

WHARTON PLANNING BOARD
REGULARLY SCHEDULED MEETING
December 8, 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. Bosworth to approve the bills. YEA - 10 NAY - 0

Under Old Business was the minutes of the November 10, 2020 Planning Board meeting. A Motion was made by Mr. Steele and Seconded by Mr. O'Brien to approve the minutes. YEA - 10 NAY - 0

Engineer Borinski updated the Board on Wharton Industrial. Work on Building G is progressing. They are doing site work and grading. They have been digging up more boulders and selling them off site. They have also moved some of the old equipment out of that area. JCP&L still has to move some poles but they did put in new utility poles for Building G. They are working on water and sewer connections as well as paving. DEP is aware of the dead trees and that they will need to be replaced in the spring.

Next was the continuation of the application for 170 N. Main Street Redevelopment Site. Attorney Inglesino gave a brief synopsis of the application.

Chairman Loury asked about the property on the other side of the N. Main St. extension Block 301, Lot 1 shown on the Site Plan dated 11/25/20. Is this parcel part of this application? After some discussion it was decided that Talisker owns the parcel as well as all the property on the other side of the walkaway and property along Harry Shupe Blvd. The parcel has not been assigned a new tax lot number. Mr. Inglesino agreed as a condition of approval, to update that information on the plans.

Chairman Loury asked about the louvers. Planner Caldwell stated that the applicant did submit louver detail on the material board sheet. Mr. Inglesino stated, as far as aesthetic appearance, they will be consistent with Port Oram Towers and will work with Ms. Caldwell on the louvers.

Engineer Stewart, for the applicant, went over the revisions of the Site Plan. Referencing Sheet 4 – Layout Sheet revised 11/25/20

1. Removed the N. Main St. access point, the County said that there can be no access from N. Main St. They are proposing full access to the property at Ross St.

Chairman Loury stated that this is not aligned with the Redevelopment Plan. It was to be an emergency access only; Ross St. will be the primary access for local residents. Mr. Stewart stated that they will need a variance for Ross St. but the primary access will be on the N. Main St. extension.

Mr. Inglesino stated that they are asking for 2 variances, one for Ross Street and one for parking.

2. They added a screening wall along Ross St. and N. Main St. Along Ross St. it will be a 3 ½ ft wall with a 2 ½ ft fence on top. This will run from the Ross St. entrance to the 4th light pole heading toward N. Main St. There will be a gap in the wall where the light posts are located. Along N. Main St. it will just be a 3 ½ ft. wall. There will be no wall along the N. Main St. Extension because it is in a flood area. They will be screening along the N. Main St. Extension with landscaping.
3. They added Crosswalks across the parking lot at the Ross St. entrance, to N. Main St. at the end of the building and also to N. Main St. at the front of the building. They added a crosswalk under the deck and across the N. Main extension.
4. Sidewalks will be along Ross St. and N. Main St. to the N. Main St. extension. They are proposing 4 ft. sidewalks with 2 ft. pavers. The curbs and crosswalks will be pavers, sidewalks will be concrete.

Exhibit A-5, 12-8-20 Pedestrian access exhibit was marked into evidence.

Mr. Harris asked if they could eliminate the gaps in the wall where the light poles are located. He felt the light from the cars would still go through the gaps and would be a detriment to the neighbors on Ross St. Mr. Stewart felt the gaps add character and breaks up the length of wall along Ross St. There will be shrubs planted in front of the wall which would screen the car lights. The shrubs would probably be about 24". Mr. Harris asked for a wall detail on the plans that shows the spacing between the lights and the wall.

Mr. Steele asked about the light poles along N. Main St. Mr. Stewart stated that they would be about 140 ft. apart along N. Main St. and none along the N. Main St. extension.

