

WHARTON PLANNING BOARD  
REGULARLY SCHEDULED MEETING  
October 20, 2020

The regularly scheduled meeting of the Wharton Planning Board was held virtually and was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law as well as a statement regarding allowing the remote meeting and the Judicial Proceeding Statement.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Mayor William J. Chegwiddden, Councilwoman Wickenheisser, Mr. Roger Steele, Mr. Marc Harris, Mr. Peter Rathjens, Mr. Brian Bosworth, Mr. Patrick O'Brien, Ms. Barb Chiappa. and Mr. Christopher Fleischman. Also present were Attorney Alan Zakin, Planner Jessica Caldwell, Engineer Christopher Borinski and Secretary Patricia Craven. Excused was Ms. Charlotte Kelly.

The pledge allegiance to the American Flag was next.

The reading of the bills was next. A Motion was made by Mr. Harris and Seconded by Mr. Fleischman to approve the bills. YEA - 10 NAY - 0

Under Old Business was the minutes of the September 8, 2020 Planning Board meeting. A Motion was made by Brian Bosworth and Seconded by Mr. Steele to approve the minutes.  
YEA – 9 NAY – 0 ABST – 1 (O'Brien)

Next, on the agenda, was the reading of the Resolution for Morris Regional School District Long Range Facilities Plan. A Motion was made by Roger Steele and Seconded by Brian Bosworth to approve the Resolution as read. The Plan will be attached to the Resolution and filed. A copy of the Resolution and Plan will be sent to the Morris Regional School District by the secretary.  
YEA – 9 Nay - 0 ABST – (O'Brien)

Engineer Borinski updated the Board on Wharton Industrial. Work on Building G is continuing. The building is enclosed, grading will be done this week. E driveway is still on hold waiting for JCP&L to move some poles. They also have to raise some lines to Building G. They have planted some new trees and will have to replant some in the spring.

Next was the application for 170 N. Main Street Redevelopment Site. Attorney Zakin explained the Redevelopment process as well the policy for the public to ask questions and give testimony. Planner Caldwell explained the Redevelopment process and gave the history of this Redevelopment area. She also explained how there is still capacity within the school district for this facility as well as other already approved and future developments. The number generated from all these developments is 84 students. The school district has been on a decline and this project will not negatively impact the school district.

Mayor Chegwiddden stated that the new Main Street Extension has been at least 25 years in the making. He stated that the Regional Development Plan showed that only 84 students would be generated from this and other approved and future developments. The school enrollment has been on a decline for the last 4 years. The biggest increase to our schools was in the 90's when Sterling Heights built 90 home and the Borough had to add on to their school. There will be

COAH housing, not low-income housing, with this development. He stated that the LE Carpenter site has been cleaned up for about 40 years on both sides of the tracks at a cost of about 30 million dollars.

John Inglesino, of Inglesino, Webster, Parsippany, N.J., Attorney for the applicant, Ashour Investment Group Wharton LLC, addressed the Board. Mr. Inglesino was assisted by his associate, Toby Cohen. Ashour Investment Group is the contract purchaser of the property 170 N. Main St., Wharton, Block 301, Lot 1. The property is just under 3 acres. Their preliminary and final site plan is for a mixed-use development consisting of 75 total residential units and just under 11,000 sq. ft. of commercial space and parking. 12 units of the 75 will be for COAH affordable housing. They will comply with Wharton's affordable housing code and the state codes. This project is permitted in this zone by the Redevelopment Plan that was enacted in August of this year. They are requesting a variance for parking, a variance for primary access from Ross St., a variance in regard to sidewalks along Main St. and a waiver of the requirement for a licensed landscape architect. Some of these variances came about because of the Borough's Engineer and Planners reports which the applicant just received within the last few days.

Engineer Alfred "Fred" Stewart. of Stewart Surveying, Inc. was sworn in and qualified in Civil Engineering and Surveying. Mr. Stewart referred to the Existing Conditions Plan dated 8-10-20 that was part of the application packet. It shows the property which fronts on 3 roadways, North Main St., Ross St. and the North Main Street extension. There are currently 5 residential homes, a municipal annex building and a commercial property on Ross St. To the south east of their site is the rail trail and a vacant piece of property both located across the North Main St. extension. Existing on the site is a block building and some paved and gravel driveways which both access Ross Street. The main access to Ross St. is to the rear across from the commercial property on Ross St. The remainder of the site is filled with brush. There is a new, recently paved access drive going to the N. Main St. extension. To the north east of the site is some existing headwall which contains a wetland pocket at the very tail of their site. It is currently under review by the DEP. He explained the topography of the site, there is a 10-12 ft drop in grade across the whole site. The building coverage is approximately 26.9 % and 49 % impervious coverage. They are located about 230 ft north of the Rockaway River and 125 ft. from Washington Pond which triggers applications to the NJDEP for land use and a flood hazard application.

