

A Special meeting of the Brick Township Board of Adjustment
was held on **October 24, 2018** in the Municipal Building
401 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

MEMBERS ABSENT

Michele Strassheim, Alt 2

ALSO PRESENT

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

The Board Professionals were sworn.

VOUCHERS

A motion was made by Mr. Chadwick and seconded by Mr. Leitner to approve the Vouchers

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

NEW BUSINESS

BA-3101-PSP-FSP-C-D-Lanes Mill Developers, LLC 10 Lanes Mill Lane Block 1447.02, Lot 23, 24, 25 Use Variance and Preliminary and Final Major Site Plan

John J. Jackson, Esq. appeared on behalf of the applicant.
Stephen A. Nemad, Esq. was present as co-counsel for Wawa, Inc.
The following witnesses were sworn;
Matthew Sharo, PE, Dynamic Engineering, Engineer
Christine Cofone, AICP, Planner
John Rea, PE, McDonough & Rea Associates, Inc., Traffic Engineer

Mr. Miller asked if there were any other attorneys present.

Edward F. Liston, Jr, Esq stated he was representing an objector, Jail Jallo, 695 Summit Avenue, Brick.

Mr. Liston stated he did not concede jurisdiction.

Mr. Jackson asked to have the 39 page power Point presentation marked as Exhibit A-1.

Mr. Jackson gave an overview of the application. He described the location and the recent new traffic configuration from the parkway construction. He said they are proposing to demolish the existing Wawa store and the Rice King store and construct a new 4,736 SF WaWa Convenience Food Market and fueling station. He said they are proposing an upgrade to the betterment of the site with improved ingress and egress and landscaping. The facility will provide fuel and will look a lot like the Wawa on Brick Blvd which was approved by this Board.

Matthew Sharo, PE, PP, gave his credentials and his qualifications were accepted by the Chairman.

Mr. Sharo gave an overview of the site. He described the location referring to slide 16 a color ariel. He noted they will consolidate the lots and the store will close during the construction.

He stated the applicant met with the architectural Review Committee and have agreed to make the following changes.

The red awning will wrap around the north side façade and faux windows will be added. They will provide a parapet to screen the roof mechanicals. They will add three rows of evergreens and will close the drive to Burnt Tavern Road.

Mr. Sharo testified to the deliveries and noted most deliveries will take place on off peak hours.

He said the store will be open seven days per week, 24 hours per day,

He further testified there will be between 40 and 50 employees with 10 to 12 per shift.

Mr. Sharo testified the trash enclosure will be an 8 foot high masonry enclosure located on the southwest corner with a 5 CU foot dumpster.

He described the fuel canopy with a height of 15 feet. The station will supply fuel for cars and light trucks only. They will be able to switch for electric if needed.

He further stated there is no storm water management plan at the site now, but the new proposal will meet the State requirement retaining the storm water on site. They will meet and exceed the requirements of the 2 year storm.

He testified that Wawa takes additional green initiatives.

Mr. Sharo testified to the betterments of this application including circulation, aesthetics, landscaping, storm water, lighting, and ADA improvements.

Mr. Sharo testified to the Zoning Table on page 14 of the Power Point presentation, variances and waivers. He noted the building envelope is very narrow due to the fact that there are three frontages. He said they can provide adequate circulation and screening and have agreed to work with the Board professionals to provide the best landscaping.

Mr. Sharo testified to the signage as depicted on pages 19 and 20 on the Power Point presentation.

He reviewed the CME report prepared by Mr. Boccanfuso dated August 17, 2018. He had already given an over view of the project and said the Traffic comments will be covered by Mr. Rea. He had already testified to the storm water management, grading and Utilities. He testified they will comply with the request to install roof rechargers, install filters for inlets, provide a copy of the plans by Stanlec Consulting, complete Tier Municipal Storm water General Permit. There are no comments from BTMUA and they are not required to provide a fire suppression line.

