

**MONTGOMERY TOWNSHIP PLANNING BOARD  
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY  
REGULAR MEETING  
NOVEMBER 4, 2019**

**MINUTES**

Chairman Campeas 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 Campeas; Vice Chairman Roberts; Ms. Bell; Mr. DeRochi; Mayor Jaffer; Mr. Mani; Mr. Matthews; Mr. Wilson; Mr. Glockler, Alternate #1; Mr. Conry, Alternate #2; Mr. Laskey, Advisor

**ALSO PRESENT:** Francis P. Linnus, Esquire, Board Attorney; Emily Goldman, Board Planner; Lori Savron, Planning Director

**I. SALUTE TO THE FLAG**

**II. PUBLIC PARTICIPATION - None**

**III. RESOLUTION**

**Case PB-06-19                      Applicant: JP Morgan Chase Bank**  
Block 35005 Lots 6 & 7 – 1217 Route 206  
Preliminary and Final Major Site Plan with Bulk Variances

A motion to memorialize the resolution was made by Vice Chairman Roberts which was seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Bell, DeRochi, Jaffer, Mani, Matthews, Roberts, Wilson and Campeas

Nays: None

**IV. APPLICATION**

**Case PB-08-19                      Applicant: Trademark Signs, LLC**  
Block 5023 Lot 2 – 2311 Van Horne Road (Route 206)  
Submission Waivers and Amended Preliminary and Final Major Site Plan with Bulk Variances  
Expiration Date – 120 Days from Submission Waiver Approval  
Affidavit of Notification and Publication Required

Notice was in order. Peter G. Licata, Esquire, Michael Nasto and Allison Coffin, PP represented the applicant.

Ms. Coffin, 1301 West Park Avenue, and Mr. Nasto, address inaudible, were sworn in.

Mr. Nasto is the project manager with Trademark Signs. Mr. Nasto described the prior approval and the current application. The Board previously approved front lit internally illuminated channel letter signs with an overall height of 22 inches on the one elevation and an overall height of 20 inches on the rear elevation. One sign was 40 square feet and the other was 20 square feet. The original approval also included non-illuminated signs for the drive through lane, store hours and receiving times. The proposed application is for 28.5 inch halo lit channel letters mounted on the four elevations of the building and an illuminated drive through sign on both the front and the side of the canopy.

Mr. Nasto discussed the submission waivers. The waivers are being requested since the information was provided as part of the original approval for the overall shopping center. Ms. Goldman recommended the waivers. A motion to approve the submission waivers was made by Mr. DeRochi and seconded by Vice Chairman Roberts. The motion carried on the following roll call vote:

Ayes: Bell, DeRochi, Jaffer, Mani, Matthews, Roberts, Wilson, Glockler and Campeas

Nays: None

Mr. Nasto testified the original proposed signs were front lit channel letters with a red lens which is very bright. CVS has revised the signage to include a halo lit or reverse lit sign. Mr. Nasto referenced Page 2 of the plans submitted with the application which shows the proposed signage. Sign B1 would be on all four elevations.

Sign B13 is the store hours sign. The elevations, shown from top to bottom on Page 2, are the front elevation (north), left side elevation (east), right side elevation (west) and rear elevation (south). The intensity of the illumination will not exceed the ordinance regulations. A dimmer switch will be installed to regulate the intensity. Technical information will be provided to the Board's satisfaction. The test data from the light meters will be provided.

Mr. DeRochi said there are signs proposed on all four sides of the building but no signage at the entrance. Mr. Nasto testified that because of the angled entrance there is no traditional front of the building. Ms. Goldman noted that the prior approval permitted an illuminated heart in the entrance.

Mr. Nasto testified the CVS managers wanted to maintain the CVS corporate brand and to increase the visibility of location within the shopping center. The sign lighting will comply with the hours set forth in the prior approval.

Mr. DeRochi asked how much over the ordinance CVS is asking for. Ms. Goldman said the ordinance permits one primary sign at a maximum size of 50 square feet and one secondary sign of 20 square feet. The proposal is for four primary signs of 51.2 square feet each and three informational/directional signs that will exceed the permitted 2 square feet.

Vice Chairman Roberts agreed the applicant may need the signs facing Route 206 and Belle Mead-Griggstown Road but doesn't think they need signs facing the parking lot.

Ms. Goldman said in the original approval the larger sign is on the south façade and the smaller sign is on the north façade.

Ms. Coffin gave the Board her qualifications and was accepted as an expert witness. The proposed signage requires variance relief for the number of signs, sign area and the mounting height of the signs. The signs will be mounted on the building at a height of 22.5 feet where 20 feet is permitted. The shipping and receiving sign is proposed to be 3 square feet and the two drive through signs are proposed to be 6 square feet and 10 square feet. The applicant is requesting C2 bulk variances. The requested variances advance the purposes of the Municipal Land Use Law and the benefits outweigh any detriments. The proposed signs provide clear sight identification for the building and provide critical identification for the various entrances and uses on the building. The building is located on a pad site in a larger development plan. A sign on each side of the building allows CVS customers to identify the destination from both roadway and all areas within the property. The sign size as proposed is properly scaled to the architecture of the building. The proposed mounting height allows for the signs to be centered vertically within the brick band above the awning feature. The proposed size of the directional signs is appropriate for a freestanding pharmacy use for the drive through. The building has parking and circulation driveways on all four sides which are accessible to delivery vehicles, customer cars and pedestrians. Clear and easy visible signage ensures that drivers know where to go. The primary benefit of the application is promoting public safety, brings adequate identification of the site and the use within the site. There is no detriment to the public good. Signs are passive structures and have no impact on traffic, noise or odor. The only two potential detriments could be aesthetic impact and safety through the obstruction of driver sight lines. The signage that is proposed is tasteful and well scaled to the structure. The height size and number of signs will not result in the creation of any visual clutter for the property. It will be difficult to see more than one CVS sign at a time. The signs will not cause any visual obstruction or distraction. An approval of the variances would not substantially impair the intent and purpose of the Master Plan and zoning ordinance.

