

WHARTON PLANNING BOARD
REGULAR SCHEDULED MEETING
August 8, 2017

The Regularly Scheduled Meeting of the Wharton Planning Board was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Mr. Mark Harris, Mr. Patrick O'Brien, Ms. Jennifer O'Malley-Dorr, and Mr. Peter Rathjens. Also present were Attorney Alan Zakin, Planner Jessica Caldwell, Engineer Christopher Borinski and Secretary Patricia Craven. Excused were Ms. Charlotte Kelly, Councilman Thomas Yeager, Mr. Roger Steele, Mr. Jared Coursen and Mr. Brian Bosworth. Mayor William J. Chegwiddden arrived after roll call but prior to the Costco application.

The Pledge Allegiance to the Flag was next.

The reading of the Bills was next. A Motion was made by Mark Harris and Seconded by Jennifer O'Malley Dorr to approve the bills as read. YEA – 5 NAY – 0

The Resolution for Hobaugh Application was next. A discussion followed and the following items were taken out or changed in the Resolution:

Page 2 - #1 typo on the word Manager

Page 3 - #10 Take out the last sentence.

Page 9 - #7 Take out the entire paragraph and renumber the list.

A Motion was made by Mark Harris and Seconded by Jennifer O'Malley-Dorr to approve the resolution as corrected. YEA- 4 NAY – 0 ABST – 1 (O'Brien)

The Resolution for Equinet/Port Oram Village Escrow Refund was read. A Motion was made by Peter Rathjens and Seconded by Jennifer O'Malley-Dorr to approve the resolution. YEA – 5 NAY – 0

The Variance Application for Gottshall was next. James Gottshall, owner of 44 3rd Street, Wharton was sworn in. His property is Block 1206, Lot 1.01 in the R-10 zone.

Exhibit A-1, 8/8/17 – 3 pages of draft architect drawings of his addition were marked into evidence. He passed out additional copies to the Board members and professionals.

Mr. Gottshall is seeking a variance to add a 25 x 30 addition to his home which would infringe upon the front yard by 5.1 ft. which is a preexisting condition and also the side yard by 5.7 ft. which is also a preexisting condition. He will also be infringing on the Maximum impervious coverage by 11% of which 6% is preexisting. He stated that the property that would be infringed upon the most is his neighbors to the left, the Christie's. They are not here tonight to testify which he feels is evidence that they have no issues with his addition. He spoke with them about his plans and they are fine with this addition. Mr. Gottshall has 2 young children and they plan on adopting 2 more children. This addition will give them additional space to raise his family. They love the town of Wharton and are putting on this addition so that they can stay in Wharton. His house had a fire about a month ago. Currently they have 3 bedrooms and 3 baths and are proposing 5 bedrooms and 4 ½ baths.

The Christie's are to the left of the addition and they share a driveway which is preexisting and will not change. The garage is level with the driveway but lower than the existing house.

Planner Jessica Caldwell asked if the average building height of the addition is 30 feet or less. Mr. Gottshall stated that the addition will not be above the current height of the house. The character of the addition fits in with the neighborhood. The larger addition is comparable with the addition that their neighbor, the Christie's put on in 2009. The frontage of the addition is still behind the setback of the other homes on his street. Ms. Caldwell was concerned with the high impervious coverage and runoff. Mr. Gottshall stated that now he has runoff into his garage because of raised blacktop. This new plan will improve the runoff, taking it away from his driveway back into the street where it should be going. His street has good drainage, there is a drain at the corner of Third and Fern. Ms. Caldwell stated that he is taking away some of his driveway and making it closer to the road. It looks like he might have to back out of his driveway into the road. Mr. Gottshall stated that currently he cannot turn around in his driveway and has to back into the road. He is proposing 4 parking spaces - 2 in front of the garage and 2 in the garage. They can park 3 cars wide in the driveway if needed. The 9 foot space along the side of the garage can be used for parking but they were not planning on it. They might have to put the 2 HVAC units there, he is not sure and possibly the garbage bins. The plan is to leave the blacktop in that area next to the garage.

Mark Harris asked about storm water runoff into the neighbor's yard to the north east. Mr. Gottshall stated that there is a railroad tie wall that separates the driveway and with less blacktop there would be less runoff. Mr. Harris thought some type of drainage might help if there gutters were to fall down.

Mr. Gottshall stated that the addition will add value to his home as well as to the neighborhood. It fits within the character of the neighborhood and his neighbors.

Engineer Borinski stated that if there is an issue of runoff it can be solved with a drywell. This can be reviewed with his builder and architect.