Mr. Steele also asked about adding another crosswalk across the N. Main Street extension. He stated that pedestrians are not going to walk all the way down N. Main Street to Harry Shupe Blvd and then back along the walkway if they are going to Shop Rite, they will be cutting across the N. Main St. extension close to the end of this property. Mr. Stewart stated that the County will not allow mid-block crosswalks. Police Chief Young stated that mid-block crosswalks are frowned upon because drivers are not expecting pedestrians crossing mid-block. Mayor Chegwidden stated that the owners of the strip of land Talisker will be asking to move the walkway closer to the N. Main St. extension near the intersection of N. Main St. and the N. Main St. extension which might help this situation. Mr. Stewart stated that they will discuss an

additional crosswalk on N. Main St. extension with the county. The distance from the intersection to Harry Shupe Blvd. and back is about a ¼ mile.

5. Mr. Stewart referenced Sheet 4 to show the location of the dumpster enclosures. They moved the one that was located near the building closer to Ross St. which they enlarged to 10 x 16 and the other at the end of the parking lot was enlarged to 10 x 21. They added a striped loading area of about 10 x 37 under the 2nd floor deck for both residents and the businesses. They added no parking fire zone striping around the entire building at the recommendation of the Fire Chief, signage, stop signs and stop bars at the recommendation of the Police Chief as well as several crosswalks.

Mr. Stewart addressed the parking. They need a variance for parking. 184 spaces are required and they originally proposed 167 spaces. He pointed out where they had added some spaces at the access point and eliminated some in the parking garage for bicycle cages so the proposed parking spaces will be 166.

6. Mr. Stewart stated that they revised the lighting plan. Along Ross Street they are proposing a max of .7 ft candles where .5 is allowed, because they want to light the pedestrian walkway that runs along Ross St. since there are not street light on Ross St.
7. Mr. Stewart pointed out the shrubs, trees, street trees, foundation plantings and small landscaped areas on the landscape plan. He also went over the revised drainage plan. They are not providing an infiltration system, their system will be a sealed system based on the soil logs, being in a flood hazard area and the fact that this was a superfund site. They are still in compliance with the Storm Water regulations. He then went on to explain in detail the storm water system shown on Sheet 11 titled Construction Detail.
8. Mr. Stewart stated that they will be adding 12 parking stalls, 22' x 7' wide along their side of Ross St. that meets RSIS standards. Mr. Stewart stated that adding the additional spaces would benefit the neighborhood. The 12 spaces are not included in their parking count. The minimum width of the road is 21ft. with parking on both sides. Chairman Loury asked if they had considered diagonal parking along their side of Ross St. Mr. Stewart had not. Police Chief Young stated that for parking on one side, the road width would have to be 21 ft., for parking on both sides the width would have to be 28ft. Mr. Inglesino added that they are in agreement with but they cannot make it a condition of approval for Ross St. parking to be for residents only, that would be up to the Mayor and Council. Mayor Chegwiddden stated that that would be done by ordinance.

Mr. Stewart addressed the Engineer's Report dated 12-4-20

Items 1 – 7 are agreed upon or already discussed.

#8 – Mr. Stewart stated that there are 2 drainage easements on the property created when they put in the N. Main St. extension and also an existing sewer easement on the property that will be relocated by the Department of Public Works. They will provide a new easement if it is not relocated. There is also an easement on the top end of their property for sewer and water.

#9 – Mr. Stewart stated that they are in discussion with the DEP and EPA. Chairman Loury asked about the test well numbers that Mr. Harris had requested at the last meeting. After a brief discussion Mr. Inglesino stated that they will provide that information which is public information.

#10 - 15 – are agreed upon or already discussed

#16 – Construction Phases will be addressed in the Redevelopment Agreement between the Council and the applicant.

#17 – Mr. Inglesino stated that they do not know at this time. This will be a condition of approval.

#18-19 – agree

#20 – Stormwater Management – they agree and will provide revisions.

#21 – the traffic engineer will answer this.

Mr. Stewart again explained the wall along Ross Street and along N. Main St. Chairman Loury felt that 140 ft between lamp posts was too far apart. Ms. Caldwell stated that the lamps posts at Port Oram are 50 ft. apart. Mr. Stewart stated that they will keep with the Port Oram lights at 50 ft. apart.