Referencing Sheet 3 of 10 - Propose Layout sheet – Mr. Stewart pointed out the access points. The N. Main St. Access will be right turn in and right turn out only per Morris County, as it is a county road. Ross St. and the N. Main St. Extension will provide full access to their parking areas. As far as parking, they are proposing 167 stalls where 184 are required. Their parking meets RSIS standards. The variance for parking is due to the requirement for various commercial spaces. Currently the impervious coverage is at 49% and they are proposing 74.3%. The current building coverage is at 21.3%. They have a parking area in front of the building, the stalls are 9 ft. wide and 18 ft. deep and face the roadway. They are proposing 24 ft wide aisles around the site and concrete walkways along the building around the entire site. The stores will front on N. Main St. and the N. Main St. extension. The residential access to the apartments will be from the drop off area at the rear of the building. He pointed out the other building access areas. The underbuilding parking area will be one way in and one way out. The stalls and aisle are the same as the outside stalls and aisle. There will be 8 units of retail and 75 apartments. The square footage of the retail is 10,775 sq. ft. They offer some handicapped stalls throughout the site,

which he pointed out to the Board. They will provide pedestrian crosswalks at the entrance and exit of the garage as well as by the handicapped stalls. They are proposing 2 areas for trash enclosures, which he pointed out to the Board. One will be for the apartments and one for the businesses. Each enclosure will have a bin for trash and a bin for recycling. On the plans they show a 2-cu. yard dumpster. He believes a 6-cu. yard dumpster is needed in this situation with pick up at least 2 times a week if not more or as needed. This is what they are proposing for this site. They are proposing 2 monument signs on the site – one on the N. Main Street extension entrance and one near the Ross St. and N. Main St. roadway.

Mr. Inglesino stated that they will revise the plans based on the review letters from the Board Professionals and are fine with that being a condition of approval.

Referencing Sheet 4 of 10 – Grading and Drainage. Mr. Stewart explained the grading and drainage on the site. As far as grading they will be mimicking the same kind of slopes that are on the site now. They are raising the elevation a little bit in the front of the building to meet the grade of the N. Main St. area so that they can access the parking area adequately. To the north side of the building there might be a slight hill, but basically that area and around the back over to the headwall will be kept at grade. From a stormwater stand point they are matching the existing runoff conditions. They will have the same discharge point as the existing site. As for drainage system itself he pointed out the inlets throughout the site collecting the runoff as well as some of the lawn area at the intersection of Ross and N. Main and the catch basin at the northeast section of the building. It then drains to a sediment filter and then to a detention area located under the parking area and is supposed to be an infiltration area which meant it will percolate into the ground. The Borough Engineer had some concerns with this and they will be discussing it further with him and the DEP. It may change to a sealed system depending on the site conditions. From there it will flow to an outlet structure that will control the volume and rate of runoff leaving that detention area. Runoff will then flow to the pipe that goes into the headwall. They are proposing a second detention system on the south side of the building. This is pure detention there is no infiltration. It is a sealed system. It will then go to another outlet structure that will control the volume and then on to the headwall where the other system flows into.

There is an existing sanitary sewer line that crosses their property through an easement. That line will be relocated to run along the southerly portion of the property and around the building. They will be tapping into this relocated existing sanitary sewer system. They will tap into the existing 12” main on Ross St. for the water for domestic and fire.

Exhibit A-1 10-20-20 – Colorized Layout (Landscape Plan). Mr. Stewart explained the colors on the exhibit. The light gray is the building, dark gray is the parking and green is landscape, lawn or mulch. They are proposing various planting throughout the site, mainly around the roadways. They do have some pockets of green located near the building. Looking at the Landscape Plan that was part of the application he pointed out all the landscaped areas and the plantings they are proposing. They are proposing street trees and lower plantings to shield the car lights from the roadway. They have to take into consideration site distance when they are planting near the access points. The redevelopment plan states that they have planting and at a minimum a 3 ½ ft wall to shield the parking from the roadway. Along Ross St. and N. Main St. the parking is about 10-15 ft from the curb line and if they place a wall there, it may hinder the site distances coming out onto the street. That is why they only propose plantings and not a wall. The same is true

along the N. Main St. extension. They are proposing plantings around the monument signs. They are proposing shrubbery and larger trees in the larger green areas.

