

**MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
OCTOBER 15, 2018**

MINUTES

Chairman Cheskis called the meeting to order at 7:31 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 Cheskis; Mr. Campeas; Mr. DeRochi; Mayor Madrid; Mr. Mani; Mr. Matthews; Mr. Sarle; Mr. Trzaska; Mr. Conry, Alternate #2

ALSO PRESENT: Francis P. Linnus, Board Attorney; Jason Cline, Board Engineer; Ms. Goldman, Board Planner; Mr. Fishinger, Board Traffic Engineer; Ms. Savron, Planning Director

I. SALUTE TO THE FLAG

II. PUBLIC PARTICIPATION - None

III. AMENDED APPLICATION

Case PB-01-16 Applicant: Country Club Meadows, LLC
Block 4001 Lot 33, Block 5023 Lots 2 & 3 and Block 6001 Lot 1 – Route 206
Amended Final Major Site Plan and Subdivision for Soil Hauling – Country Club Estates, Montgomery Place and Montgomery Grove

Chairman Cheskis and Mr. Conry stepped down.

Brian Plocker, Esquire represented the applicant. The application is for approval to haul soil. The applicant encountered much more topsoil on site than was anticipated. Topsoil needs to be removed and fill brought in.

Lawrence Horowitz, Hillsborough, NJ, was sworn in. Mr. Horowitz testified that during the original application they anticipated there was 3 to 4 inches of topsoil in the single family area of the project but it turned out there was 12 to 18 inches.

Mr. Linnus explained the applicant had to return to the Board because the Board imposed a limit which has been exceeded.

Mr. Plocker referenced the Township Engineer's memo dated October 12, 2018. The applicant agrees to the conditions outlined in the letter.

Mr. Horowitz estimated about 37,000 cubic yards of fill is being brought in and approximately 25,000 cubic yards of fill has been exported. They may need to export an additional 10,000 cubic yards.

Acting Chairman Matthews opened the meeting to the public. There being no public comment, a motion to close the public hearing was made by Mr. Trzaska and seconded by Mr. Mani. The motion carried unanimously.

Mr. Linnus said the motion would be to amend the final approval to incorporate the additional soil hauling subject to the Township Engineer's approval of the permit.

A motion to approve the application was made by Mr. Trzaska and seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Campeas, DeRochi, Madrid, Mani, Matthews, Sarle and Trzaska

Nays: None

Chairman Cheskis and Mr. Conry returned to the dais.

IV. APPLICATION

Case PB-04-18

Applicant: Village Shoppes at Montgomery, LLC

Block 28005 Lots 60, 65, 66 (portion), 68 & 69 – Route 206

Preliminary and Final Major Subdivision and Site Plan, Conditional Use and Bulk Variances

Expiration Date – 11/8/18

Affidavit of Notification and Publication Required

Richard Schatzman, Esquire represented the applicant. Notice was in order. The applicant's witnesses were sworn in - Scott Kennel with McDonough and Rea Associates, Manasquan; Julius Szalay, Menlo Engineering Associates, Highland Park; James Kyle, PO Box 236, Hopewell; Michael Testa, Michael V. Testa Architect, Manalapan.

Mr. Szalay gave the Board his qualifications and was accepted as an expert. The application is now known as Village Shopper and Village Shoppes and will be known as Village Walk at Montgomery. The property is currently commercial, retail, office space and restaurants with associated parking. He referenced a plan entitled Village Walk at Montgomery Existing Conditions Exhibit prepared by Menlo Engineering Associates dated October 15, 2018 which was marked as Exhibit A-1. The exhibit is an aerial view of the subject property and the surrounding area. Lot 60 was previously a PSE& G power substation which has been abandoned. The applicant is coordinating to acquire a portion of that property to incorporate it within this project. There is also a half-acre strip of land that is part of Lot 66 that will be transferred from the Sharbell property. One of the access points to the site is through a full movement signalized intersection on Route 206. The other access is through a right in right out driveway. The topography makes this site unique. The project has a moderate slope from Route 206 up to the buildings and then a steep slope behind the buildings to the western property line.