Chairman Loury stated that at the first meeting they talked about a parklet like the one at Port Oram with benches, pavers and a sign, he does not see this in the plans presented tonight. This area is another focal point to the town. He showed a rendering of the Port Oram parklet which he feels is more welcoming than what they are proposing. Attorney Zakin stated that in his notes the applicant had agreed to a condition that we approve in that area a welcoming aesthetic to the gateway entrance, including the monument signs and Mr. Inglesino was amenable to that. Mr. Inglesino agreed but added that that area may be under the jurisdiction of DEP because of the buffer involved from the river and pond area. He will look into that and if they can improve it, they will.

Mr. Stewart explained to the Board that the trash and recycling collected in the building will be taken by a building maintenance person out to the dumpster. The retail will carry their trash to the dumpsters as well. Both dumpsters are away from the building.

Chairman Loury would like to see perennials in the landscape plan to add some color to the landscape. Mr. Stewart agreed.

Mr. Rathjens was concerned with car lights from the parking lot shining onto N. Main Street if there is no wall along the N. Main Street. extension. Mr. Stewart stated that they are proposing shrubs along the N. Main St. extension for screening.

Chairman Loury asked if they can continue the 3 ½ ft wall along N. Main Street around to the entrance on the N. Main St. extension. Aesthetically it would look better than ending the wall on N. Main St. After some discussion Mr. Inglesino agreed to extend it to the basin on the N. Main St. extension subject to approval of Planner Caldwell.

Mr. Rathjens asked about construction and no openings onto the N. Main. St. extension. Mr. Stewart stated that would be for road opening for utilities. Mr. Rathjens would also like to see

parking on Ross St. available for any resident because of the proximity to Washington Pond. There really is no other place for residents accessing the pond to park.

Mr. Steele asked about the Ross Street entrance being for emergency only and having 2 entrances on the N. Main St. extension which would lessen the variance they are asking for. Mr. Stewart stated that because of a drainage swale and a right turn only lane on the N. Main Street extension the county would only allow for 1 access point on the extension. Mr. Steele asked if they could add a right-hand turn lane coming out onto the extension. Mr. Stewart stated that the traffic engineer can answer that question. Mr. Steele would like to see more about the brightness of the lights and spillage of the light onto Ross St.

Planner Caldwell stated that she will work with Mr. Stewart on the wall and the gaps. She would like to see some landscaping in the area where they transition from the 3 ft wall to the 6 ft wall so that it doesn't look awkward. Mr. Stewart agreed. She would like the sidewalks and light posts to be consistent with what is along Main Street. She agrees with Chairman Loury about adding perennials. Mr. Inglesino stated that they will update the Landscape plan to the approval of the Planner.

Planner Caldwell stated that the issue of foot candle is a design waiver and asked that Mr. Stewart work with Engineer Borinski so that there is enough light along the Ross Street side of the property to make the sidewalk and street safe and there will not be any negative impact to the neighbors. Engineer Borinski stated that there are existing overhead clover lights on Ross St. He would like them to revise the model to show the illumination onto Ross St.

Engineer Borinski asked if they can find out what additional work needs to be done to satisfy the EPA. Mr. Inglesino does not know but will find out. Mr. Borinski stated that the town sanitary sewer runs through their site and does need to be moved. It should be rerouted to the RVRSA pipe located on Ross St. and should be done with a dog house manhole. This should be revised on the plans. Mr. Stewart was in agreement with that.

Mr. Stewart stated that they received a letter from the Morris County Planning Board stating that the County would not allow access to this site from N. Main Street and gave no reason why.

Police Chief Young asked if the applicant intended to paint the 12 parking spots on Ross St. Mr. Stewart stated that they intended to paint them.

The meeting was not Open to the public.