Referencing Sheet 6 of 10 – Lighting Plan. Mr. Stewart explained the lighting plan. The parking area lights on the N. Main Street and N Main Street extension will be on the outside boundary of the parking area shining into the site. In the back of the building the lighting will be by the building shining towards the parking lots so there will not be any overflow onto Ross St. The plan shows the foot candles throughout the site. They are not to exceed 0.3 but there are a few spots where they do exceed that. Underneath the 2<sup>nd</sup> story deck, they are proposing some light fixtures to illuminate that area. They have canape lighting underneath the canape in the front of the building. Within the garage area they have 9 fixtures that will illuminate that area. Attorney Inglesino stated that they will comply with the Borough ordinance for lighting. Mr. Stewart stated that if they have to reduce the foot candles then they may have to add additional fixtures.

Looking at Exhibit A-1, 10-20-20, Mr. Stewart stated that it was the county's decision, (N. Main Street is a county road) that the access onto N. Main Street is a right in, right out only because of the traffic and the curve on N. Main St. The county originally wanted no access onto Main Street. Mr. Stewart feels that because of the limited site access on N. Main Street, they added the Ross Street access. From a circulation standpoint they would like to have more than one main access. The Ross Street access would work as more of a secondary access because it's located near the exits for the apartments. He feels for safety reasons it is better to have 2 ins and outs on this site and that the main entrance for the residential units are in the rear of the building and they would be exiting onto Ross St. When exiting out onto Ross Street the headlights will not be shining on any of the homes it will be shining on the municipal owned building near the end of the street.

Attorney Inglesino stated that as a condition of approval they would agree that the sanitary sewer easement will have to be relocated so it does not interfere with the building consistent with Mr. Stewarts testimony.

Mr. Stewart went over the review letter from CHA engineer Christopher Borinski dtd. 10/16/20. He referenced specific numbered paragraphs detailed in Mr. Borinski's report as follows.

1. There will be a full-time superintendent on site but will not necessarily live on site.  
2 trash enclosures with 2 – 6-yard dumpsters in each - 1 for recycling and 1 for trash  
Pick up 2 times a week or more if needed  
The trash closer to the building is for the tenants and the one farther away is for the businesses and will be well lit and accessible.
3. Agree with all
4. Mr. Stewart feels screening can be accomplished by vegetation and maintain safe site distance and work with the Board Professionals as a condition of approval
5. Addressed previously
6. Addressed previously
7. Attorney Inglesino stated that the memo states 6ft. wide sidewalks and it should be 4 ft wide concrete sidewalk with 2 ft. pavers. Mr. Stewart stated that they will revise the plan to address this comment.
8. There is a wall located in the garage within the parking structure. There are 2 stalls next to that wall which may be hard to maneuver. Mr. Stewart proposed either making the spaces for compact cars only or eliminate the spaces altogether. They will work with the

Board Professionals. Attorney Inglesino stated that this may change their numbers for the parking variance.

9. Agree
10. Agree
11. Will revise the plans
12. They will need land permits from NJDEP and are pursuing them. This will be a condition of approval.
- 13 Thru 17 - Agree
18. Agree as a condition of approval to work with the Board Professionals to specify the landscaping to their satisfaction. Mr. Stewart is not a licensed landscape architect and they would like a waiver from getting a licensed landscape architect. Will defer to the Board professionals as to their recommendations with regard to landscaping. They have no problems with the suggestions made in #18.
- 19 Thru 22 Will comply
23. They do not intent to have a staging or phasing of the project. They plan to construct a major portion of the building while the site work is going on. The site work will be completed and then the building. Attorney Inglesino stated that they would agree, as a condition of approval, this would be subject to redevelopment agreement between the applicant and the Borough. The issue of phasing would be part of that agreement. His understanding is that this project will be built out as 1 project. That may or may not change but they will address that as part of the redevelopment agreement.
24. Mr. Stewart stated that they will try to minimize the amount of fill needed on the site or taken off site. This project is basically slap construction with only the walls and piers having to be dug out and they can take up most of that soil on site. They will have to report to the DEP and will share their information with the Board Engineer.
26. Agree to Title 39 and they will work with the Fire Dept
27. Agree, they will submit operations and maintenance manuals as a condition of approval.
28. Defer most of this to the Traffic Engineer. G through I – they will revise the plans with the approval of the Board Professionals

