court, asked what the purpose of the Operations Building is. Mr. Stein replied its primary purpose is to store material and where the apartment maintenance workers will operate. The materials for the retail stores will be supplied from their suppliers.

Peter Wang asked about the Pike Run Plaza buildings. The overall site plan was referenced and the location of the Operations Building and CVS store were shown. The tenants for the other retail buildings are not known at this time. The hope is to have a combination of traditional retail, restaurants and a grocery store. Mr. Fleming described the landscaping in the basin area along Belle Mead-Griggstown Road.

Woojin Ho asked if the existing trees along Belle Mead-Griggstown would be removed and new trees planted in their place. Mr. Fleming testified the intent is to leave the trees outside the limits of disturbance line and install additional landscaping.

David Cheskis asked if there would be fencing along the perimeter of the Operations Building area. Mr. Stein replied there will not be.

Nagaraju Poola asked about the landscaping and what is stored in the Operations Building.

Robert Gehr, who remains under oath, discussed the revised CVS plans. All EIFS has been removed from the building and replaced with the same type of fiber cement panels. The area on the left elevation that was previously the white EIFS has been made a more earth tone color. The EIFS at the drive through window has been replaced with stacked stone. The size of the sign along the side of the building has been reduced from 82 square feet to 37.66 square feet. The sign that was originally proposed on the left side elevation is proposed to be 37.66 square feet and has been moved to the rear elevation so it will be visible to Route 206 traffic.

Mr. DeRochi and Mr. Wilson agreed the design is an improvement but it is still too different from what is proposed for the rest of the center. Mr. DeRochi suggested some pitched roofs instead of the flat roof. The building height is 29' 10" to 29' 11". If the elevation is revised the height will change so a bulk variance is being requested for the maximum height of 33' to allow them room to work with. Above the rear storage portion there is a second story, as classified by the ICC. It can only be used exclusively for storage.

Mr. Sullivan was concerned with granting the variance without seeing the design of the building.

Vice Chairman Matthews opened the meeting to the public to question Mr. Gehr.

Mr. Fan asked if the trees behind the retail building were going to be removed. Mr. Shimanowitz explained that the applicant is requesting relief to plant the number of trees calculated on area of disturbance rather than gross acreage.

Mr. Poola asked if the CVS had a drive through pharmacy and how the additional traffic will be handled. Mr. Shimanowitz said traffic was discussed at the last meeting. There will not be additional lanes on Belle Mead-Griggstown Road.

Mr. Bruce Fish was sworn in. Mr. Fish gave the Board his qualifications and was accepted as a sign expert. He discussed the proposed signage, exclusive of the CVS. There are two freestanding signs proposed. The smaller secondary sign on Griggstown Road complies with the 8' height requirement and the setbacks. The main pylon sign on Route 206 exceeds the height and is proposed to be 26'. The applicant looked at other signs in the Township and the size matches some of the other shopping center signs while the elements are similar to the Village Shoppes sign. The base of the sign is 6' and the sign itself is 17 foot 2. The pylon sign will have a white background which does not illuminate. The tenant names will be illuminated and the total illumination is under the 25% the ordinance permits. If the design is approved the exact percentage of illumination will be calculated on the final plans. The sign illumination will be on a timer to go off when required by ordinance. The pylon sign will comply with the required setbacks. The sign needs to be as large as proposed for the safety of the traveling public to read the tenant names.

Mr. Fish discussed the building mounted signage. The ordinance requirement of half a square foot per lineal foot is restrictive and difficult to meet. The ordinance requires a box be drawn around the sign letters which leaves a lot of white space that is calculated in the sign size. The hope is to draw national tenants to this center and the maximum of one 50 square foot sign will not work. The proposal is to have a percentage of the façade.

Mr. Sullivan noted that the architecture of the building could be adjusted so that the smaller conforming signs look appropriate.

Mr. Chang said that The Hills in Bedminster has national brands and the signs there are smaller than what is proposed here.

Mr. Fish explained that they laid the proposal out at 3 square feet per lineal foot versus the permitted half a square foot. The 3 square feet is not excessive in this instance. He can box out an area of 3 square feet per lineal foot with a maximum of 50 square feet to show what it would look like. The 50 square feet will work for most tenants but there may be some that need more.

The Board agreed to permit a maximum 50 square foot sign and grant a variance for the half square foot per lineal foot requirement.

There was discussion about the corner stores. The end store that faces Belle Mead-Griggstown Road would be permitted a 20 square foot sign. The stores that face an "alley" but do not face a street are not permitted a sign.

The applicant requested clarification on whether they would be permitted to have 50 square feet per "bay" so a tenant that takes up three spaces would be permitted a 150 square foot sign. The Board felt that was too much. The applicant will come back with a couple different plans. One will include the 10% per façade area.

There was discussion about the proposed pylon sign. The applicant will provide a perspective showing a pylon sign and a shorter but wider sign.

The meeting was opened to the public to question Mr. Fish.

Fan Jian, 26 Muirhead Court, was sworn in. Mr. Jian commented that the applicant has requested a lot of variances and the ordinances are in place to protect the Township. There is going to be lots of traffic and noise for the existing residents. The applicant should keep more of the existing trees and provide more of a buffer to the neighbors.

Joojin Ho, 30 Muirhead Court, was sworn in. Mr. Ho asked about the freestanding signs and was told there would be two. There is a smaller 8' sign on Belle Mead-Griggstown and the larger pylon sign on Route 206. Mr. Ho asked the Board make the pylon sign smaller than 26' and not have it illuminated. He asked the Board to work with the applicant to come up with better architecture for the CVS.

Nagaraju Poola, 8 McCullough Drive, was sworn in. Mr. Poola asked about the perimeter buffer and the variance request for the dumpsters to be located closer to the property line than required by ordinance. He is concerned with the noise, traffic, pollution and the stores possibly being opened 24 hours.

Mr. Ho asked if the neighbors who are affected by the construction could get tax relief.

Peter Wang, 28 Muirhead Court, was sworn in. Pike Run is a residential area. Pike Run Plaza should be constructed in accordance with what is permitted by Ordinance.

Mr. Poola asked the Board consider a closing time restriction for the tenants.

The application was continued to the July 18, 2016 Planning Board meeting. An extension to August 16th was granted.

The applicant will submit revised plans and was asked by the Board to consider the comments from the public especially with regard to the buffering of the residences.

V. MINUTES

May 2, 2016 – Regular Meeting

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

Ayes: Mathews, DeRochi, Sarle, Smith and Wilson

Nays: None

May 16, 2016 – Regular Meeting

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

Ayes: Mathews, DeRochi and Sarle

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 10:45 p.m.