Mike Elardo – 21 Ross St. asked about snow removal. Mr. Inglesino stated that whatever doesn't fit on site will be removed from the site. Mr. Elardo asked about putting the parking spots on his side of Ross St. Mr. Stewart stated that they are proposing 12 spots on the N. Side along their property, Mayor Chegwiddden stated that you get more parking spots on the N. side. Police Chief Young stated that they will wait for the final outcome of the project before making any decisions on the parking on Ross St. Mr. Stewart stated that they are improving the pavement width in front of the Borough's property, on the north side of Ross St. to make the pavement 21 ft. wide. It is part of the right of way on Ross St. This will bring the roadway into compliance. Chairman

Loury stated that Ross Street does need improvement and feels it has to be fixed before this development is done. Mayor Chegwidden agreed.

Mayor Chegwidden stated that Avalon Bay has only 1 entrance, the other entrance is for emergency only. Ross St. access is more for residential traffic and N. Main St. extension access is more business traffic. Mr. Inglesino stated that this development is different than Avalon Bay because of the commercial component. Mr. Dean will discuss the need for the Ross St. access point.

The meeting was now closed to the Public.

Mr. Gary Dean, 181 W. High St., Somerville, N.J. was sworn in and qualified as a Traffic Engineer and Planner. Mr. Dean spoke about the circulation and traffic. They have eliminated the N. Main St. driveway after being informed by the County that they cannot have an entrance on N. Main St. The other driveways are on Ross St. and the N. Main St. extension. Referring to his 10-8-20 traffic report they are required to have 184 parking spaces, 140 for residential and 44 for commercial use. Referencing RSIS 5:21-4.14 when housing is included in mix use, shared parking shall be permitted. When you have retail using the parking during the day and residents using the parking in the overnight it yields more parking than needed. The highest demand for parking would be between 6 and 7 am and would need 150 spaces which is less than what they are proposing. The rationale is that this site does not need 184 space.

Marking into Evidence A-6, 12-8-20, photo of the street view of Ross St. looking west towards Main St. taken October of 2013 from google street view. The photo shows 1 car parked along the site frontage on the north side of Ross St. and the existing residents on the south side of Ross St.

Mr. Dean does not recommend striping, when you add striping you get less parking spots. The street spaces are not counted in their parking count. All 166 parking spots are on site. His recommendation is for parking on the resident's side of Ross St. which would be more convenient for the residents to park in front of their own homes rather than across the street. They will put the striping on whatever side the town wants. Mayor Chegwidden and Chairman Loury both agreed.

Mr. Dean stated that for shared parking the peak demand on this site is 150 and with a 10% buffer it brings them to 165 which is still less than the 166. The restaurants will be 1500 sq. ft. Chairman Loury questioned the Saturday shared parking analysis for the restaurants from 4 pm to 10 pm only needing 5 spaces. Planner Caldwell stated that they are proposing 98 seats for the restaurant which would be 25 spaces. Mr. Dean stated that even adding 25 spaces to the 125 total space brings it to 150 which is still under the 166.

Mr. Inglesino stated that they will be paving on the improved areas of Ross St. Mayor Chegwidden and Chairman Loury both agreed that they want to have the entire street paved.

Mr. Fleischmann was concerned about people making K turns or pulling into driveways when they have to turn around after parking in one of the parking spots on the applicant's side of Ross

St. There would be less impact on the residents of Ross St. if the parking were on their side of the street. Mr. Dean stated that the 12 spots better serve the neighborhood.

Mr. Rathjens asked what Mr. Dean thought about 3 lanes going out to N. Main St. extension. Mr. Dean stated that you would lose 2 parking spaces and having 2 cars side by side trying to exit the parking lot could be dangerous because of the site being blocked by the other vehicle. It is safer to keep the traffic on site waiting to exit.

Mr. Harris stated that the 4 Season's restaurant is 1650 sq. ft. giving the members an idea of how big the proposed restaurants would be at 1500 Sq. ft.

Attorney Zakin brought up about paid parking that was discussed at our last meeting. He stated that for the prior applications a condition of approval was that they not charge for parking. Chairman Loury was opposed to paid parking but was alright with reserved parking space. Attorney Inglesino stated that they are proposing 1 space reserved for each unit which equals 75 reserved spaces. He will check with his client about the paid parking.

