

READINGTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES
VIRTUAL REGULAR MEETING
April 15, 2021

The Meeting was called to order by Chair Goodwin at 7:30 p.m. stating that the requirements of the Open Public Meetings Act have been met and that this meeting had been duly advertised.

CHAIR GOODWIN ANNOUNCED THAT IN ORDER TO COMPLY WITH THE EXECUTIVE ORDERS SIGNED BY THE GOVERNOR AND IN AN EFFORT TO FOLLOW BEST PRACTICES RECOMMENDED BY THE CDC, THIS MEETING WILL BE CONDUCTED VIRTUALLY FOR ALL BOARD MEMBERS, BOARD PROFESSIONALS, APPLICANT AND APPLICANT'S TEAM, ANY INTERESTED PARTIES AND MEMBERS OF THE PUBLIC. MEMBERS OF THE PUBLIC ARE INVITED TO VIEW MEETINGS LIVE USING WEBEX WHICH ALLOWS THEM TO "RAISE A HAND" AND CONTRIBUTE WITH VOICE AND VIDEO DURING THE PUBLIC PORTIONS OF THE MEETING. MEMBERS OF THE PUBLIC WHO ARE CALLING IN BY PHONE WILL ALSO HAVE THE OPPORTUNITY TO CONTRIBUTE WHEN CALLED UPON TO SPEAK.

ROLL CALL

Albrecht, C.
Bola, E.
Goodwin, M.
Hendry, D.
Kirk, T.
Mittleman, K.
Maurer, C.
Nees, S.
Tropello, S.

Others Present:

Board Attorney, Steven Warner, Esq., Board Planner, Michael Sullivan, Board Engineer, Rob O'Brien, Zoning Officer, Christina Schwartz, Construction Official, Angela DeVoe and Board Secretary, Ann Marie Lehberger.

APPROVAL OF MINUTES

It was noted that there were some minor edits.
Ms. Mittleman moved, and Ms. Albrecht seconded a motion to approve the March 18, 2021 minutes as amended. The motion carried unanimously.

RESOLUTIONS

Tannery Road Realty LLC (Pieros Roofing)

Appl# ZB19-012- Block 39 Lots 53.06 & 53.07-58 Tannery Road
Preliminary and Final Major Site Plan with "D" Variance - Outdoor Storage
Block 39 Lots 53.06 & 53.07

Board Attorney Warner read through the revisions and corrections that were needed to be made to the resolution.

Ms. Kirk moved, and Ms. Mittleman seconded a motion to adopt the resolution for Tannery Road Realty LLC as amended. The roll call vote follows:

Member	Motion	2 nd	Yes	No	Abstain	Absent	Not Eligible	Recused
Albrecht			X					
Hendry							X	
Kirk	X		X					
Mittleman		X	X					
Nees							X	
Tropello			X					
Goodwin			X					
Maurer (Alt #1)			X					
Bola (Alt #2)			X					

PUBLIC HEARING

Whitehouse Auto

Appl# ZB20-003 -Block 18 Lot 12 – 378 Route 22 West
 Preliminary & Final Site Plan with “D” Variance - Canopy & Sign

Exhibits presented:

- Exhibit A-1 Bohren and Bohren 2003 Survey
- Exhibit A-2 Photo Exhibit dated 12/17/20
- Exhibit A-3 Canopy Rendering

Attorney Carlos Sanchez was present on behalf of the applicant. Mr. Sanchez explained that they had previously been in front of the Board in December of 2020 and since that time they have been in front of the Historic Preservation Commission on three occasions and received approval from them this past Tuesday.

Mathew Wilder, the applicant’s engineer and planner was present. It was noted that he was previously sworn. Mr. Wilder gave a brief overview of the property. Referencing Exhibit A-2, he provided a comparison of the improvements that exist on the site today to what existed in 2003. He provided testimony as follows: The applicant is seeking approval to install a new canopy over top of the fuel pumps and replace the existing free-standing sign with a lower monument style sign. This is in addition to the existing conditions on the site that the applicant is looking to legitimize which include 2 additional fueling positions, expansion to the gravel area, the removal of the northeast tank pad, construction of a new tank pad and expansion to the parking area. “D” Variances for expansions to a nonconforming use, “C” variances and design exceptions are required. A 48 x 50 canopy is proposed. The edge of the canopy is proposed to be 6 inches from the front property line. The prior canopy was 9 inches from the front setback line. The new sign is proposed in the same location as the existing one and will be reduced in height from 20 feet to 6 and ½ feet at the recommendation of the Historic Preservation Commission. There are plantings proposed around the base of the sign. Fuel delivery trucks would enter the site along Route 22 and circumvent the site in a counterclockwise direction. Fuel deliveries only occur twice per week between the hours of 8 am and 4 pm and take approximately 10 minutes to complete.