The meeting was opened and then closed to the public.

Attorney Zakin went over what the Board will be voting on. C-2 Variance for an addition. Chairman Loury knows the area and stated it would be a mass improvement to the neighborhood. Attorney Zakin noted that none of the neighbors came to the meeting tonight.

A Motion was made by Mark Harris and Seconded by Patrick O'Brien to approve the application.

YEA – 5 NAY – 0

Next on the agenda was the application for Costco Site Plan. Mayor Chegwiddden is in attendance. Attorney John Wyciskala addressed the Board. The applicant is Costco Wholesale located at 315 Route 15 North, Block 402 Lot 1 & 4. Lot 1 is Costco and Lot 4 is the Capitol One Bank.

They are proposing a 6,390 sq. ft. additions to expand the fresh produce cooler storage area and additional sales floor area. They are not only adding on to this store but are putting additions on their stores nationwide. They have an increase in impervious and building coverage as well as a reduction of 7 parking spaces. This expansion will not lead to any change in operation. It should reduce the number of deliveries because of the additional storage. They will be removing the painted sign that is there now on the building and if approved they will be putting it back in the same place on the addition.

They are looking for design waivers for:

1. Parking – 655 – by ordinance for both Costco and Capitol One Bank
634 – present
627 – proposed.
2. Parking space size –10 x 20 by ordinance
9 x 18 proposed -this is the size of the spaces that are presently throughout the site
3. Loading

Engineer Bradford Bohler was sworn in and qualified as an expert in Engineering. He stated that he is holding Revision #2 of the site plan dated 6/2/17, which was included in the Board's packets. He presented and marked into evidence:

A-1 dated 8/8/17 which is an aerial plan of the site. The Costco site is outlined in yellow and is in the B-2 zone. He described the plan to the Board. Lot 1 is 25.8 acres and Lot 4 is 4.4 acres. The building is currently 121,000 sq. ft. He pointed out the parking on the site of 634 spaces, 24 are for the bank and 610 for Costco. Delivery trucks are out of there by 10 am. The delivery area is not a heavily parking area, the back is more for employee parking with an employee entrance at the rear of the building.

A-2, 8/8/17 - overall site plan and proposed building addition was marked into evidence. It is an overlay of A-1 and shows the proposed building addition and landscaping. The addition is 6400 sq. ft. and is shown in orange. There are emergency egress doors along this addition that are not for customer access. There are no changes to customer access. They have 1 internal circulation change at the 1st driveway in from the signal. The right turn into the driveway will be a 1 way only. They will be relocating the handicap spaces along the front of the building to the area across from the front entrance and also relocating the cart corral. They are also reconfiguring the parking spaces by the bank. Costco will have 603 spaces, the bank will have 24 for a total of 627. They will be losing 7 spaces which they will need a waiver for. This should not be a problem because the addition will not be bringing more customers onto the site, it is just adding more storage for the store which will bring less trucks on site. They are also asking for a waiver for parking space size. Currently they are 9 x 18 and they are proposing the same size. They are not changing the loading on site. They should have 1 to 2 trucks per week which is less than what they have now.

A-3, 8/8/17 Truck turning exhibit – was marked into evidence. The truck circulation will stay the same and the loading area works for all of their 4 trucks. With this new expansion there will be a reduction of truck deliveries to 1 to 2 a week. Looking at the A-2 exhibit they have a .05% increase in impervious coverage to the property. They will be relocating the grease traps so they will not be under the new addition. They will also be relocating current lights on the building which will go on the outside of the new addition. The height of the current lights on site are 22.5 ft. high. One of the free standing lights across from the bump out will be moved. Everything as far as the ADA spaces will comply with ADA regulations. No NJDOT access permit is required. There is no change in the tire center parking only spaces. Deliveries will be from 4 am and out by 10 am, no deliveries while the store is open. The loading area is not a popular parking area. The employees park in the rear of the building where there is an employee entrance.

Attorney Wyciskala went over the Borough Engineer's memo dated 8/4/17.