Planner Caldwell stated that the Ross St. access in the Redevelopment Plan was for emergency only. She feels it is not ready to handle the amount of traffic coming out of this site. She was also concerned with stacking at the stop sign on Ross St. Mr. Dean stated that having multiple access points does not overburden any 1 street. The calculations show maximum trips of 54 trips per hour or 1 vehicle per minute. This will not overburden the street. The parking garage will reorientate traffic towards the N. Main St. extension exit. They will be improving Ross Street and from a design perspective there will be no impact on Ross St. The road can handle it. They can explore ingress traffic on Ross St. and he is less convinced that egress is necessary to Ross St. but that is an option. If they don't have access to Ross St. the real problem would be the traffic at the intersection of Main and the N. Main St. extension. The improvement to Ross St. would be drainage, curbing and sidewalks.

Planner Caldwell is concerned because they do not know what the uses are going to be in the retail units. There is no on street parking in the area and no place for any overflow parking to go. The substantial negative impact on the neighborhood is something that the Board has to weigh.

Chairman Loury suggested they explore Ross St. access be ingress only. Planner Caldwell stated that that is a way to limit access but then can the N. Main St. extension and Main St. handle all the egress traffic. Mr. Steele stated that they will have all the trucks backing up on the N. Main St. extension waiting to make the left onto Main St. Chairman Loury feels they need more information on the idea.

Attorney Inglesino stated that they would like to amend the application to remove all the retail and just have the apartments. They are a contract purchaser and are under a time limit. Chairman Loury stated that they like the retail and the building but it is just too big. He doesn't feel they need 8 retail spaces. He suggested they reduce the retail and or the apartments to conform with the number of parking spaces required so that they don't need a variance. After some discussion, Attorney Inglesino withdrew the amendment. Since they will not finish tonight, they asked for a special meeting possibly next week. He stated that they will definitely be back with amended

plans. It was agreed on the date of Tuesday, December 15, 2020 which would give them enough time for the 48-hour meeting notice by Attorney Zakin.

Engineer Borinski agreed with the improvements on Ross St. He asked if there was any signage that could be put up to direct the residential traffic to Ross St. driveway and the retail to the N. Main St. extension driveway. Mr. Dean was not sure where they would put them.

The meeting was now open to the public.

Michael Elardo stated that 1 car a minute would definitely increase the traffic on Ross St. He has been there 15 years and he's lucky he sees 3 cars an hour. Any street can handle traffic. How does this impact his neighborhood in a positive way? Mr. Dean stated that this site had buildings on it that were accessed from Ross St. Mr. Elardo stated that the buildings have been gone for 40 years. Chairman Loury stated that this is a good use of this property. If it's not this development then someone else is going to develop on this property. Mr. Dean stated that the purpose of a street is to move traffic.

Chief Dave Young asked if ITE, is an international data base, and are the numbers consistent with what he has seen in New Jersey in other developments. Mr. Dean stated that for residential uses ITE is spot on, and for commercial because NJ is so densely populated the numbers per unit are not as busy in N.J. as they are in less developed areas. Is the 5th edition of the Parking Generation the most recent addition? Mr. Dean stated that the 5th edition is the most recent.

Mary Cerenzio of 17 Michigan asked if the N. Main St. extension was just for trucks. Mayor Chegwiddden stated that it is for cars and trucks.

Michael Elardo asked about the rendering of the fence along Ross St. that he had asked for at the last meeting and Mr. Harris also asked that it be on the elevation view as well.

The meeting was closed to the public.

It was agreed upon to have a special meeting next Tuesday December 15, 2020 at 7 pm. 48 hour notice is required. Attorney Zakin will notice the meeting. A Motion was made by Brian Bosworth and Seconded by Mark Harris to carry the meeting to the December 15, 2020 Special Planning Board meeting. YEA -10 NAY - 0

A Motion was made by Patrick O'Brien and Seconded by Christopher Fleischman to adjourn
YEA - 10 NAY - 0

Meeting adjourned 11:17 pm

Patricia M. Craven - Secretary

Ken Loury - Chairman