

September 6, 2011 MINUTES

A regular meeting of the Township of Roxbury Planning Board was held on September 6, 2011, at 7:30 p.m. in the Municipal Building at 1715 Rt. 46, Ledgewood, N.J. After a Salute to the Flag the Chairman read the Open Public Meetings Act.

ROLL CALL:

PRESENT: Mr. Bautz, Mr. DeFillippo, Mr. Shadiack, Mr. Carey, Mr. Matt Meyers (new alternate) and Mr. Scott Meyer.

ABSENT: Mrs. Lutz, Mr. Verge, Councilman Zoschak and Mayor Rilee.

STAFF: John Hansen for Mr. Ferriero, Mr. Germinario, Mr. Stern and Mrs. Wiss

NOMINATION OF VICE CHAIRMAN

The nomination will be put off to the next meeting.

MINUTES: August 3, 2011

Motioned by Mr. DeFillippo and seconded by Mr. Bautz to approve.

Ayes: Mr. DeFillippo, Mr. Bautz, Mr. Carey and Mr. Meyer

Abstain: Mr. Shadiack

Noes: None

COMPLETENESS:

PBA-11-10 ROXWOOD ASSOCIATES, LLC. Block 9302, Lot 1 and Block 9401, Lots 1, 12 & 13 1550 Route 46

Amended Preliminary Site Plan Application. The applicant requested that this matter be rescheduled for the October 5, 2011 meeting.

A report dated August 15, 2011, submitted by the Planner, recommended deeming the application incomplete in accordance with the Sarlo Act. More details of the proposed outdoor recreation improvements and other amenities were still needed to insure that they meet the needs of the converted development.

A letter dated August 16, 2011 from Ferriero Engineering stated that water and sewer back-up calculations were needed that are required by the Sarlo Act. More impervious coverage and stormwater information was also needed.

Mr. Germinario has communicated with their attorney, Mr. Carroll, that the Board would determine completeness this evening based on the submission. Another completeness hearing could be scheduled for the first meeting in October to address the inadequacies noted in the professionals' memos.

Motioned by Mr. Bautz and seconded by Mr. Shadiack to deem incomplete.

Ayes: Mr. DeFillippo, Mr. Shadiack, Mr. Bautz, Mr. Carey, Mr. Meyers and Mr. Meyer

Noes: None

RESOLUTIONS:

PBA-11-06 PRUDENT PUBLISHING CO., INC. Block 9501, Lot 2, 400 North Frontage Road Amended Site Plan Approval for Solar Panels

Motioned by Mr. Bautz and seconded by Mr. Carey to approve

Ayes: Mr. DeFillippo, Mr. Shadiack, Mr. Bautz, Mr. Carey and Mr. Meyer

Noes: None

PBA-11- 11 TOWER HILL ESTATES BLOCK 3602, LOT 9 12 South Hillside Avenue Major Soil Moving Permit.

Motioned by Mr. Bautz and seconded by Mr. DeFillippo to approve

Ayes: Mr. DeFillippo, Mr. Bautz, Mr. Carey and Mr. Meyer

Abstain: Mr. Shadiack

Noes: None

RESOLUTION ADOPTING AMENDMENT TO THE MASTER PLAN

The Board had approved the adoption of the Open Space and Recreation Plan as an amendment to the Master Plan. A recommended change had been made and the new plan was sent to the County.

Motioned by Mr. Bautz and seconded by Mr. Carey to approve

Ayes: Mr. DeFillippo, Mr. Bautz, Mr. Carey and Mr. Meyer

Abstain: Mr. Shadiack, Mr. Meyers

Noes: None

APPLICATIONS:

PBA-07-025 ETEL REALTY LLC. , Block 9201, Lot 2, 99 Route 206

Extension of Preliminary Site Plan Approval granted on February 20, 2008, memorialized on March 19, 2008.

Attorney Peter McArthur represented the applicant. They were here in 2007 and received approval for a Major Soil Moving Permit and Preliminary Site Plan in 2008. They will build the site out exactly as set forth in prior resolutions. Economic conditions are difficult; they have paid all the required fees and will follow all conditions in the Resolutions. The applicant was present to answer any questions.

This was their first extension; there has been no zoning change in the interim so this is the type of extension that would be routinely granted. The difficult economic circumstances for development would also support an extension. The approval was good to March 19, 2011 and they can extend for one year to run through March 19, 2012. The

applicant can come back for an additional extension. A memorializing resolution was submitted to the Board and could also be adopted tonight.

