

WASHINGTON TOWNSHIP LAND USE BOARD

PUBLIC MEETING MINUTES

October 14, 2009, 7:30 p.m.

CALL TO ORDER and PUBLIC NOTICE

Chairman Leonard Artigliere called the meeting to order at 7: 35 p.m. Mr. Artigliere said this is a regular meeting of the Land Use Board of the Township of Washington. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in *The Star Gazette*. Notice was posted on the municipal bulletin board in the Township Administration Building in Washington Township, New Jersey, and notice was filed with the Township Clerk.

ROLL CALL

Present: Leonard Artigliere, Samir Elbassiouny, Barry Mueller, Robert Christine (late), Evan Howell, Robert Klingel, James Vergos

Absent: Erich Sodtalbers, Efrem Zaret, Gordon Wallace (resigned), Mark Rossi

Professionals: Steven Gruenberg, Esq.; William Gleba, P.E.; Scarlett Doyle, P.P.

APPROVAL OF MINUTES

Motion to approve the minutes of September 30, 2009, was made by James Vergos and seconded by Barry Mueller

Members in favor: Leonard Artigliere, Samir Elbassiouny, Barry Mueller, Evan Howell, Robert Klingel, James Vergos

RESOLUTION

FAIRWAY GREENS

Consideration of this resolution was tabled because of deficient escrow.

UP-DATE and EXTENSION REQUEST

Apgar Minor Subdivision

Mr. Elbassiouny and Mr. Mueller recused themselves.

Richard Keiling, Esq., introduced himself on behalf of the applicant.

Mr. Keiling indicated maps had been forwarded to NJDEP for review. He requested an additional extension of time to allow for NJDEP review. Mr. Keiling requested a 4-month extension. Mr. Keiling noted his client would keep escrow current. Mr. Gleba recommended 120 days as appropriate.

Mr. Gruenberg noted the various extensions previously granted. He further explained the extension requirements.

Motion to extend to January 31, 2010 was made by Robert Klingel and seconded by Evan Howell.

Members in favor: Leonard Artigliere, James Vergos, Robert Klingel, Evan Howell
Members abstaining: Robert Christine

COMPLETENESS AND PUBLIC HEARING

Asbury Farms/Shop Rite, Application #2009-9 and #2009-10
Block 65.01, Lot 1 and Block 65, Lots 2 and 4

Recused: Leonard Artigliere

Mr. Klingel assumed the chairman's position.

Requisite fees having been paid and jurisdiction established, Robert Podvey, Esq., introduced himself on behalf of the applicant. He explained this is a new application. Mr. Podvey indicated he would cover the comments of Mr. Gleba and Ms. Doyle outlined in their review letters of September 29, 2009.

Application seeks GDP approval and preliminary and final major site plan approval and variance relief to complete construction of a 69,876 sq. ft. supermarket on the site.

Mr. Podvey distributed CVs for Ronald Kennedy, P.E., of Gladstone Design and Enzo Pavese, A.I.A., as well as an exhibit list and power point slides.

GDP amendment is introduced for completeness. Ms. Doyle's letter of October 8 reviews the checklist for completeness and recommends that the GDP amendment be deemed complete.

Motion to deem the application for GDP amendment complete was made by Samir Elbassiouny and seconded by James Vergos.
Members in favor: James Vergos, Robert Christine, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell.

Mr. Gruenberg confirmed notice is adequate and Board has jurisdiction to proceed with public hearing.

Mr. Podvey called Ronald Kennedy, who was duly sworn.

Ms. Doyle and Mr. Gleba were duly sworn.

Enzo Pavese was also duly sworn.

Mr. Kennedy's credentials were accepted by the Board. Mr. Kennedy described the history of the project.

Mr. Kennedy introduced the exhibits as a Power Point presentation, which is attached. First, he described the tract designated as Exhibit A-3.

Mr. Kennedy testified the original GDP was approved in 1999. He described the various sections. Golf course was approved in 2000. The Reserve was approved in 2001. Clubhouse expansion was approved in 2005. GDP amendment was approved in 2005. Regency was approved in 2007.

April 2007 construction on the Shop Rite was undertaken.

The traffic light became operational in summer 2009.

