

WHARTON PLANNING BOARD
REGULAR MEETING
December 11, 2018

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 as well as the Judicial Proceeding Statement

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

The Pledge Allegiance to the flag was next.

Next, was the reading of the bills, A Motion was made by Brian Bosworth and Seconded by Roger Steele to approve the bills as read. YEA – 8 NAY – 0

The Minutes of the September 18, 2018 Planning Board Meeting was next. A Motion was made Thomas Yeager and Seconded by Brian Bosworth to approve the Minutes
YEA – 8 NAY- 0

The Resolution for Escrow Refund for Wharton Hill and Pena was read. A Motion was made by Brian Bosworth and Seconded by Thomas Yeager to approve the Refund.
YEA – 8 NAY – 0

Next, under new business was the public hear and presentation by Planner Jessica Caldwell on 3 plans that are proposed for adoption as elements of the Borough's Master Plan. These plans were created in conjunction with Highlands bank performance process and grant program. The Borough opted into the Highlands planning area and has become a Highlands Center and as part of that they created a Highlands Center Plan and Sustainable Economic Development Plan. The Board in conjunction with the Council and several members of the public conducted public involvement sessions where they presented marketing, economic and census data on the Borough Center. They focused on economic development and ideas for the center to come up with goals, objectives and recommendations for development and redevelopment, particularly on Main St. They looked at the unique characteristics and ways to bolster the characteristics in 3 areas of Main St., the north, central and south areas. They incorporated the recommendations from the public involvement sessions and then worked with the Planning Board and Council to come up with short, mid and long-term recommendations for the Highlands Center and to improve economic development in the Borough.

They also developed a Storm Water Management Plan for the Borough which updated our current Storm Water Management Plan and incorporated nonstructural strategies as well as proposed a Storm Water Mitigation Plan. She worked in conjunction with our Board Engineer Christopher Borinski to identify several areas where stormwater mitigation could occur. This is

so that if a developer cannot do stormwater mitigation on their property, they can contribute to a fund to allow the Borough to create off site mitigation.

They also have a lake management plan for Washington Forge Pond. This plan establishes goals and objectives and an action plan for monitoring water quality on site and non-point source pollution areas and also ways to mitigate those for algae, weed and water depth control as well as filtration issues and the damn. It lays out a plan of how to manage those over time and hopefully in conjunction with the Highlands Grant Program. Mayor Chegwiddden stated that they had just recently met with the Highlands and they are on board with these plans and the grant that will help pay for this. They are also going to use Wharton as an example of how the Highlands is supposed to work and Wharton being a Highlands Center.

Ken Loury stated that there was no mention of recreation in the Washington Pond Plan. Ms. Caldwell stated that that is more identified in the Center Plan and not the Washington Pond Plan which is more of a technical management plan.

The meeting was opened to the public.

Richard Tress of 6 Kossuth St. asked if the plans would be available on the town website. He was told that they would be once they are approved.

Attorney Zakin asked if the census information is based on the municipality of Wharton or mailing address. Planner Caldwell stated that is should be by municipal boundaries. The market data is more regional.

Teddie Salas of 77 Fern Ave. asked what they are planning on doing along Main St. Planner Caldwell state they are looking at economic development and ways to draw in a variety of businesses into town and tourism. There are zoning techniques they are looking at and things such as wider sidewalks for outdoor eating, etc. They are trying to make Wharton more of a destination. Mayor Chegwiddden stated that Wharton was designated as an Economic Incentive Zone which helps incentivize businesses to come here.

A Motion was made by Roger Steele and Seconded by Thomas Yeager to adopt this as part of the Master Plan YEA – 8 NAY – 0

A Motion was made by Brian Bosworth and Seconded by Patrick O'Brien to recommend to the Mayor and Council that they approve and adopt the 3 plans. YEA – 8 NAY – 0

Next, was the addition to the agenda of Engineer Borinski's memo dated 12/4/18 ref: Wharton Industrial Center Compliance Update. Mr. Borinski stated that work is progressing on site. East Wall – dismantled, boulders moved and crushed. Much of the crushed stone has been used on site near buildings E & F for the parking and driveway areas. More of the stone has been taken over to Pondview. There is still a huge pile of smaller size rocks that needs to be crushed. The crushing equipment has been moved off site and will be back in January to resume the West Wall. They left the bottom row of the East Wall to help support the slope behind it.