Motioned by Mr. Bautz and seconded by Mr. DeFillippo to approve the extension and Resolution

Ayes: Mr. DeFillippo, Mr. Shadiack, Mr. Meyers, Mr. Bautz, Mr. Carey and Mr. Meyer

Noes: None

PBA-07-032 ETEL REALTY LLC. , Block 9201, Lot 2, 99 Route 206

Extension of Major Soil Moving Permit.

The Extension will be granted to September 6, 2012. The soil movement will take place as originally approved with no phasing. The applicant agreed.

Motioned by Mr. Bautz and seconded by Mr. DeFillippo to approve the extension to 9/6/12 and the Resolution

Ayes: Mr. DeFillippo, Mr. Shadiack, Mr. Meyers, Mr. Bautz, Mr. Carey and Mr. Meyer

Noes: None

PBA-22-14 SHAH, VIJAY, Block 1904, Lot 1 57 Route 10

Concept Hearing for convenience store

Engineer Joseph Jaworski, Joe Staigar, Traffic Engineer and Vijay Shah were present. They had previously had an informal meeting with Mr. Stern to redevelop the existing Shell Station at Eyland Avenue and Route 10 into a convenience store. They also had a pre-application meeting with the Department of Transportation (DOT) because the property is on a State highway and there are two driveways on Route 10 and two driveways on Eyland. The main purpose of this meeting was to have the Board hire their own traffic professional in hopes that he would concur with Mr. Staigar's findings to present to the DOT.

Concept Plan A showed the 27,000 square foot site surrounded completely by roadway and presently developed with a gas station. They would demolish the existing building and pumps and build a 1,960 sf 7-11 convenience store. The building size is dictated by "trips" that DOT will allow off the highway. They will consolidate the driveways, an "in and out" on Route 10 and also an "in and out" driveway on Eyland. The DOT was looking for an "in" access only on Route 10 because of the proximity of the access ramp and all exiting onto Eyland. They don't think that will work. They would like to go back to DOT with this plan. No exits are allowed onto an access ramp. An "in" only from Eyland Avenue was suggested with exiting only onto Route 10. They need to make sure their plan works with input from the Board traffic engineer. The plan would have better access than what exists now.

The traffic is bad on Eyland Ave. and cars would have trouble getting out but eliminating the exit would affect the DOT "trip" requirements. The estimate trips are 60 in and out per hour in the morning and 50 in the afternoon.

Mr. Shah gave his input on the traffic flow based on his experience with other stores. They will do a traffic report with the Board traffic expert and find a balance with DOT. It is a tight site and a very busy intersection. Residents will not be happy with this proposal because of the traffic problems so the Board needs guidance from traffic experts. Mr. Shah was very concerned about safety. Speed bumps were suggested to prevent cut through.

Mr. Stern stressed that this is a gateway location for the community and great detail to the architecture and landscaping will be required. It is a small size for a 7-11. Mr. Shah also wants to make it more attractive. The size of building is the same as the existing building but they couldn't use the existing building because they needed to move the building to make the site work right. He is a manager of many stores and is committed. The normal hours of operation for a 7-11 are 24 hours. That would require a C variance since it adjoins a residential district or they would have to be closed from 11:00 p.m. to 6 a.m.

They have a front yard setback on the entire frontage and need parking setback design waivers, however, the gas station is completely nonconforming. The trash enclosure is where deliveries will come in there. There was a concern about outside storage. They agreed to store empty crates inside. The units for air conditioning condensers, etc. have to be in the 1,926 sf box so they will be on the roof. They agreed that less activity on Eyland would be better but not for DOT approval and they will work on this with the Board traffic expert, Mr. Maltz. They will be curbing the site. No bollards will be used as curbing. They will need a waiver for the loading area. A tractor trailer comes once a week and they need to get deliveries during the hours of operation before 11 p.m. A fence or landscaping was suggested to for safety reasons to prevent children cutting through the access area.

The Board approved appointing Mr. Harold Maltz of Hamal Associates at the standard rate as a traffic consultant

OLD BUSINESS:

NEW BUSINESS:

A motion to adjourn was made at 8:30 p.m.

FOR THE PLANNING BOARD
TOWNSHIP OF ROXBURY

Eugenia Wiss, Board Secretary