Proposals subject to site plan approval: proposed supermarket of 69,876 sq. ft. with 144 parking spaces and 50 banked spaces; road construction for Hawk Point Drive; Rt. 31 and S. Lincoln Ave. improvements. There are no wetlands or flood plain areas. He explained the location of entrances to the building. Reconfiguration of entrance to the clubhouse is proposed to allow smoother transition to clubhouse and Shop Rite. Some reconfiguration to clubhouse parking is proposed.

Mr. Kennedy referenced Exhibit A-5. He said this is the rendered site plan. Parking spaces are 10' x 18', which meets ordinance requirements. There will be 17 handicapped spaces. Ten cart corrals are proposed in addition to the parking spaces.

Mr. Kennedy showed a series of photos taken within the last month of the actual site marked Exhibit A-6, A-7, A-8, A-9, A-10, A-11, A-12, A-13, A-14, A-15, A-16, A-17, and A-18.

Mr. Kennedy outlined the work completed to date: cuts and fills for earthwork, clearing, 2 water quality basins, 90% underground utilities, 85% of curbing, Hawk Pointe Blvd., S. Lincoln Ave., traffic light at + Rt. 31 widening, paving and gravel, as well as work on the building.

The tract is located in the PVD zone, and the project meets the standards for the zone. The supermarket is located in the commercial core area, which allows for retail grocery and pharmacy with drive through. Relief is sought for parking. Parallel parking spaces do not meet ordinance provisions.

Screening along the highway is provided, i.e., an extensive wall and grade change. Grades will vary according to Mr. Kennedy. Building height complies with the ordinance.

Mr. Kennedy described the plans for storm water management, which cause some design waivers. He explained the use of wet basins. Water could be trucked in case of an abnormal weather cycle. Recharge is proposed on the golf course property. He explained that a maintenance manual has been prepared and reviewed by the Board engineer.

Onsite treatment plant is located on the property. Fire protection has been provided through 4 fire hydrants. The building is sprinkled. Gas and electric service are on the site.

Landscaping plans have been submitted to comply with current ordinances.

Mr. Klingel announced a five minute break until 9 p.m. The meeting reconvened at 9:05 p.m.

Project daytime lighting is depicted on A-19 and night lighting on A-20. Mr. Kennedy described the types of fixtures, location and intensity of lighting.

Outside agency permits required: NJ Department of Transportation, Warren County Planning Board, Warren County Soil Conservation, NJ Department of Environmental Protection approvals.

Design waivers are sought by the applicant: storm water management, i.e., recharge component is part of regional plan located on golf course; 20 acre contributory drainage area namely, wet basins; storm water attenuation is a regional management.

C 2 Variances:

(1) Off-street parking and loading – 466 parking spaces required; applicant proposes 444 with 50 spaces banked.

(2) Parking spaces – seven 7' wide parallel parking spaces. Ordinance requires 8' wide.

(3) Lighting – applicant proposes to increase requirements to promote safety. Mr. Kennedy testified other commercial operations in the area use similar intensity of lighting.

Mr. Kennedy contended the criteria of C2 variances are met.

The Board was invited to question Mr. Kennedy. The Board asked the hours of night lighting. Mr. Kennedy answered dusk to dawn.

The public was invited to question Mr. Kennedy. Robert Finke, 4 Jockey Hollow Road, Hampton, asked about the wet basins. Mr. Kennedy answered that no variance is required. Mr. Finke asked why a wet basin. Mr. Kennedy said aesthetics are a

consideration as well as water quality treatment.

Mr. Podvey called Mr. Pavese. His credentials were accepted by the Board. Mr. Pavese referenced Exhibit A-21, the floor plan of the building. He described the floor plan.

Mr. Pavese introduced Exhibit A-22 and described the elevations depicted of the building. Mr. Pavese confirmed there would be a guard rail located on the wall for the loading dock.

Mr. Pavese referenced Exhibit A-27, which depicts the materials to be used on the building.

Questions were invited. There being none, the hearing was continued to October 28, 2009.

OLD BUSINESS

Reminder to return ethics disclosure.

NEW BUSINESS

ADJOURNMENT

The meeting was adjourned at 10 p.m.

These minutes were approved October 28, 2009.

Alice Oldford, Secretary to the Board