Work has moving forward on the west side driveway which is the new driveway that provides access to Buildings D, E and F. They installed the storm sewers, raised the grading to accommodate the new grades of Building E & F and the pavement has been finished. Now that they have raised the grading, they found out that the overhead electrical wires are too low. They have closed the driveway and are using the temporary drive on the east side until JCP&L can raise the wires.

They have removed some millings and used them as a base core on the parking areas and driveways by Buildings E & F and will be paved over. They will remove more in the spring. The first 3 signs have been installed. Engineer Borinski is happy with their progress.

Next, on the agenda is the application for Equinet Properties, LLC. Mayor Chegwiddden and Councilman Yeager left the meeting. Attorney Zakin explained that this application is a Board of Adjustment application for a use or D Variance and the Mayor and Councilman cannot hear a Board of Adjustment application. He explained that this is a bifurcated application where the applicant is just applying for their variances and will apply for a site plan at a later time.

Attorney for Equinet Properties, LLC, John Wyciskala addressed the Board. His client is the contract purchaser of the property located at 47 Kossuth Street, Block 1212, Lot 14 which is the Canal House Restaurant and Bar and includes 21 residential units. It is in the RM 75 zone and is an existing, non-conforming use. They are proposing a major redevelopment of this property. They plan to demolish all the building and develop an 82 unit, multi family residential housing project. It will consist of 82 units located within 2 buildings each with 4 levels of living space over parking levels. This application is for bifurcated variance approval only. They are not seeking site plan approval at this time. They are in the RM75 zone which is permits only 1 and 2 family homes. Multifamily is not permitted and they are seeking D Variance relief for the use, density and the height of the buildings. They are also seeking bulk variance and waiver relief for lot coverage, set backs and off street parking. They are here tonight to get a decision from the Board on these variances before they go out and do a full design, engineering and site plan because of the significant cost associated with it. They have submitted, with this application, a use variance site plan, a conceptual site plan, which is not detailed but addresses the key aspects of the site plan to help render a decision. They will be discussing Affordable Housing. This plan is a significant change to the area. If the variances are approved, they will be back with a new application seeking full site plan approval. They feel it is going to be another great redevelopment project which will enhance and upgrade this property and a benefit to the surrounding areas. It is a mix of mainly 1 and 2 bedroom units, which will add to the population of the Borough and support Wharton's economic base especially along the Main Street corridor. This site plan is the plan that they will be presenting, they have done their homework and are comfortable with this plan. The Board asked about putting a time limit on it. Attorney Zakin stated that that could be a condition.

Attorney Zakin made the Board aware that they are reviewing D variances here and any C variances that are tied to the D Variances - the Board can decide which ones to consider in connection with the D Variance application and which ones to be deferred until the review of the site plan. Attorney Wyciskala agreed and stated that the off-street parking is critical.

Chairman Loury had concerns with the bifurcated application. Attorney Zakin explained that with a bifurcated application, if this part of the application is approved for the variances, the variances approved will stay with the property only if the Site plan that they will be presenting in the second part of the application is approved as well. Again, a time limit can be put on it as a condition of approval.

All of the applicant's experts were sworn in, as well as their 2 witnesses.

Mark Gimigliano – Engineer with Dykstra Walker

Ken Fox – Architect – Fox Architect

Elizabeth Dolan – Traffic Engineer - Dolan and Dean

Michael Tobia – Planning Consultant

Sam Masucci – Equinet Properties

Rick Reimers – Equinet Properties

Engineer Mark Gimigliano was qualified.

He presented and explained to the Board the following exhibits:

A-1, 12-11-18 – Existing condition Colorized version of survey dated 12/11/18

This shows the current state of the property and is Sheet 2 of 5 of the plans that were submitted to the Board. He gave a brief overview of the property and the surrounding areas. Currently there are 21 residential rooms with shared bathrooms on site in addition to the Canal House use. The surrounding area to the south and to the west is primarily single and multi-family residential homes. The Wharton Industrial Center is located to the east and the north. A block to the west is the Port Oram Village Residential development which is currently under construction and will contain 49 residential apartments. The property is located in the RM-75 zone 1 & 2 family residential zone and is 1.825 acres in size. It conforms with the lot area and lot width.

