

A Special meeting of the Brick Township Board of Adjustment was held on **September 12, 2018** in the Brick Civic Center, 270 Chambers Bridge Road, Brick, NJ. The meeting was called to order at 7:00 pm.

Notice of Special Public Meeting was read by Chairman Langer. He led the Salute to the flag and the roll was called.

MEMBERS PRESENT

Harvey Langer
Frank Mizer
David Chadwick
Louis Sorrentino
Stephen Leitner
Mike Jamnik
Dawn White
Carl Anderson, Alt 1
Michele Strassheim, Alt 2

ALSO PRESENT

John Miller, Esq.
Brian Bocanfuso, PE
Tara Paxton, AICP/PP, Asst .Municipal Planner
Denise Sweet, Court Reporter
Pamela O'Neill, Secretary

The Board Professionals were sworn.

NEW BUSINESS

**BA-3102-PSP-FSP-C-D-5/18 Royal Farms, Inc.
Route 70 and Olden Street
Block 1170.09, Lot 23,24,25
Preliminary and Final Major Site Plan w Variances**

John J. Jackson, Esq, appeared on behalf of the applicant. He showed the Board a rendering of the site from a Power Point Presentation and described the application for

a 4,649 SF commercial convenience store and gas station with 8 gas pumps and a canopy.

Exhibit A-1, Power Point Presentation was marked.

He said Royal Farms has been in business since 1959. They serve world famous fried chicken and on the go food options. They have 4 or 5 stores in New Jersey.

Mr. Jackson said the applicant needs a D-3 Variance since they do not meet the conditions of the Conditional Use.

The following experts were sworn and their qualifications to testify were accepted by the Chairman

Project Manager, Jose I. Lazo, P.E.
BL Companies, Michael Lazanoff, P.E.
Traffic, Nathan B. Mosley, P.E., C.M.E.
Owners Representative, Chase Gunther
Planner, Charles Lindstrom, P.E., P.P.

Jose I. Lazo, P.E., described the site plan. The site is located in the B-3 zone on Major Highways Route 70, Route 88 and Olden Street and was formerly the Jersey Paddler building.

He testified to the circulation on site.

Nathan B. Mosley, P.E., P.P., traffic expert, testified his firm prepared a Traffic Engineering Assessment dated January 23, 2018. He noted a gap study was performed. He described the deliveries to the store.

Chairman Langer suggested the left hand turn onto Route 88 be eliminated.

Mr. Mosely testified the DOT has jurisdiction over the site and have had an informal review of the proposal, but, have not made a formal report.

He said Olden Street will have both left and right turn in but exit will be right turn only. The applicant will use the existing driveways for Route 88 and Route 70.

Mr. Mosley reviewed the Traffic Report dated June 19, 2018 prepared by the Brick Police Department. Regarding the que at the Route 88 driveway, his study showed the delay is not significant.

Ms. White questioned the access easement which is shown on the plan. Mr. Jackson said the applicant is not planning to improve the 30 foot easement, but they will provide a pedestrian sidewalk for access to the diner.

Brian Bocanfusco, Board Engineer, said his main concern was the Olden Street and Route 70 intersection.

Mr. Mosley testified that the DOT has planned to do a signal modification for the traffic light. He said he will follow up with the DOT to determine when that project is scheduled and report back to the Board.

He further testified they are not adding a substantial amount of traffic. Mr. Mosely stated the applicant will make improvements including ADA ramps, pedestrian push buttons, traffic signal countdowns, pedestrian crosswalks and sidewalks.

Mr. Lazo testified to the variances. He testified that the bulk variances for lot area, width and depth are existing conditions. The front and rear yard set-backs along with the front parking set back are due to the irregularly shaped property. The applicant will have 9 X 20 foot parking stalls around the building and the balance will be 9 X 18 foot parking stalls which are industry standards. The maximum impervious variance is required for the gas station use to ensure safe movement of traffic. They will provide rain gardens and 2 sets of underground pipe. They will comply with all storm water management. The applicant seek a variance for the two pylon signs for height area and base.

Ms. Paxton asked if they are providing depressed curb for run off and Mr. Lazo stated there is depressed curb for the area of the rain garden. He will look into a couple of other locations for curb cuts. They will not provide a sprinkler system and will need a variance.

Chairman Langer advised the applicant they need the address on the sign, They will comply.

The directional signs will be 4 feet where 3 feet is permitted.

Mr. Lazo testified they require a variance for berming. They had provided a 1 to 2 foot berm along Route 70 and have planned landscaping for the frontage.

The basin is located in the front yard. The site has 3 fronts. They propose to add new trees rather than save the existing.

Mr. Lazo testified they will comply with the landscaping of the refuse container, but require a variance for the front yard set back

Mr. Bocanfusco and Ms. Paxton spoke about the proposed pylon signs and asked the applicant to reduce the size of the signs.

Mr. Lazo agreed to comply with the Bureau of Fire Safety Report dated June 19, 2018. At Ms. Paxton's request, the applicant will work with the Town to supplement the landscaping.

Chase Gunther, Real Estate representative, testified to the operations. He said they employ 40 to 50 people per store with 70 % part time. Royal Farms features hot and prepared foods including famous fried chicken with inside and outside seating. They are open 24/7. Deliveries are by box trucks in the front of the store. Fuel is delivered on the concrete pad next to the tanks.

Chairman Langer called for a five minute break at 9:00 PM. He called the meeting back to order at 9:05.

Mr. Jackson advised the Chairman that he had a discussion with his client and they have agreed to reduce the size of the signs. The sign on Route 70 will be reduced to 25 feet high and will shrink the sign from 162 SF to 106 SF. The Route 88 sign will have a monument base and will be 20 feet high and 106 SF. The applicant also agreed to provide a sprinkler system.

Charles Lindstrom, P.E., P.P., was sworn and he gave Planning testimony. He testified that the site has many hardships due to the irregular shape and the fact it has frontage on three highways. The site was formerly a gas station. The use is not a detriment to the Township and meets most of the conditions of the conditional use. It is a good location for this use.

Chairman Langer called for Public comments. Seeing none, he closed the Public.

Factual findings were given by Mr. Chadwick and all members concurred with the findings.

Ms. White referred to the Architectural Committee report and noted it was discouraged to have the red box in front of the building. The applicant will agree to place it inside or another location on the side to be determined with the Municipal Planner.

A motion was made by Mr. Chadwick and seconded by Mr. Mizer to approve the application.

Ayes: Mr. Chadwick, Mr. Jamnik, Ms. White, Mr. Sorrentino, Mr. Leitner, Mr. Mizer, Mr. Langer

ADJOURNMENT

A motion to adjourn the meeting was made and all were in favor.
The meeting was adjourned at 10:39 PM

Respectfully submitted by:
Judy Fox Nelson