Mr. DeRochi said he doesn't understand why this sign package is better than the approved package in terms of the public good. Ms. Coffin replied that it would identify the building from all points within the site. The original approval had a sign only on the north and south side of the building. People within the site coming from the road to the south would not be able to clearly identify the CVS.

Chairman Campeas said he understands the need for a sign on the north and south elevation and maybe the east facing the parking lot but not on the west facing Route 206. Cars travelling on Route 206 will see the north and south facing signs.

Mr. Wilson recalled there are a couple of large signs at the entrances to the center that advertise the businesses and asked if CVS is on those signs. Mr. Nasto testified there is no other signage on the site other than what is proposed on the building. Ms. Goldman said CVS will have to negotiate with the landlord.

There was discussion of prohibiting advertising on the monument signs. Mr. Linnus said the Board could impose the condition.

Mr. DeRochi said it is odd that the signs on the short ends of the building have to be there because they have the big one that faces Route 206. He is concerned about what the other pad sites will want.

Mr. Wilson said the only sign he has an issue with is the western facing sign.

Mr. Laskey asked if a few of the signs could be adjusted to make them smaller. They are not symmetrical from the left to right because of the inclusion of the word "pharmacy".

Mr. Glockler said he is concerned about them having a dimmer switch which is cut back to 50% as opposed to simply installing the lighting where it operates at the permitted level. What keeps someone from adjusting it up to 75% instead of 50%?

Mr. Nasto said the switch will be located in a place where it will be very difficult to access. After further discussion Mr. Nasto said it could be hardwired so the intensity could not be adjusted.

Mr. Wilson said the Board should allow CVS the flexibility to change the brightness so that the end result complies with the ordinance.

Mr. Glockler asked how crucial it is that the word pharmacy appears on all four of the signs. Mr. Nasto responded that it is their corporate branding and the name of the company.

Mr. DeRochi suggested eliminating the word pharmacy on all but the Route 206 side. The logo is strong enough that it will identify the entrance and will read from the parking lots. It would bring the sign package much closer to compliance.

The Board took a five minutes recess to allow Mr. Nasto to contact the Senior Project Manager at CVS.

Mr. Nasto said the Senior Project Manager prefers not to eliminate the word pharmacy from the sign. They will amend the application to request two road facing elevations (south and west) and will eliminate the other two elevations. Both signs would be 52.1 square feet.

Mr. Wilson asked for testimony proving that it is safer for the traveling public if the sign is on the west elevation rather than the north elevation.

Ms. Coffin testified that the north façade is a couple hundred feet away from the northern driveway so having the sign on the north side will not give adequate distance to turn into the northern driveway. Having the sign on the side of the building that faces Route 206 allows people travelling both north and south to identify the building in time to enter the site.

Mr. Wilson commented that if the sign is on the west side of the building there might not be enough time for people traveling south to get into the left hand lane to make the turn.

Chairman Campeas 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. Mani. The motion carried unanimously.

Ms. Goldman summarized the variances. There is a variance for the principal sign number where the ordinance permits one principal sign and one secondary sign. The applicant has agreed to reduce the number of principal signs from four to two. A variance is needed for the area of the principal signs since they are both over 50 square feet. A variance is needed for the height the sign will be attached. The top of the sign is permitted to be at 20 feet and they are proposing 22.5 feet. The area of 3 of the informational signs is greater than 2 square feet. The delivery entrance sign on the east façade is 3 square feet and the two drive through signs on the drive through canopy are 6 square feet and 10 square feet. The applicant has agreed to use the dimmer switch to comply with the sign illumination requirements.

At the recommendation of the Board, Mr. Nastos agreed the signs would be on the north and south side of the building. Since the application was amended to reduce the number of signs, the Board decided not to impose the condition regarding advertising on the monument signs.

A motion to approve the application as amended with the conditions was made by Mr. DeRochi, which was seconded by Mr. Mani. The motion carried on the following roll call vote:

Ayes: Bell, DeRochi, Jaffer, Mani, Matthews, Roberts, Wilson, Glockler and Campeas

Nays: None

V. **MINUTES**

**October 21, 2019 – Regular Meeting**

A motion to approve the minutes with one correction was made by Mr. Mani and seconded by Vice Chairman Roberts. The motion carried on the following:

Ayes: Bell, DeRochi, Jaffer, Mani, Matthews, Roberts, Wilson, Glockler and Campeas

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:45 p.m.