A-2, 12-11-18 – Colorized Conceptual Site Layout Exhibit dated 12/11/18 and is Sheet 3 of 5 of the submitted plans. They are proposing to redevelop and improve the property with 2 buildings that will contain 82 residential units with both buildings having 4 levels of apartments and 1 level of parking.

Building #1 is the larger of the 2 buildings and will be located where the Canal House is now. It will have 51 total apartments, 35 – 1 bedroom and 16 – 2 bedroom and a below level parking lot. The first floor of the apartments will be level with the parking lot at the front of the building. This end of the property slopes off and they have placed the parking lot below grade with the entrance at the back of the building. There will be a one-way driveway around the building. The building is 4 story above grade and is 50.5 ft. high.

Building #2 is located on the west side of the property and has parking at grade. The first story of apartments is 1 story above grade. There are 31 units, 23 -1 bedroom, 6 – 2 bedroom and 2 – 3 bedrooms. It is a 58.1 ft high, 5 story building. 4 stories are apartments and the 1st story is for parking. The lobby of the building is on the garage level. The plans are not clear – they say 4 story apartment building with ground level parking but should say 5 story.

There will be 2 access points into the site, one is from Kossuth and the other is at the intersection of Orchard and Kossuth. Parking is evenly distributed around the site with 2 ADA parking

spaces beneath Building #2 and 3 spaces adjacent to Building #1. 124 – 9 x 18 ft spaces are proposed and 153 spaces are required. Of the 124 – 82 spaces are designated to the apartments and 42 are visitor and resident parking. They are requesting a couple of design waiver for parking. Parking is to be 10 ft from the front yard and in one are they are 7.1 ft from the front yard. Parking is to be 5 ft from the side property line and in one are they are 2.4 ft. from the side line. Gas, water and sewer will be in each building.

A-3, 12/11/18 – Aerial Exhibit with site plan superimposed dated 12/11/18. This shows the proposed development on the property and the surrounding area.

The Engineer went over the bulk requirements for the RM-75

	Required	Proposed	Variance Required
Min Front Yard Setback	32.5 ft	17.6 ft.- BLD 2	YES
Min Side Yard Setback	10 ft	10 ft Bld 2	
Min Rear Yard Setback	20 ft	26.9 ft Bld 1	
Max Lot Bld Coverage	20%	30%	YES
Max Imperv Coverage	40%	81% Existing Bld – 70%	YES
Max. Building Height	2.5 stories/30 ft	4 stories/50.5ft-BLD 1	YES
		5 stories/58.1ft-BLD 2	YES

In an effort to maximize the amount of parking on site they are proposing 6 pairs of tandem parking spaces at the north corner of the property. The vehicles will be stacked one in front of the other similar to a residential driveway and would be designated to one apartment that has more than one vehicle.

Chairman Loury asked what the maximum height of the buildings were. Building 1 is 53 ½ ft above grade and Building 2 is 64.2 ft above grade.

Jennifer O’Malley-Dorr was concerned that there is no emergency access to the rear of Building 2 and also concerned that the aerial fire truck cannot reach the top floors of Building 1. It possibly might reach the 3rd floor. Another concern is that the apparatus could not go underneath to the parking areas. The Engineer stated that they have not received any comments from the Fire Dept. They do not have truck turning templates on the plans but would be part of the Site Plan. Some discussion followed about what happens if the Fire Dept doesn’t approve this plan.

Planner Caldwell recommended that the Fire Department look at the plans before they vote. She said that the applicant would have to prove the negative criteria as far as safety and public welfare. It’s not so much about fighting the fire from that side but rescuing someone from that side. If it is an issue then it can present a design issue.

Attorney Wyciskala stated that the Port Oram site has 49 Units. He also stated, when asked why there are 2 three-bedroom units in their proposal, that it is because of the COAH mandate which is a minimum of 20% of the set aside must be 3 bedrooms and maximum of 20- 1 bedroom. They were not looking to have any 3 bedrooms.

Jessica Caldwell stated that the plans show that there are currently 22 residential units on the property now but the testimony tonight said 21. Attorney Wyciskala stated that there are 21 units and also, for clarification. there are 153 parking spaces required and 124 are proposed.

Engineer Borinski asked if they have included the tandem parking spaces on any other site plan. Engineer Gimigliano said that he has not but if it is done with the same unit owners, it seems to work. It was agreed that it would have to be the same unit owners. Mr. Gimigliano stated that the underground spaces, he would imagine, would be for the tenants only. Some discussion followed about the parking. Engineer Borinski stated that the parallel spaces might be a problem. Also, there is an issue with the size of the sidewalk. He looks forward to the site plan.