Mr. Szalay referenced the plan entitled Village Walk at Montgomery Overall Plan Exhibit dated October 15, 2018 which was marked as Exhibit A-2 and described the proposed development. The exhibit is an aerial view of the site with an overlay of the proposal. The applicant is proposing to redevelop the southerly portion of the site. The existing buildings on the Village Shopper I and II site are approximately 31,000 square feet and 36,730 square feet on the Village Shopper III site. The applicant will demolish both buildings on the Village Shopper I and II site and construct five new buildings with associated parking. They will also construct a portion of two Master Plan Roads. Building A will have a total of 5,752 square feet and Building B will have a total of 5,726 square. Buildings A and B will be a combination of restaurants and commercial uses. Building C/D is 9,788 square feet with a 2,462 square foot space that includes a drive-through. The drive through space will have a use like a Starbucks and the remainder of the building will have three or four other tenants. The larger building is a three story mixed use building with the first floor containing 20,970 square feet of multi-tenant commercial and retail space. The upper two floors will contain 52 residential units broken into studio, 1-bedroom, 2-bedroom and 3-bedroom units. The fifth building is a 12,000 square foot anchor building which is intended to be a single tenant unit. Due to the grades and topography the mixed use building will look like it is two stories. The 80 space residential parking area and access to the residential units will be in the rear of the building. The Intermediate Master Plan Loop Road is located at the existing signalized intersection of Route 206. The location of the Loop Road will be maintained and the road extended to the west through the Sharbell property out to Route 518. The intersection with Route 206 will have a shared through and right through lane and a dedicated left turn lane. There are improvements to Route 206 required and they are working with NJDOT to modify the traffic signal. The applicant will be responsible for constructing the Inner Loop Road from Route 206 to the rear of the property where Sharbell will complete the remaining portion out to Route 518. Within the retail portion of the site there are 222 parking spaces. The project meets all the ADA parking requirements. Village Shopper III is not being modified as part of this application other than the grading of the access drive. The existing 36 banked parking spaces on the Village Shopper III site along the western property line will not be constructed as part of this project. The loading areas for Village Walk are located on the northerly and southerly end of the mixed use building and the anchor building. Mr. Szalay described the refuse area and loading locations for each of the buildings. The three smaller buildings do not have designated loading areas as the deliveries will be made off-hours with small trucks. Amenities are provided on the site. At the end of the right in right out driveway in front of the mixed use building a plaza has been provided. The plaza is almost 4,500 square feet. It will be an open area with planters, tables, chairs, low lighting, a water feature and decorative walls. The intersection in front of the plaza as well as all the crosswalks will be stamped concrete. Bike racks at four various locations have been provided and more can be added if needed. An extra wide sidewalk area (16 to 17 feet wide) is proposed in front of the mixed use building with planters in certain parts and some aesthetic pilasters and columns in the front of the building. In front of the anchor building the sidewalk area has been reduced down to 10 feet. In front of Building A, B, C and D the sidewalk is approximately 15 feet wide. There are 175 deciduous evergreens and ornamental trees proposed and the 5

mature trees along the Route 206 frontage have been saved. The parking lot lighting will be 20 foot high LED fixtures. More decorative type fixtures are proposed along the main driveway and the two loop roads. Several signs along Route 206 are proposed for visitors to easily identify the site. A wall identity sign is proposed at the intersection of the Intermediate Loop Road and another one at the intersection of the Inner Loop Road. Both are a curved decorative block wall approximately 48 feet long. The lettering on each of the walls is approximately 75 square feet. In addition there is a 17 foot freestanding monument sign proposed at the Inner Loop Road at the end of the wall identity sign. A second monument sign is at the northerly side of the right in right out driveway and is 8 feet in height with a total square footage of approximately 44 square feet. At the corner of the Intermediate Loop Road there are three flagpoles behind the identity wall sign. The highest flagpole is 29 feet high and the others are slightly lower. Directional signage is proposed. There are 3 directional signs to direct people to the drive-through building. There are no standards in the ordinance for a menu board but two are proposed. There is a main driveway to the drive-through which widens out to two lanes. A "thank you" sign is proposed at the drive-through exit. Sanitary sewer is available. The flow will be redirected to a pump station that is located behind Buildings C and D and from that point it gets pumped to the existing manhole in front of Tigers Tale then goes under Route 206 to the existing pump station. Public water is available from Route 206. Fire hydrants will be located as directed by the Fire Marshal. Village Walk will have an underground detention system located under the pavement in front of Buildings A and B. The system is designed to attenuate all the storms up to and including the 100-year storm. The requirement to reduce the peak rate of flow from this portion of the site is being met. All other utilities are available to the site.