Chairman Loury asked what they have done to ensure that the sewer system is adequate. Mr. Stewart stated that they have not reviewed the sewer system yet but the 12-inch sewer main that crosses their property which will be relocated, will be sufficient. Chairman Loury asked about the second-floor ramp to the deck in the rear of the building. Mr. Stewart stated that there is no ramp, the driveway in the rear goes under the second-floor deck to access the first-floor entranceway in the rear. The deck is a canopy over the main apartment entrance in the back of the building, Mr. Stewart also stated that the Ross Street and N. Main Street Extension access are non-restricted, ingress, egress, right turn and left turn both in and out.

Mayor Chegwiddden stated that the Borough building on Ross Street is used by the town for storage.

Chairman Loury asked about plans for the Monument signs. Mr. Stewart stated that they have no plans included in this packet, they will provide them. Mr. Loury stated that the Board is pretty strict on signage before they approve any application and he is disappointed that there are not any plans. Signage is huge especially for a development like this and the fact that this is a gateway into Wharton. The signage is part of the site plan and the Board would like to see what the sign will look like especially with all the retail. They have never approved a site plan without

signage, whether they comply with the ordinance or not. They also would like to see how the signs will be illuminated. Chairman Loury stated that the corner area of Main Street and Ross Street is a focal point coming into town with their monument sign and suggested maybe some benches and moving the bus stop to that corner. Attorney Zakin asked the applicant to be mindful that this is a gateway to the town and that the Board is concerned about the aesthetics of the signs and that it has a welcoming appearance. Attorney Inglesino stated that their point was well taken.

Chairman Loury asked that they continue along their property, the street lights that the Borough has throughout the downtown. This is something the Board asks of all new Business along Main Street. Attorney Inglesino will confer with the applicant.

Chairman Loury asked that the plans have a truck template for turning radius for the fire trucks. He also suggested that be a requirement of all applications like this.

Police Chief David Young stated that they are proposing curbing on Ross Street and asked what the curb to curb distance would be. Mr. Stewart stated that the curb to curb would be 30 feet. Chief Young stated that currently there is some off-street parking along the east side of Ross St. and with curbing proposed they would be losing about 20 parking spots on Ross St. because of the possibility of no parking on that side of Ross St. Mr. Stewart will let the traffic engineer talk about the variance for the amount of parking on site. Mayor Chegwiddden stated that there are 6 residential homes on Ross Street and he does not want to take parking away from them. Not all of them have enough parking and do park on Ross Street. He wants to make sure Ross Street is wide enough.

Chief Young asked about the variance for the sidewalk. Mr. Stewart stated that the ordinance requires a 3.5 ft. wall along the roadway in front of the parking spots for screening of the cars. They are proposing to use vegetation for screening and so they need a variance for that. The wall could hinder the site distance issues coming in and out of the site. Attorney Inglesino explained that it is the Borough's intent to screen parking from the street. The applicant is not opposed to screening and are willing to work with the Borough Professional to accomplish the screening with vegetation which would require a variance. Mayor Chegwiddden stated that this is one of the things that the Board looked at when they did Port Oram. To make sure the lights were not shining out onto Main Street and people did not see those cars. Chairman Loury agreed. Mr. Harris stated that the other concern is the cars facing Ross St. and their light shining on the homes along Ross St. He doesn't know if their spacing of the vegetation and the one layer of screening that they are proposing would do the job. It's not the same as an aesthetically pleasing wall that separates the headlights from someone's home. Even the cars pulling out onto Ross Street, the light sweep will still cross onto the neighboring properties. He feels the applicant should be thoughtful in how they accommodate and mitigate these types of issues.