The meeting was now opened to the public.

Linda Bencivenga – 39-41 Fern Ave. – her house is adjacent to Building 2 which she pointed out on the plans. She stated that a 68-foot building, 10 foot from her fence – she would be looking at a monster behind her house. She asked if they can get rid of Building 2 and just have Building 1. Attorney Wyciskala stated not to have a viable redevelopment of the project. He also clarified that 58 feet is the average height.

Joe Babus – 17-19 Washington St. – asked about the storm sewer under Building 2 – the Engineer stated that the sewer would be realigned.

Teddie Salas – 77 Fern Ave. – asked if the realignment of the storm drain would impact her property and the Engineer pointed out on the plans where it would run and assured her that it would not impact her property. She was told that the parking lot behind Building 1 is owned by the Wharton Industrial Park and is not part of this property. She stated that having the dumpster along the residential neighbors' property lines was disrespectful. They should be able to find another area of the site to put it. The Attorney for the applicant stated that they would look at that. Ms. Salas asked about privacy retaining walls. Attorney Wyciskala stated that because of the grade they would not be having any retaining walls but at this time they have not looked at any fencing. Planner Caldwell asked if they could talk later about any issues with putting up fencing and they will address it. Attorney Zakin stated that fencing can be a condition with approval by the Planner and Engineer.

Rich Truss – 6 Kossuth St. – asked about the access to and from the site – is it all going down Kossuth Street, Engineer Gimigliano stated that it is one way in and out by way of Kossuth St. Mr. Truss stated that that is going to be a big problem.

Paula Biseglia – 2-4 Orchard St. – She stated that this is better than what is there now, but it is a little too high. She asked about a privacy fence since the parking will be facing her house which is adjacent to the property. Engineer Gimigliano stated that they can add a privacy fence. He stated that the parking spaces are at grade and the fences will be higher than the car so that should take care of the lights from the cars. They can also add landscaping. Ms. Biseglia asked if the parking spaces could face the buildings. The Engineer stated that they could not because of the circulation of traffic. Chairman Loury added that they can make it a condition that it be approved by the Borough Planner and Engineer.

Jen Parsells – 10 Orchard Street – Building 1 is good but Building 2 is extreme and too high. It will block their view and a lot of the sun. They are at the lowest part of that property and she asked about the runoff. She is concerned with runoff into her back yard now that they have added the tandem parking spots. The Engineer will look at that area.

Paula Biseglia stated that in the early stages they were drilling on the property and when she asked the drillers about it, they stated that there was contaminated soil. Attorney Wyciskala stated that if there is contamination it will have to be addressed. They do not own the property and will not acquire it unless they were satisfied with the results.

Jen Parsells stated that they have grinder pumps on Orchard Street and were they aware of that and will their project have any impact on their pumps. Engineer Gimigliano stated that they will make sure that any improvements do not have an impact to their properties.

Chairman Loury stated that drainage is an issue and can they make sure to address these concerns on their plans as well as the sanitary sewer under Building 2. Attorney Wyciskala agreed.

The meeting was closed to the public.

Kenneth Fox of Fox Architects was qualified as an expert witness. He designed the architectural plans that were include in the packets. The buildings are multi story with a pitched roof on 3 sides that will hide the air conditioning units. It will have a more residential character.

A-4, 12/11/18 – Building #1 – Front Elevation Enlarged and Colorized
A-5, 12/11/18 – Building #2 – Front Elevation Enlarged and Colorized.

A-4 - Building #1 has a center entrance facing the front, 4 levels facing the parking lot. – driveway goes 1 way around the building to the parking entrance in the rear. Parking is under the building.

A-5 - Building #2 has an entrance and parking access on the lower level facing the front. 5 stories. The cars on the plans are not correct – they do not have parallel parking underneath.

A-6 – 12/11/18 – Building #1 – Overall Floor Plan – Colorized

A-7 – 12/11/18 – Building #2 – Overall Floor Plan – Colorized

They have worked with their engineer so that the plans they are showing tonight are what is going to be built. He explained the layout of the buildings.

A-6 – Building 1 – 1 Bedrooms are in Yellow; 2 Bedrooms are in Blue – All bedrooms and Living Rooms have a window.