Chairman Cheskis asked about the loop roads. Mr. Szalay testified the portion of the Inner Loop Road that is on the applicant's site will be constructed during the initial phase of the project. The Intermediate Loop Road will be done at a future phase. The phasing plan that has been submitted to the Board anticipates that Phase I will include the demolition of the existing building to the south. A small portion of that building may have to remain because of a lease agreement. The underground detention basin will be installed and the parking lot restored. At that point, the Inner Loop Road, Buildings C and D and the Mixed Use Building can be constructed. They do not interfere with the existing strip retail. Tenants from the existing building will be moved into the new building and then the rest of the development can continue.

Mr. Michael Testa gave the Board his qualifications and was accepted as an expert. Mr. Testa referenced an aerial photograph from across the site that identifies all the proposed buildings with ghosting of the Sharbell development in the rear which was marked as Exhibit A-3.

Building C/D is 9,800 square feet with 5 retail spaces. The end unit is 2,500 square feet with a drive up window for the Starbucks. The other 4 retail spaces average 1,500 square feet to 2,000 square feet. The Starbucks building has small covered seating area outside. The other spaces have large sidewalks in the front. Mr. Testa described the building elements and materials. The parapet wall will be high enough to conceal any type of roof top equipment. The signage on the building has internally illuminated box letters and punch letters sticking out.

The Mixed Use Building is three stories. The lower level is retail spaces. The retail spaces vary from 1,500 square feet to 2,000 square feet with thirteen potential tenant spaces. The end unit has an overhead door to allow trucks to pull in for garbage collection and utilities. There are storage areas in the rear for the tenants. In the center of the building there is an access door into a common hallway with elevator access for the residential units. The residential units can also be accessed by a staircase at the end of the building. There are exterior steps between the Mixed Use Building and the Anchor Building to allow access between the front and rear parking areas. Mr. Testa referenced the first floor plan of the Mixed Use Building and described the interior space. The entire building is ADA compliant. The elevator will meet the requirements for a full stretcher. Mr. Testa referenced the Mixed Use Building Proposed Second Floor Plan. The second floor has three access points. There are 13 one bedroom units, 9 two bedroom units, 3 three bedroom units and a studio unit per floor for a total of 52 units. The COAH obligation is a total of eleven units where there are no more than 2 one bedroom units, no less than 4 two bedroom, no less than 3 three bedroom and the last two would be either two or three bedroom. The units are mixed throughout the floor. The third floor residential space is identical to the second floor. The building will have roof top equipment that will be screened with a parapet.

The Anchor Building has a 12,000 square foot footprint with the anticipation of a small supermarket user. The building will have roof top equipment that will be screened with a parapet.

Buildings A and B are each approximately 5,700 square feet with a center exterior courtyard. The courtyard has trellis elements on both sides with an open space in the middle. Building A has an outdoor patio because of the grade and the retaining wall. Mr. Testa described the building materials. Both buildings will have parapets on all four sides to conceal roof top units.

The buildings will have a stucco system. A cement stucco description was marked as Exhibit A-4. Mr. Testa described the exhibit.

Signage shown on the Mixed Use Building drawings overlapped store fronts. Mr. Testa referenced Sheet PB-4 and explained the signage. Ms. Goldman suggested that sign compliance be determined at the time of building permit when final tenant spaces are configured.

Mr. DeRochi asked if the building will be the yellow color shown on the rendering. Mr. Testa testified they are trying to make the building unique in certain areas but agreed to eliminate the bright yellow.

Chairman Cheskis noted there can be up to 25 retail units and the monument signs only have room for 20 tenants. He does not want the applicant back before the Board requesting additional signage.

Scott Kennel gave the Board his qualifications and was accepted as a traffic expert under the direction of John Rea, PE. Mr. Kennel discussed the Traffic Impact Study comments in Mr. Fishinger's memo dated October 9, 2018. A separate trip generation analysis will be prepared for the am peak hour for the Starbucks facility. They did not analyze the am peak hours because the am peak hour is not the peak period along Route 206. During the am peak hour the traffic volumes along Route 206 are approximately 400 to 500 vehicles less than pm peak or Saturday afternoon. Mr. Fishinger said his concern is that when the developments are constructed and the improvements are in there are still the same traffic problems. He would like the am analysis and the 206/518 analysis so that the Board sees the full picture. The applicant will perform an am analysis and will rely on the Sharbell traffic study for pm peak and Saturday hours. A construction sequence agreement is required for the project which will outline the phasing of the project and the coordination of the phasing with the NJDOT. Mr. Fishinger is to be consulted when the Sequence Agreement is drafted. Mr. Kennel testified that the general design standards for either Starbucks or Dunkin Donuts is stacking for about 8-10 vehicles. Mr. Cline noted that the Hillsborough location routinely stacks to 15. The applicant will look into it further with Mr. Fishinger and Mr. Cline. Mr. Fishinger said he wants to make sure that the proposed number for stacking has some basis behind it. The applicant is willing to modify the site plan to provide additional stacking on the site instead of in the Inner Loop Road. The applicant agrees to provide the Board and Mr. Fishinger with any correspondence from NJDOT.