Regarding Landscaping and Environmental, they will comply with all items.

He testified on the refuse enclosure. The applicant proposes an ID sign that will be 20 feet high and have 59.6 SF, a sign at the Lanes Mill and Herborn locations the façade sign will be 67.7 SF and meets the ordinance. They propose 3 banner signs on the canopy.

Mr. Boccanfuso asked for clarification. Mr. Sharo agreed to revise the plan to show 70.9% existing impervious. He noted the 2 year storm is the lowest storm to comply with and he noted the applicant was going above and beyond the water quality requirements.

Regarding the sidewalks, Mr. Sharo said the County has jurisdiction on the sidewalks, but, he will try to get the County to allow the buffer from the street.

Mr. Sharo stated the site will be remediated under the LSRP.

Ms. Paxton asked about picnic tables for customers. Mr. Sharo said they do not want customers to eat on site. They will provide additional garbage cans with trash and recycle containers.

Ms. Paxton requested the cross walks for Herborn and Lanes Mills should have push button controls with count down clocks because the Town is improving the Bernie Cooke Park and she expects a lot of Mom's with baby strollers and children to go to the park.

Mr. Sharo testified Fuel Safety Practices will be observed with independent oversight and vapor recovery system. They will have overfilled protection to prevent spillage and meet NJDEP requirements.

Mr. Sharo said they will comply with the Bureau of Fire Safety report dated June 12, 2018.

Chairman Langer called for a brief recess at

John Rea, PE, traffic engineer testified to the report he prepared dated May 3, 2018. He testified that the site will improve because they are consolidation four curb cuts into two curb cuts. He described the method used to do the traffic counts and testified they projected the counts out to 2028 as required by the County. He noted that the existing restaurant and Wawa were over 5,000 SF, larger than the proposal. Most of the traffic is already on the road, not new traffic. He further testified the aisle widths and circulation aisles are properly designed with a comfortable surplus of parking. He concurred with Mr. Sharo that the loading operations can be accomplished safely and efficiently. He said the Parkway and County did a good job improving the exit 91 changes.

Mr. Boccanfuso questioned the cueing at the Lanes Mill driveway. Mr. Rea testified he did not believe there would be more than one car.

Mr. Jackson called Ms. Cofone, Planner to testify. She reviewed her qualifications to testify and the Chairman accepted her qualifications.

Ms. Cofone testified the applicant is seeking a special reasons use variance because gasoline filling stations are not a permitted use in the B-2 zone. She noted the Board could find the site particularly suitable for the proposed use with the exit 91 interchange of the parkway almost adjacent to it. She testified that in Mrs. Paxton's report dated October 17, 2018, 23 variances were noted, however it was noted that many of them were existing and that the site is irregular. She testified they are improving a lot of the conditions on site and referred to the betterments of visual, curb appeal, improved circulation, improved landscaping, storm water management, better ADA access, efficient use of the land,

Ms. Cofone testified to the negative criteria relating to the impact on the public good and the impact on the zone plan. She noted this is a modern convenience store and

fuel station. She further stated the improvements to the Parkway make the site more appropriate for this proposal.

Ms. Cofone testified to the C-variances and waivers. She noted the existing conditions were being improved by the new development and having a single user for the entire site was an advantage.

She then covered the aspects of the application from the goals of the Master Plan.

Chairman Langer noted the hour was late and Mr. Liston would not have enough time to complete his cross examination.

Mr. Miller announced the case will be carried to January 30, 2019, at 7 PM. Mr. Liston will cross examine the applicants' witnesses and present his own witnesses. The public will have an opportunity to ask questions and make comments. This is the notice. No new notice is required.

Mr. Jackson agreed to a waiver of time.

ADJOURNMENT

A motion to adjourn the meeting was made and all were in favor.
The meeting was adjourned at 10:00 PM

Respectfully submitted by:

Judith Fox Nelson