A-7 – Building 2 – 1 Bedrooms are in Yellow, 2 Bedrooms are in Blue, 3 Bedrooms are in Red – All Bedrooms and Living Rooms have a window. – Shows parking on level 1.

A-3 sheet of our plans shows the layouts of the 1,2 and 3 Bedrooms which he explained to the Board – Some have balconies.

A-4 sheet of our plans shows the right and left elevation. These plans show how they are able to hide the roof top air conditioning units.

82 units total for both Buildings

Building 1 – 50.5 ft high which needs a variance
35 – 1 bedroom
16 – 2 bedroom

Building 2 – 58.1 ft high which needs a variance
23 – 1 bedroom
6 – 2 bedroom
2 – 3 bedroom

The perimeter area of a building defines how many units you can get on a floor.

Building 1 has 13 units on the top floor and Building 2 has 8 units on the top floor. The buildings are designed for life safety, they are fully sprinklered with remote exits of 2 ends of the corridors with fire doors and fire separations between units and between floors. They are building these at code or above code manner to accommodate fire safety. In regards to the concern about no access to all sides of the building Mr. Fox stated that there is no purpose to access all sides of the building. The same codes occur here as they do in a downtown city where you only have access to the front of the buildings. We have other fire safety measures that they try to take when we have those issues.

He stated that he is sure that the underground parking spaces and tandem spaces will be designated spaces.

They will have the lighting plan on the site plan. The balcony lighting will be facing in towards the units to light up the balcony but will be less visible outside the building.

They have facades on only 3 sides of the building's roof to hide the air conditioning units but the 4th side does not hide the tops of the units. The fourth side faces the residential homes on Fern Ave. They will put an angled wall on the fourth side.

Mr. Fox was not sure what the minimum requirement for bedroom size but they do exceed it.

Mr. Fox stated that the 2 garages are fully sprinklered with a dry sprinkler system which he explained. The garages are open garages – Building 2 is totally open on 2 sides and Building 1 is completely open. Any fencing will be on the site plan.

Planner Caldwell asked about the exterior materials. Mr. Fox explained that they will have clapboard vinyl siding, composite board trim, asphalt tab shingles and stone base. Ms. Caldwell

asked if they could add additional articulation or additional materials because with the materials and colors they are using, it creates a large mass. She stated that they do have some design standards that go with the mixed-use section of town that might be helpful and they can talk about breaking up the linear façade and adding any additional materials and highlighting the entrances. Mr. Fox stated that they are open to any suggestions from the professionals as well as the Board. Chairman Loury stated that he would like to see the façade done all the way around the building. Planner Caldwell added especially on the residential sides. Mr. Fox stated that the façade would be 4 sided. Mr. Masucci added that normally during the site plan presentation they bring actual physical samples of the materials they will be using and what was agreed upon.

Planner Caldwell asked if the open garages can be enclosed a little bit more especially if there is visibility from adjacent properties. Mr. Fox stated that they can add lattice work to screen the cars. Mr. Masucci stated that their efforts are to create as much of a residential look as possible.

Engineer Borinski – asked if the roof top air conditioning units will be designed to meet the noise requirements on the property line. Mr. Fox stated yes especially with the 4-sided screening.

Mr. Steele asked in reference to A-5 – are there lobbies on all floor. Mr. Fox explained that it is a the elevator lobby not an entrance lobby on the upper floors.

The meeting was now open to the public.

Jennifer Parcels asked to see the rendering of the back of Building 2 that will be facing Fern Ave. Mr. Fox brought up Exhibit A-7 which shows the rear. You can see the roof level on the front which will be mimicked in the rear and all 4 sides. Ms. Parcels concern was the 5 floors and the balconies overlooking their back yards which takes away their privacy.

Jennifer O'Malley-Dorr asked if they were heating the building with gas, are they going to have 1 building meter or individual meters and where will they be located. Mr. Fox stated that when that is decided they will be shown on the plans.

The meeting was now closed to the public. A brief recess was called.

The meeting was called to order and Roll call was taken and the following members were present: Chairman Ken Loury, Mr. Roger Steele, Ms. Charlotte Kelly, Mr. Patrick O'Brien, Ms. Jennifer O'Malley-Dorr and Mr. Brian Bosworth. Also, present were Attorney Alan Zakin, Planner Jessica Caldwell, Engineer Christopher Borinski and Secretary Patricia Craven.