Chief Young stated in reference to the No Parking Fire Lane. He was not trying to remove any off-street parking, he just wanted it to be marked around the building, with yellow paint and signs so that they can enforce it when people are parking illegally. Mr. Inglesino stated that they can have the engineer make those changes. Mr. Young would also like to see at the exit of the parking garage a "Do Not Enter" sign. For traffic flow around the site he wanted to add 8 stop signs on the islands and stop bars which he will submit to the Engineer. Mr. Stewart will add those to the plans. Mr. Young asked if they can pull directly out of the parking garage into the

parking area. Mr. Stewart stated that the architect can answer that question. Mr. Young is concerned with eliminating the 2 compact stalls. He does not want to lose any more parking spots. He would like them to find more spots on site and would like them to meet the minimum of 184 spots. We have not seen a mixed use like this in town and he is concerned about not meeting the required parking.

Marc Harris had some concerns about the drainage on the site and explained his concerns. He feels they need more drainage. Mr. Stewart stated that the grading works but will look at it again for the need for a secondary inlet for drainage. Mr. Loury and Mayor Chegwiddden stated that this area does get a lot of flooding.

Roger Steele agreed with the Chief that he would hope that they can find more onsite parking. He asked if they were fully compliant with the handicapped parking and are they anticipating any street crosswalks. Mr. Stewart stated that they are compliant. The county is proposing a crosswalk at the N. Main Street and N. Main Street extension intersection. Mr. Steele would like to see signage for the crosswalk. Mr. Stewart stated that the county would be responsible for the signage. The county is not proposing sidewalks along the N. Main Street extension due to the flood hazard issue. That type of set up would add to their flood calculations which they do not want to do. He will discuss this with the county. There is the rail trail paralleling the extension. The county is not proposing curbing which has to do with the type of drainage they are proposing for the roadway. The sheet flow from the roadway goes off into the grass shoulder areas and then eventually goes into the various ditches along the constructed roadway. Mr. Stewart pointed out the easement on the applicant's property for one of the grass line swales that goes down to where their headwall is actually draining to. The county's construction method is to provide no curbing, have sheet flow off the road, which from an environmental standpoint is a better situation because they don't have to provide any filtering, it's a natural filter, and then flows to the drainage system. Mr. Steele was concerned with pedestrians crossing the N. Main Street extension anywhere they want to get to the rail trail, especially if they are heading to Shop Rite. They are not going to go all the way down Main Street to Harry Shupe Blvd. to get to the rail trail, that is unrealistic. He feels most of the traffic on the extension will be truck traffic. He would like them to consider another crosswalk along the N. Main St. extension for pedestrians to get to the walking path. Chairman Loury agreed. Mr. Stewart stated that they cannot because of the easement the county has on their property which has been approved by the DEP. Mr. Steele stated that this is a concern that he is not satisfied with.

Mr. Steele asked why they chose to put a dumpster against the building, right under the apartments windows which is unsightly and would cause an odor. Mr. Stewart stated that the architect can discuss that but there could be other areas that they can put the dumpster. It is a tough site to deal with the trash enclosures because of access for pick up.

Exhibit A-2, 10-20-20 Street Crosswalk, Morris County Signing and Striping Plan was marked into evidence.

Marc Harris stated that on sheet 7 they show 3 stockpiling locations for the soils that they will be generating from this site. Prior to doing that do they have any documentation that identifies what the current contamination is or isn't and what the proposed soil management plan and health and safety plan is going to be during construction. He would like to see this in writing. Also are there test wells on the site and what are the most recent readings from those wells. Attorney Inglesino

stated that they will provide more information on the environmental. The other will be worked out with the construction department pursuant to a developer's agreement. They will provide the readings from the wells.

Planner Caldwell would like verification from the applicant that the site is cleaned up and ready for development. It has to be cleaned to residential standards for the property to be developed and they will have to provide that certification. Her understanding is that it is but she would like it confirmed and records on file at the Borough. She would like this to be a condition of approval and that they will work with our Borough Engineer, construction dept. and Morris County Soil erosion control. Attorney Zakin stated that this can also be addressed in the developer's agreement as well as the resolution.

Planner Caldwell stated that in reference to the screening of the parking area, she feels very strongly that that is an important aspect of this development. In working with this property there was a request to set the building back and have parking in front of the building and the tradeoff for that was to have a screening of the parking area. If there is an engineering reason for not having the wall then they can talk about landscape screening. The issue with landscape screening is that it takes time to grow in and can die. It's about screening visually the cars and lights. They have residents on one side and 2 roadway that are quite busy. She feels it will be beneficial to have the 3 ½ ft. walls for screening and that it is an important aspect of this project and the redevelopment plan. She doesn't feel that the wall will be a sight distance issue because of the setback. Maybe some tapering might be involved. It is important that the parking areas be screened. Attorney Inglesino stated that they will take a closer look at that.