- 1 – was confirmed
- 2 - egress only, the entrance will remain the same
- 3 - did not address
- 4 - addressed earlier
- 5 - just a comment
- 6 - a turning template has been proposed
- 7 - addressed earlier
- 8 - addressed earlier – there are 4 bay doors
- 9 - addressed earlier
- 10 – Mr. Bohler stated that they are proposing to keep a flush curb and install bollards at that location
- 11 – they will work with the Health Dept. on approval of the grease traps.
- 12 – Mr. Bohler will work with our Planner to remove and replace all dead & missing trees/bushes.
- 13 – 22.5’ is the height of the existing light poles
- 14 – It will be within the criteria of the storm water system. They will review that.
- 15 – They will comply
- 16 - They are in agreement with Title 39 and signs and markings. They have addresses all the Fire Department Comments.
- 17 – Their refuse and recycling will not change.
- 18 – They received MCSCD approval and MC Planning Board Approval

Engineer Borinski asked about the outdoor garden center sales/Christmas Tree sales, the bay doors and traffic signal improvement. Attorney Wyciskala stated that they will have to find a suitable location outdoor garden center and tree sales and get a permit for the Christmas tree sales. Mr. Bohler explained that they are asking for a waiver for 4 bay doors where 7 are required. Mr. Bohler also stated that any traffic signal improvements are still in a future faze. Mayor Chegwidden stated that they are working on the new exit ramp from Route 80 that will come onto Route 15 in that area and hopefully that will improve that intersection.

Attorney Wyciskala addressed the Planner’s memo dated. 8-2-17.

Items a and b were addressed earlier

C – Mr. Bohler stated that on a normal Saturday this site is under parked. They feel they have more than enough parking

D - Mr. Bohler stated that there is adequate bays for loading at the site.

E - Mr. Bohler stated that the 9 x 18 parking stall sizes that presently exist are working.

Peter Rathjens was concerned about the new location of the handicapped spaces. Where they are proposing to relocated the spaces, the patrons will have to cross traffic, where before they were against the building and in a much safer area. Mr. Bohler stated that the handicapped spaces will be relocated directly across from the entrance which will be closer. They can add a crosswalk. They are moving the cart corals across from the ADA spaces. Chairman Loury was also concerned because of all the cars that pull up in front of Costco to load their cars. He also feels the current location is out of the way and much safer than what they are proposing. Mr. Bohler stated that by ADA code the spaces they are proposing are the closest to the entrance even though the patrons will have to cross traffic to get to the entrance. They can put in cross walks. He stated that the area along the building where the spaces are now will be an area that patrons can pull their vehicles up to and be able to load their cars rather than loading in front of the entrance as they do now. Chairman Loury would like to see

the cross walks put in. Planner Caldwell suggested colored striping a larger area in the front of the store to alert drivers not to park or stop in this area and that this is an area that patrons are crossing. They will work with the Planner on the cross walks and striping in this area and it will be a condition of approval.

The meeting was now open to the public and then closed.

Attorney Zakin went over all the conditions and waivers. This is a Preliminary and Final Site Plan for the expansion of primarily a cold storage facility for produce that will have no impact on the patrons, employees and traffic.

Waivers:

1. Parking – 7 less spaces
2. Loading – 4 stalls – 3 less than required.
3. Stall Size – 9 x 18

Conditions:

1. Title 39
2. Signage and striping
3. Restripe the crosswalk (ADA compliance) and in front of the entrance for safe flow of vehicles - with approval of the Borough Planner.
4. Replace all dead and missing shrubs and bushes – with approval of the Borough Planner.

A Motion was made by Jennifer O'Malley Dorr and Seconded by Peter Rathjens to approve the application with the waivers and conditions listed. YEA – 6 NAY – 0

Next was the discussion of the proposed revision to the Industrial Zone. Planner Jessica Caldwell addressed the Board. She stated that in light of several past applications for use variances in the industrial zones for recreational uses and multiple uses and requests from business owners and our Planning Board she is offering the following for consideration to send to the Borough Council as suggested ordinance revisions. There is a restriction on the number of principle structures in some of the zones but not in other zones. She is proposing that all 3 industrial zones permit multiple principal structures. Right now only the I-1 and I-2 allow multiple principal structures. The other limitation is the number of uses on each lot. She is recommending adding multiple uses to the I-1 zone. For permitted uses she would consider adding Indoor and Outdoor Recreational Uses to the I-2 and I-3 zones. After some discussion it was decided for permitted uses it would only be for adding Indoor recreational uses, **not Outdoor recreational uses** in the I-2 and I-3 zones. Planner Caldwell stated that the next step is to recommend these changes to the Mayor and Council to make these changes to the ordinance.

A Motion was made by Mark Harris and Seconded by Peter Rathjens to draft a letter to the Mayor and Council recommending Planner Caldwell's changes to the ordinance with the exception of Schedule A – Schedule of Uses be for **Indoor Recreational Uses only** in the I-2 and I-3 zones. YEA – 6 NAY – 0

Meeting was adjourned at 9:07 pm.

Patricia M. Craven – Secretary

Roger Steele – Acting Chairman