Ms. Elizabeth Dolan of Dolan and Dean was qualified as an expert Traffic Engineer. She has done a traffic analysis relative to this project and is familiar with the site. She presented a summary of her findings to the Board. Her focus was 2-fold, one in respect to the traffic characteristics of the new development and the parking. They are proposing 82 dwelling units. They looked at multi family trip generation rate base on 82 units and multi family low rise was the appropriate rate for this site which gives them a little higher trip generation than the mid-rise category. With the 4 to 5 levels they could be considered mid-rise.

They then look at the peak hours with the highest traffic volume, which is mid-morning between 7 and 8 am and then evening between 5 and 6 pm and then mid-day Saturday.

Table 1 - Proposed Trip Generation

Morning peak hour trip generation – 40 trips entering and exiting

Evening peak hour trip generation – 50 trips entering and exiting

Saturday peak hour trip generation – 58 trips entering and exiting

The proposed development will generate relatively low traffic activity and this activity is not considered significant which is defined as 100 or more trips in an hour. At 100 or more NJDOT requires a traffic study if you are on a DOT highway. Because they are generating less than the 100 and also replacing the traffic from the Canal House and existing residents, they have not done a formal traffic analysis but rather a comparison of the proposed activity and the Canal House and existing residence.

Table 2 - Existing trip Generation

Morning peak hour trip generation – 10 trips entering and exiting

Evening peak hour trip generation – 53 trips entering and exiting

Saturday peak hour trip generation – 59 trips entering and exiting

When they compared the 2 Tables, they found that the site development will create an increase of 30 additional trips during the morning peak house and during the evening and Saturday peak hours the trips will be approximately the same.

Ms. Dolan stated that what she found is that activity generated from this site will not create a negative impact or require improvements to the adjacent roadways. She did not do a traffic count at this location. These are estimates using data compiled by the Institute of Transportation Engineers using Multi family trip rates, the high turnover restaurant rates and apartment rates for the existing residents.

The required parking is based on rates set forth in the Residential Site Improvement Standards (RSIS). The parking requirements are based on the number of bedrooms in each apartment.

58 one-bedroom units require 1.8 spaces per unit or 104.4 spaces

22 two-bedroom units require 2.0 spaces per unit or 44.0 spaces

2 three-bedroom units require 2.1 spaces per unit or 4.2 spaces

The total requirement is 153 where they are proposing 124 on-site parking spaces which is about 1.5 spaces per unit. Over the past few years she has seen the parking ratio come down. Ratios of 1.0 to 1.5 spaces per unit are often provided, particularly when you have mass transit nearby and in this particular case there is bus service nearby. She feels based on other developments in the area and the parking demands they have seen, the 1.5 spaces per unit makes sense and is sufficient for the mix of apartments.

Planner Caldwell asked Ms. Dolan why they wouldn't just go to the site and get counts. Ms. Dolan stated that they did not do actual counts because they were not going to do anything with them and because they have the data from the ITE based on the different uses.

Ms. Caldwell stated that Ms. Dolan felt the 1.5 was adequate and asked if that would include spill over onto public streets and/or public parking. Would all the parking be accommodated on the site or would there be a need for using on street parking. Ms. Dolan stated that the 1.5 would be all on site since she doesn't think the adjacent streets can accommodate overflow parking so they would want to maintain everything on site. She also stated that it's not just about the number of spaces they are providing but also the demand and the marketing. If an interested party needs more than one space, they might not want to choose this location. The ratios she used are based on what is on the property, not accounting for any off-street parking. She is comfortable with the 1.5 and feels it will accommodate all parking on site. The tandem spaces are 2 spaces but for one dwelling unit. Ms. Caldwell asked if Ms. Dolan felt that a 20% variation from the RSIS is a diminimus exception. She cannot say in terms of the percentage because it will vary from site to site but she can say that the 1.4 Ratio is what they found to be an actual demand. In her experience and her opinion, she is more comfortable with the 1.5 as the ratio of diminimus exceptions in many of their applications.

Roger Steele stated that if you subtract the tandem spots the ratio is no longer 1.5 but 1.47. Ms. Dolan agreed.