Planner Caldwell would like our professionals to work with the developer to find out why the County is not proposing sidewalks along the extension. This is a 75-unit development with lots of pedestrian traffic and very busy streets and there needs to be safe places for people to walk. She doesn't feel a straight waiver for sidewalks is appropriate here. Chairman Loury agrees.

Planner Caldwell would like the applicant to provide a sign plan and design package. Attorney Inglesino agreed to a condition of approval that the Planner approve the sign plan. Chairman Loury would like to see this as well at our next meeting and asked that they reach out to Planner Caldwell who knows the feeling of the Board when it comes to signage because they just went through this with Port Oram. He suggested they look at the Port Oram sign and all the aesthetics that make that building look really nice on Main Street. Mr. Stewart stated that they would.

Engineer Borinski asked that they show the site distance and all the driveway locations on the revised plans. They need ADA ramps on the sidewalk shown on the plans especially from the parking to the building on the Main Street side of the building as well as the rear of the building. They should show the crosswalks across the driveway locations into and out of the garage. Wharton is working with RVRSA on the relocation of the sanitary sewer. The tail water at the discharge location may be an issue but it sounds like they are looking into that as well as DEP permits. Hopefully they can work something out to address the stormwater issue.

Engineer Borinski asked that loading zone and truck access for the retail and tenants should be discussed. Mr. Stewart stated that the loading for the retail will be off hours. For the residential trucks such as UPS that would come onto the site, they plan on providing a designated parking stall for that. They would not be losing a parking spot, they are designating specifically for a delivery truck which, he believes, standards do attempt to include those as well. That will be



shown on the revised plans. Engineer Borinski does not want them to take any parking spaces away since they are already short a few. Mr. Borinski stated that they are not allowed any loading or unloading along Main Street and should be a condition of approval. Chairman Loury does not want any loading or unloading from any of the 3 streets. Attorney Inglesino agreed.

The meeting was now open to the public. Attorney Zakin stated that everyone must give their name and address for the record.

Carlos Rivera – 30 Sherwood Place – this project is basically a done deal? Option of NOT being constructed is not on the table.

Planner Caldwell – the approval is not necessarily a done deal but the site is zoned for this mixed use.

Attorney Zakin – this is a redevelopment zone – which had a review of the Master Plan, the Redevelopment Plan, final approval of the Redevelopment Plan by the Council and several public forums prior to this application. It conforms with the Master Plan. The Redevelopment Plan that this application is based on is on the Borough Website.

Kelly Elardo – 21 Ross St. - How many floors. Are they proposing crosswalks on Ross St.? Mr. Stewart stated there are 4 floors. Mr. Inglesino – they are reviewing that.

Justin Pone – 56 Columbia St. – will there be any contribution to the Transportation Improvement District.

Attorney Inglesino – Does not know what that is.

Brian Cronin – Wharton Fire Dept. – any questions for the Fire Dept.

Secretary Craven received the Fire Dept memo today and emailed it out to the Board today with the packet. It was emailed to Toby Cohen this morning as well. Attorney Inglesino did not see the memo. Chairman Loury asked that they review the memo and address it at our next meeting. He asked Chief Cronin to come back in November as well.

There was a question in Spanish, which was translated by the Borough Administrator, with no name or address asking about the number of egress and ingress on the site and if they were all necessary. The Traffic Engineer can answer after his testimony.

Engineer Borinski stated that they are reviewing the sanitary sewer area and are in contact with RVRSA. It will require approval from the DEP for treatment works approval for the proposed sewerage flow. They do not anticipate any new problems created from this project.

Another question in Spanish with no name and address stating they don't have enough parking on Ross St. now and what will happen once this is built. Mr. Stewart stated that Ross St. is 30 ft. wide and 28ft is all you need to have on street parking on 1 side. There is sufficient room for parking on 1 side. Their proposed entrance is where the existing entrance is now so they are not losing any parking with their proposed entrance. Mayor Chegwidden stated that they can designate parking spaces on Ross St. for Ross St. residence only. He would certainly bring that to the Council and have that put in place. Peter Rathjens thought that they had provided parking on Ross St. for the restaurant across the street because they did not have sufficient parking. Mr. Rathjens thought that it was part of the Resolution for Hot Rods. Right now, there is parking on both sides of Ross St. and they will be losing the ones side of the street parking with this