Ms. Goldman said the Planned Mixed Use Development allows the Board to permit shared parking on the site. Mr. Kennel replied that an analysis was provided and detailed in the latest traffic report that was submitted. He will provide the backup to the conclusions in the report.

Mr. Szalay discussed the site plan issues in Mr. Fishinger's memo. The width of the drive through lanes will be revised. The pickup lane will be 8 feet and the bypass lane will be 12 feet. A WB-50 truck is the largest vehicle anticipated on the site. The larger anchor building may receive deliveries once or twice a week at various times with a WB-50 truck. The WB-50 can maneuver the site and clarification will be provided. The truck circulation plan will be revised to show the garbage truck circulation path. The applicant will confirm that the proposed pavement box meets the requirements of the Township Engineer. The applicant will confirm that the stamped concrete area used within the public right-of-way is acceptable to the Township Engineer. All landscaping within the sight triangles will be trimmed/limbed so sight distance is not impaired. There will be a sight triangle easement subject to the review and approval of the Township Attorney. The applicant will make sure that the proposed landscaping does not interfere with the sight distance. The wall around the pump station may be moved slightly to ensure it does not interfere with sight distance. Signage will be added for the proposed crosswalk on the Intermediate Loop Road. The applicant will be obligated to bring the traffic signal up to current standards.

Mr. Cline asked that the fire truck circulation plan be revised to show that a fire truck can circulate completely around the Starbucks building. The Township's sight triangle language does not permit anything that exceeds 12' in height so the plans will need to be revised to comply with that language.

The Board took a five minute break.

James Kyle gave the Board his qualifications and was accepted as an expert planner. Mr. Kyle reviewed the variances associated with the application. A number of variances are necessary as well as one exception. The purposes of zoning are promoted and the benefits outweigh the detriments. When the overall proposal is looked at, it provides redevelopment of an older site. The project also provides the critical Master Plan Loop Roads to improve the traffic situation at the Route 518 and Route 206 intersection. The project provides critical

affordable housing to help the Township continue to meet its obligation to provide the units. Overall there is great benefit to the application. It is not unusual for a project this large to have a number of variances. A lot of the variances are for very specific areas of the site and not the entirety of the site. The variances will promote the objectives of the zoning and the Master Plan.

Mr. Kyle described each of the variances in detail and the reasons for granting them. The variances are:

- a. Minimum buffer from Route 206. The requirement is 15 feet and the existing/proposal condition is 12 feet. This is an existing condition for the Wells Fargo bank and a proposed condition for the drive through lane to the east of Building C/D.
- b. Minimum buffer from Tract A-2 residential. The requirement is 5' and the proposal is 3.29' along portions of Road B.
- c. Minimum distance to Route 206. The requirement is 35 feet and the existing Wells Fargo building is 27.72 feet.
- d. Minimum distance to the Inner Loop Road. The requirement is 10 feet and the proposal is 8.48 feet. This occurs at the top corner of the Mixed Use Building.
- e. Minimum distance to the Internal Parking Area. The requirement is 4 feet. **The engineer has confirmed the distance is 4.5' (northwesterly side of Building C/D) so a variance is not necessary.**
- f. Accessory building height. The maximum permitted is 15 feet and the three proposed flagpoles are 27 feet.
- g. Accessory building distance to a public street. The requirement is 25 feet and the proposed pump station will be 3 feet.
- h. Accessory building distance to the internal parking area. The requirement is 10 feet and the drive through sign is proposed to be 4 feet.
- i. Accessory building distance to internal driveway. The requirement is 10 feet and the drive through sign is proposed to be 2 feet.
- j. Parking not proposed along the Inner Loop Road where it is required
- k. Off street parking setback. The required setback is 5 feet and 4.24 feet is proposed for the Inner Loop Road and 3.29 feet for Road B.
- l. A 10 foot buffer between Area B and C is required and the proposal is 2 feet to the south of Building C/D. The pump station fence is 6 feet high within the buffer and the maximum permitted is 4 feet.
- m. Buffer plantings are not included in the 14 tree per acre requirement. The applicant is providing 39 trees. The applicant will either upsize the caliper to compensate or post money in the tree bank. The applicant will work with Mr. Bartolone.
- n. Two identity wall signs and the Starbucks menu sign. The ordinance has no standards. Ms. Goldman said the wall identity signs and the menu sign could be considered monument signs so they are just exceeding the number of permitted monument signs. The menu sign is a permitted accessory sign for the drive through.
- o. Two illuminated attached signs are permitted and three are proposed for Starbucks.
- p. The standard height for attached signs is 22 feet and the proposed Starbucks attached sign is 29 feet.
- q. Attached sign minimum distanced to the end of the store front or the corner of a building is 24 inches. There is a maximum of 3 instances where they need a reduction to 12 inches.
- r. The maximum height for the open space/plaza light fixtures is 14 feet and 15.5 feet is proposed.
- s. Lighting fixtures are to be full cutoff non-glare. The applicant proposes globe style lights that are non-glare but not full cutoff. These fixtures will be within the right-of-way of the Inner Loop Road. The fixtures are required by PSE&G. **It was determined a variance is not required.**
- t. There is a parking lot illumination requirement of a minimum of .2 footcandle; average of 1 footcandle and a maximum to minimum ratio of 20:1. The proposal is for a minimum of .3 footcandle, average of 1.07 footcandle and a ratio of 13.25:1. **The applicant complies and a variance is no longer needed.**
- u. The façade Anchor Building is hard-coated cement plaster or hard-coated stucco which is not permitted by Ordinance.
- v. There is a requirement that provides for maximum roadway slope of 8% and a maximum slope of 3% 150 feet of an intersection. The Loop Roads require a greater slope due to the existing surrounding grade and utility crossings that cannot be modified. The roadway slope has been minimized to the maximum extent practicable.
- w. The minimum distance permitted between buildings is 20 feet and the proposal is for 8 feet between the Anchor Building and the Mixed Use Building.

- x. A pedestrian walkway width of 16 feet is required and 10 feet is proposed along the Anchor Building and in locations with architectural features.

All the uses are permitted. All the conditional use requirements for the drive through have been met.

Ms. Goldman said there is supposed to be a central pedestrian walkway extending the entire length of property to connect to Village Shopper III and to Area C that was not supposed to include any of the building overhang, seating, lighting or other site elements along the frontage. In front of the Mixed Use Building it is generally 16 feet except for where there are architectural elements in the building that reduce it to about 14 feet and in front of the Anchor Building it is reduced to 10 feet. Mr. Szalay testified that a walkway has been extended from the front of the Anchor Building down to the area of the existing entrance to Village Shopper III which will provide a safer crossing between the two centers. There are grade and slope issues that prevent it from extending straight across from the Anchor Building sidewalk.

Mr. Schatzman discussed the Clarke Caton Hintz memo dated October 12, 2018. Cross easements will be provided. There is an existing recorded cross easement between Village Shopper II and Village Shopper III. The open space plaza is proposed in the central portion of the Mixed Use Building. The ordinance indicates it is preferred closer to the Anchor Building to reduce the impact on the residential uses. The shared parking report will be provided since the proposal is for 21 fewer parking spaces than required. The height measurements on the sign package for the monument sign do not measure all the way to the top of the sign so compliance could not be determined. The applicant confirmed the height will conform to the maximum height allowed. Details of the directional signs and the menu signs for Starbucks will be provided. The building mounted signs will be reviewed at the time of building permit once the tenant space is determined. The lighting illumination schedule will be revised to show the illumination levels along the tract boundary. Eleven of the residential units will be affordable. They will comply with UHAC requirements for bedroom distribution. The Developers Agreement should identify which units are the affordable units since they will have to be deed restricted for 30 years.

Mr. Schatzman discussed the Remington & Vernick Engineers memo dated October 12, 2018. The applicant will try to move the retaining wall further from the property line. The applicant will work with staff to provide additional benches where possible. The plans will be revised to mark the five existing trees for protection with appropriate details. The screen wall is proposed to be 20 feet high and is high enough to screen the compactor. The phasing of the project will minimize impacts to Village Shopper III businesses. The most recent architectural plans reflect the final design. The balcony areas need to be labeled. Roof plans and downspout locations need to be coordinated with the site plan. Due to the slope of the sidewalk, the applicant will look at providing a pull off area for the sidewalk adjacent to the Inner Loop Road. The applicant is looking at revising the design of the retaining wall and the grading around it to reduce the length of the tiebacks required to make sure they don't interfere with any utilities in the roadway. Fencing will be installed on any retaining walls greater than 30 inches. Details regarding the concrete island at the entrance to the property will be provided after they are worked out with the NJDOT. The maximum amount of soil to be imported or exported without having to go back to the Board is 10,000 cubic yards. The applicant agrees with all the Stormwater Management comments. The lighting will be turned off one hour after closing. A presence/absence determination has been received for all the lots except Lot 60. The applicant will look at relocating the grease trap from the entrance driveway. The height of the landscaping at the Starbucks drive through may need to be increased to block Route 206 drivers from the headlights of cars in the drive through. The whole project will be known as Village Walk so the Village Shoppes sign will be revised. The applicant is asking for a RSIS de minimis exception on parking and will follow the procedures of reporting it to DCA as a condition of approval.