Brian Bosworth was concerned with the traffic. He stated that they are just looking at the postage stamp (this site) and not the big picture. He stated that all the traffic from this site as well as the Port Oram site has to go through one corridor, Kossuth St., Washington Street is a one way and Orchard is a dead end. The worst part is once they get to Main Street, all of that traffic has only 2 ways to go. Right on Main Street towards Dewey Ave. and back up there for 6 lights or left on Main Street to Route 46. There is not a lot of other routes to take if you are leaving Wharton. All of the traffic funnels into 2 or 3 intersections. One is Dewey and Main Street which is an absolute mess in the morning and then it's an absolute mess again at night. The other option is to funnel your way-out Main Street to Route 46. They haven't even looked at the impacts that this project is going to have on these streets and intersections or the intersection Fern Ave. and Main Street or the impact of 121 spots going out of one exit. Yes, there are 2 exits on the plans but they are only 15 feet apart so it is really one exit and they all go through the 20ft wide Kossuth Street.

Ken Loury asked why a traffic study wasn't done on the impact of Washington and Kossuth Street, Kossuth Street and Main Street as well as Fern Ave. Ms. Dolan stated that, as was just described, in the current condition and the amount of traffic they are adding isn't enough to create a warrant for a traffic signal at Kossuth. Ken stated that they are not talking about a traffic signal. Ms. Dolan stated that the constraints are there, the traffic is there and they are replacing traffic from the restaurant and some residential traffic. So, it's a replacement of traffic, it's not to suggest that there aren't problems on Main Street or there isn't only one means of ingress and egress. You have Kossuth providing access to this property but it's been providing access to the Canal House and residences all this time. She is not suggesting there isn't traffic in the area, what she is saying is when you compare the type of trip generation from the proposal with what

is generated by the site now, they are somewhat comparable. Mr. Loury disagrees. He stated that he will give them the evening and Saturday trip Generations. The morning peak, current state is 10 and they are proposing 40, that is 400 times higher. Attorney Wyciskala stated that is 31 exit movements in an hour. Ms. Dolan stated that the impact is going to be on Kossuth because those people are going to have to wait to enter Main St, so it is not really an impact to Main Street. It's a problem to the people who choose to live here. Ms. O'Malley-Dorr stated that it is not only going to impact the people who choose to live in this complex but it will also impact the neighbors here tonight. They will also be impacted by the traffic from the other apartment that are being built and anyone that lives on Oxford and Washington Streets. Ms. Dolan stated that the morning peak hours will generate more traffic but it is not what they define as significant. There is a more pronounced outbound pattern in the morning and inbound in the evening because the proposed development is 4 times the number of units than the existing. Ms. Dolan explained the definition of High Turnover restaurant and Chairman Loury stated that he does not feel there is that much volume coming from the Canal House Restaurant. Other Board members agreed. He cannot see 39 cars going in and out in an hour during peak evening hours - maybe Friday and Saturday nights.

Brian Bosworth stated that he feels the traffic is going to be more of an impact than they think, especially with the additional Port Oram traffic dumping out onto the same corner, plus you have the gas station on the corner of Kossuth.

Rich Reimers stated that there was a traffic study done on Port Oram.

Roger Steele stated that Washington Street use to be 2 ways but in recent years was changed to a 1-way street and at that time they didn't contemplate either of these new structures. Is that optimal now, with the new structures within a block and a half of each other.

Chairman Loury asked their experts if they thought that a 300% change in the morning peak hours warrants a traffic study on the roads that are impacted. Ms. Dolan stated that they can crunch the numbers but the outcome she would expect would show more delay on the Kossuth approach to Main Street. Chairman Loury would like to see an extended study and stated that they have had traffic studies for other developments that were extended studies to other areas other than just the immediate area that surrounds the development. He is also concerned because there is nowhere to que on Kossuth going onto Main Street. Only about 4 cars can fit on that block. It will be worst for Port Oram because they have no where to que because of the location of their driveway on Kossuth Street. They'll be backed up in their own parking facility to get out. Chairman Loury felt that 30 cars in 1 hour or 1 car every 2 minutes is a lot coming in and out of this development. These neighbors don't have that now.

Mr. Bosworth stated that if Orchard and Washington were 2 way it would be different or if there were other ways to get out but there is not.

Mr. Steele stated that they have just approved the beginning of more development downtown at the corner of Fern Ave.

Engineer Borinski stated that the methodology used is standard and based on their numbers it is not a significant impact but it doesn't take into consideration all the other factors they have just talked about. It is the industry standard for trip generation. Based on all the comments from the Board it is reasonable to ask for a traffic study.