development. Mayor Chegwiddden did not think it was part of the Resolution. Mr. Loury stated that they talked about any overflow for Hot Rods could park on Ross St. because it was public property but it wasn't a condition of that application. Chief Young agreed with Mr. Rathjens and was concerned with losing the one side of the street parking once the curbs go in on the east side of Ross St. They will be losing about 20 spots. Mr. Stewart stated that the area where the cars are parking now on the east side of Ross St. is about 11 ft onto their property. Mr. Rathjens was not in favor of limiting the parking to Ross St. residents only because that is where people park to access Washington Pond. There is no other nearby parking to access the pond. Mr. Harris stated that if you remove the Ross St. access then anyone other than Ross Street residents and people accessing Washington Pond would probably not park on Ross St.

A statement made with no name or address stated that the water runs down the south side of Ross St. Chief Young stated that during the 100-year storm the water flowed to the end of Ross St. to the DEP area. Mr. Stewart stated that there will be curbing along the property on Ross St. They did take into consideration the 100-year flood and where the water will flow. He sees no issues; it will continue on its way to where it flows now. The overall drainage is going to the same location as it does today.

Jennifer Parsells - 10 Orchard St. asked about a crosswalk on N. Main Street from Hot Rods parking lot to this site. Chairman Loury asked them to look at adding a crosswalk in this area. Mr. Stewart stated that they would take that into consideration, that would be in the County jurisdiction.

Resident from 3 & 5 Ross St. asked if they can make another entrance on the new road and eliminate the Ross Street access. Mr. Stewart stated that with the circulation plan that he presented they could not. The traffic engineer can answer that as well. Chairman Loury asked if it could possibly be done. Mr. Inglesino stated that the traffic engineer could answer that.

Michael Elardo – 21 Ross St. It appears the main residential entrance will be on Ross St. as stated by Mr. Stewart. How would that make the entrance for emergency only. Mr. Stewart meant to say was that that entrance would be utilized by the apartments and not so much the retail, based on the fact that the parking for the residential is toward the north east side. If they go towards Route 15, they will use the Ross St. access and if they are going towards Route 80, they will use the No. Main St. Extension. The retail patrons would use the Main St. and N. Main St. access points. Chairman Loury stated that Mr. Elardo was asking about emergency use. Mr. Stewart stated that they would use whatever entrance was closest at the time of the emergency. Mr. Elardo stated that the flow of traffic for the residents seems to be on the back side of the building toward the Ross St. side. All the residential stairwells and entranceways to the apartments seem to be on the Ross St. side of the building. Mr. Stewart stated that is correct. The enclosed parking garage is for residents only. If they were exiting and heading to Route 80, they would exit the site by way of the N Main Street extension access point. If they are going to Route 15, they would either use the Main Street or Ross St. access. Chairman Loury stated that Mr. Elardo's comment was accurate and feels that the parking and entrances were purposely directed that way, towards Ross St.

Mr. Elardo asked if the 12" water main line on Ross Street, that they will be tapping into, is sufficient for this project and will it effect the residents on Ross St. Mr. Stewart stated that it would be sufficient and would no effect the residents. He stated that the Borough Engineer is the one who told them to tap into that water main.

Kevin Lewthwaite, Zoning Officer for the Borough asked what hours the developer considers off peak hours and loading in respect to the neighbors as well the tenants and peace and quiet, late night and early morning? Mr. Stewart will discuss this with his client and get back to the Board.

Chairman Loury asked about a phone number for the public to be able to reach someone for any issues or complaints about the site. He would like to make that a condition.

Alan Zakin also asked about business times for parking for the combined commercial and residential spaces. Marc Harris said especially if 2 of those commercial spaces are going to be restaurants.

Jennifer Parcels asked if a 6ft privacy fencing will be put up along Ross St. Chairman Loury stated that a 6 ft fence was not discussed but there was discussion about a 3 ½ ft wall with greenery along Ross St. There will definitely be some type of screening along Ross St. Attorney Inglesino stated that that was something that they will be discussing with their client.

Kelly Elardo asked with regards to the landscaping and the desire of their engineer to not want to put up walls, how will the landscaping actually block the car lights. Chairman Loury stated that the applicant will get back to the Board with a different plan.