Mr. Szalay testified that they cannot comply with comment D18 that there be no private sanitary sewer line, private storm discharge line and wall structure within the right-of-way. The applicant met with the Township Engineer to explain why. They can't get utilities from Village Shopper III to Village Walk without going through the right-of-way of the Inner Loop Road.

Mr. Schatzman discussed Mr. Bartolone's memo dated October 15, 2018. Plantings are not permitted in the utility easements. Some of the plantings are beyond where the pipes are but the applicant will work with Mr. Bartolone. The language of the 20 foot New Jersey American Water easement along the westerly side that runs along the property line permits landscaping. The easement language will be provided to the Township. The applicant proposes plantings on the edge of the easement.

Mr. Schatzman reviewed Lauren Wasilauski's memo revised October 2, 2018, the Environmental Commission's memo dated October 11, 2018, the Shade Tree Committee's memo dated October 12, 2018, the Public Safety memo dated October 9, 2018 and the Health Department memo dated July 25, 2018. The

buildings will not have solar panels on the roofs. Lighting is pointed downward. The applicant is not proposing porous pavement for the sidewalks or the roadways since it doesn't fit in with the stormwater management and is a big maintenance issue. The existing bus shelter will remain. Additional benches will be provided. No idling signs will be added. The applicant will work with Mr. Bartolone regarding the species of plantings. The applicant will enter into a Sewer Agreement.

The applicant met with the Fire personnel and they have received no further comments.

Chairman Cheskis opened the meeting to the public.

Wayne Caldwell, 56 Truman Avenue, testified that he and his wife have lived in the Township for 11 years and invested their savings to open Minghui Massage Spa. They entered into a long term lease and have 18 months remaining with a 7 year renewal option. He has put \$100,000 in improvements in the spa. He asked the Board to protect his interest as a business owner and resident to make sure the building and parking lot are not disturbed during their lease. The parking lot lighting and safe access needs to be maintained. The lights have been out on two occasions leaving the parking lot pitch black and unsafe. The business is open until 10:00 p.m. 7 days a week. Building utilities should not be interrupted. He asked that there not be any work on or around Village Shopper I that will destroy their business.

Cory Wingerter, Tigers Tale, asked a question about the Inner Loop Road and the sewer line. He asked if the sewer line would go in the roadway or along the common property line. Mr. Szalay testified that the pump station is going to discharge into a force main that will run along Village Walk's property line (on the north side of the Loop Road) then along Route 206 and tie into the existing manhole. Mr. Wingerter asked about the elevation of the Inner Loop Road. Mr. Szalay said it will follow the existing grade and then starts to pick up slope towards the rear.

The owner of La Meche Hair Design said he is concerned with employee and customer parking. He asked how many spaces there currently are compared to how many there will be. When the salon was in Montgomery Shopping Center there were problems with parking on busy days. He also wondered how his business will be impacted while construction is taking place. Mr. Schatzman said there has been testimony that there is adequate parking and the applicant is doing the best they can not to displace the existing tenants.

There was discussion about pedestrian access to and through the site from Area C.

There being no further public comment, a motion to close the public hearing was made by Mr. Conry and seconded by Mr. DeRochi. The motion carried unanimously.

Mr. Linnus summarized the motion is to approve preliminary and final site plan and subdivision, conditional use approval for the Starbucks drive through, variances and the exception subject to all the agreements the applicant made on the record, compliance with the staff reports as so indicated and the Board's standard conditions.

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

Ayes: Campeas, Cheskis, Conry, DeRochi, Madrid, Mani, Matthews, Sarle and Trzaska

Nays: None

V. MINUTES

October 1, 2018 – 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: Cheskis, Campeas, DeRochi, Mani, Matthews, Sarle and Conry

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 11:00 p.m.