Brian Bosworth feels that the interaction between the 2 apartment complexes, with the lengths of the streets they are dealing with and the fact that they are either one way or dead end is significant. Regardless of what the calculations say the geometry of this region really makes this significant. We have to look at the Port Oram Towers because that was already approved. They come in on Washington but exit onto Kossuth Street.

Engineer Borinski stated that there is a NJ transit bus stops along Main Street but the road and sidewalk to get to that stop are very narrow. Off-site parking is not available.

Patrick O'Brien stated that only 3.9% of residents in Wharton take the bus and 91% drive of which 70% drive alone.

The meeting was now open to the public.

Ms. Salas – 77 Fern Ave – she stated that all this information they have heard takes into consideration vehicular traffic but does not take into consideration foot traffic. A lot of people use Fern Ave as a cut through to the elementary school. Wharton does not provide busing for its elementary and middle school students. There are over 100 students a day walking on Fern Avenue to get to school. You also have the high school students walking to catch their buses. The Magic Garden daycare on Fern Ave. walks 30 children a day to the elementary school along Fern Ave. The neighbors in that area have already spoken to the Mayor about the traffic and speeding on Fern Ave. Most of the children living on that street are less than 10 years old. She asked Ms. Nolan, in her own expertise and studies is she able to factor in this new information, into the traffic idea as more of a safety concern of the individuals that are walking. Ms. Salas stated that she is a teacher and on the developmental end children under 10 do not have the ability to judge the distance of cars and traffic. So, we are talking about a huge liability if we are increasing the cars by 30 – 50 during peak hour. That is a big concern for her.

Ms. Dolan understands that and there are existing constraints for pedestrians as well as for vehicles and they have to work together. It is not factoring the pedestrians into the traffic study as it is providing pedestrian circulation. So, if the sidewalks are there or not or they are not wide enough those are the practical aspects of the pedestrian circulation system that needs to be looked at. Its not so much part of the traffic study but the site plan has to be designed to allow for safe movement of vehicles into and out of the site with adequate site distance so that they can see the pedestrians. Those types of things are taken into consideration with the application as a whole and the design of the circulation system for the vehicles and the pedestrians and providing sidewalks on site.

Ms. Salas also stated that Fern Avenue is primarily on street parking which makes it hard to see the sidewalks and the children walking, which is a major concern. Ms. Dolan will take that into consideration.

Mr. Steele stated that the peak hours of their study is the peak hours that the children are walking to school.

Jennifer Parcels of Orchard Street was concerned with overflow parking. If there is not enough parking on site and they look for on street parking the first place they are going to look is on Orchard Street because they are adjacent to the site. Orchard Street is a dead-end street and right now a very quiet street and she would hate to see it become overflow parking for this giant development. Ms. Dolan stated that they are looking to provide on site parking to support the demand. Chairman Loury asked what if there is overflow. Ms. Dolan stated that street parking is allowed. The ratio that they are providing is what they have seen in other locations and other locations that have no public transportation close by.

Ms. Biseglia of Orchard Street stated that they used to have a sign on Orchard Street that said “NO OUTLET”. Since this sign is gone, they have a lot more traffic on their street. She also stated that the Canal House is not an active restaurant at all and still they park on Orchard Street.

Brian Bosworth suggested a “Dead End” sign at Kossuth right after you cross over Washington Street. Attorney Wyciskala stated that they have that sign coming.

Brian Bosworth stated that the Port Oram project has adequate parking on site.

Roger Steele stated that the Board cannot look at on street parking when they measure an application, the applicant has to provide it.

Jennifer Parcels asked if there were stop signs or stop bars at the exits of the site. Attorney Wyciskala stated that it is a stop bar. They are not proposing any signage right now. Chairman Loury felt there should be a stop sign there because you are coming out onto Kossuth right where Orchard Street comes in. Ms. Parcels also stated that Orchard Street does not have a stop sign. Chairman Loury stated that that is something for the Chief of Police to look into.

Attorney Zakin stated that they will make it a condition of approval that the Fire Chief and Police Chief review the plans. Our next meeting is January 8, 2019.

A Motion was made by Roger Steele and Seconded by Charlotte Kelly to adjourn.

YEA – 6 - NAY – 0 –

Meeting adjourned 10:25 p.m.

Patricia M. Craven – Secretary

Ken Loury - Chairman