Rita Parikh of 22 N Main St. asked if you can make a left turn into the site or onto Ross St. Chairman Loury stated that the Main St. access is right turn in and right turn out only and yes you can make a left off of Main St. onto Ross Street

Maryellen Vanderbilt of 37 Garden Ave. stated that going online to the superfund site it does not say anything about the contamination being resolved. Attorney Inglesino will get back to the Board with more information.

Ridvan Sahatqiu of 3 & 5 Ross St. asked if you can make a left onto Ross Street and can you get to the new road from Ross St. He is concerned with all the traffic on Ross St. and Main St. Chairman Loury stated that you can make a left turn onto Ross St. Mayor Chegwiddden stated that Ross St. is a dead end.

Kelly Elardo stated that the dumpster is going to face her property and would be unsightly. She wanted to know how they will be enclosed. She is also concerned with the trucks coming in and out 2 to 3 times a week or more for trash pick-up. She feels that would hinder her street. Mr. Stewart pointed out the closest dumpster to Ross St. which would be 60 to 70 feet from the end of Ross St. The other one is off the northeast corner of the property and is about 250 to 300 ft away from the end of Ross St. She would like to have a schedule of the times for pick up. Mr. Stewart stated that they typically pick up in the morning. They will find out the schedule. Chairman Loury stated that they can make that a condition of approval that it is done during working hours and not super early in the morning.

Jennifer Parsells asked what the proposed elevation of the building is compared to the elevations of the residents around. The architect will provide that information. Attorney Inglesino stated that they are not looking for any relief for height, they are within the height restrictions. Chairman Loury stated that it is a 4-story building and 52 ft. high per the plans. They are lower than the 55 ft. allowed.

Jennifer D'Alessio - 23 Anderson Rd. asked if there is going to be a light on Main St. Chief Young stated that currently there are no plans by the County to put a light in. Jon Rheinhardt stated that the County has wired it to allow for it in the future.

Marc Harris referenced page 3 of the drainage report dated 9-23-20. The chart that identifies existing conditions. He asked for more detail. Mr. Stewart explained the chart to show that they do meet the requirements and the 1<sup>st</sup> number is the runoff rate and the 2<sup>nd</sup> number represents the volume of runoff from the site. They have to reduce the runoff rate by 50% not the overall volume. Mr. Harris was concerned when you have an additional 5,000 cubic feet of runoff and the existing wet conditions that they already have here, where does the runoff go. Mr. Stewart stated that the whole concept behind this scenario is that you reduce the rate to the point where the additional volume that is created will be slow enough behind the initial that it will not affect the runoff downstream.

Mr. Harris asked if they can enlarge the Water Shed Model Schematic on page 4 to possibly 11 x 17 so that they can read the annotations. Mr. Stewart agreed.

The next meeting will be November 10, 2020. Attorney Inglesino agreed to bring back Engineer Stewart to the November 10, 2020 meeting.

Chairman Loury stated that they have given the applicant substantial feedback tonight and he would like to emphasize the importance of the aesthetic impression to the area. He stated that at the Port Oram development on Main Street they put in a little parklet with a nice stone façade greeting sign to Downtown Wharton. They didn't get to the façade of this building tonight but per the Master Plan and Redevelopment Plan they are looking for a look that would conform to the town and the aesthetics of the town, something more traditional. This plan is great, very nice, very modern but the look of it and the façade features of it would be better suited for the waterfront in Jersey City. The Redevelopment Plan even stated that they were looking for something that conforms with the Hot Rods building across the street. He asked that they take this into consideration for the next meeting. He would like then to come back with something on the northwest corner of the property, maybe some benches and a nice sign. He wants this to be a partnership between the town and the developer and he is not seeing that tonight with what they have presented.

Attorney Inglesino stated that they can come back on November 10<sup>th</sup> with their Engineer Mr. Stewart and Architect. Their traffic expert is not available but will be available for the December meeting. Chairman Loury asked that they look at the memo from the Fire Chief for the next meeting. Attorney Inglesino stated that they would and they would also have some dialog from the Police Chief as well. He appreciated all the feed back they received tonight.

A Motion was made by Roger Steele and Seconded by Marc Harris to carry this application, without notice, to the November 10, 2020 meeting at 7 PM. YEA – 10 NAY – 0

A Motion was made by Roger Steele and Seconded by Barb Chiappa to adjourn. Meeting adjourned at 10: 35 pm. YEA – 10 NAY – 0

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Patricia M. Craven - Secretary

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Ken Loury - Chairman