The Board questioned how diesel fuel would be advertised since the proposed sign only has regular shown on it. Mr. Wilder stated that there will be no advertising of the price of diesel on the sign.

In response to a question from the Board, Mr. Wilder confirmed that the colors shown are the same as what is proposed for the sign.

The Board questioned how often the prices change on the sign.

The Board asked what hours the sign would be illuminated. Mr. Wilder stated that it would be the same as the hours of operation. He explained that the hours of operation in the spring and summer are 6 am to 9 pm daily and 7 am to 7 pm on weekends. The hours of operation in the fall and winter are 6 am to 8 pm daily and 8 am to 6pm on weekends.

In response to a question from the Board regarding lighting, Mr. Wilder reviewed the lighting plan noting that two free standing light poles had been added to the site for safety.

The Board expressed concern about the light pole proposed on the west side due to its location to the surrounding residential properties.

Board Planner Michael Sullivan explained that there was not another feasible location for the pole that would be outside the right- of -way. Mr. Sullivan recommended a step down in the illumination after hours, some additional landscaping and a cut-off fixture.

Mr. Wilder confirmed that the illumination would be reduced at night and noted that they can work with the fixture to prevent light spillage to the west. The applicant agreed to reduce the illumination to 50% on the east side and then completely shut off the pole on the west side after hours.

Mr. Wilder explained that the proposed free-standing sign is 24.3 square feet and in totality there is 171.93 square feet of signage proposed which accounts for the monument sign and canopy signage.

Referencing Exhibit A-3, Mr. Wilder described the proposed canopy which is a very minimalistic design based on the discussions with the Historic Preservation Commission.

Board Planner Michael Sullivan questioned if the lights in the canopy can be recessed. Mr. Wilder confirmed that they could provide recessed fully shielded lighting under the canopy.

Board Planner Michal Sullivan questioned if dental molding is proposed on the canopy. Mr. Wilder confirmed that it was.

The Board questioned if the Historic Preservation Commission requested the dental molding design. It was noted that it was specifically noted in their review memo.

The Board questioned if the signs on the canopy would be illuminated. Mr. Wilder stated that the logos would just be affixed to the canopy without illumination and the only lighting on the canopy would be underneath.

Board Engineer Rob O'Brien asked for clarification on the number of lights proposed under the canopy.

The Board expressed concern about the aesthetic look of the proposed sign.

Board Planner Michael Sullivan noted that adding a masonry base would make it more stable and aesthetically pleasing and would tie into the existing site a little better.

Mr. Sanchez stated that there is a concern about the increase in the cost to the applicant.

The Board requested that the applicant provide a rendering of what the proposed sign would look like with the landscaping around the base.

In response to a question from Board Planner Michael Sullivan, Mr. Wilder explained that the dispenser signs total 76 square feet. Mr. Sullivan noted that the entire top with the logo should be included in the signage calculations. Mr. Sullivan also noted that detail on the existing building sign should be added to the plans.

The Board questioned if there is any digital display such as video or music on the pumps. Mr. Wilder confirmed that the only digital display is in center of the pump that keeps track of the number of gallons and the price as well as the buttons that identify the fuel grade.

Mr. Wilder stated that landscaping is proposed along the existing fence on the northern property line to shield and buffer adjacent property owners.

Board Engineer Rob O'Brien asked for clarification as to the number of signs that exist on the building.

Mr. Wilder reviewed the report of Board Engineer Rob O'Brien. Mr. Wilder noted that an OPRA request was submitted to the Hunterdon County Board of Health for adjacent well information.

The Board questioned if well testing was done for the well on the property.

Mr. Wilder stated that the applicant will apply to the NJ DOT (Department of Transportation) for the curbing that was installed and for the widening of the driveway entrances.

Board Engineer Rob O'Brien requested that the imperious coverage calculations be added to the plans.

Mr. Wilder reviewed the memo from Board Traffic Engineer Jay Troutman.

Mr. Wilder explained that an approximately 30-foot-long fuel delivery truck was used as a template for the truck circulation plan.

The Board questioned the height of the previous canopy. Mr. Sanchez stated that the prior canopy was 11 feet high, and the proposed canopy is 14 feet 6 inches.

Constructional Official Angela DeVoe noted that the minimum height required by code is 13 feet 6 inches.

The Board questioned if any other delivery trucks would be coming to the site besides for fuel. Mr. Wilder noted that any other deliveries to the site would be done in smaller box trucks.

The Board questioned how the stand-alone diesel fuel pump on the east side would be accessed. Mr. Wilder stated that it would just require a few additional turning movements for access.

The Board questioned if there was a canopy proposed there. Mr. Wilder stated there would not be a canopy and noted that it would not be used as frequently as the other pumps.

The Board expressed concern about there being enough space for trucks like landscape trucks with trailers to back up safely.

The Board also expressed concern about large tractor trailers that enter the site being able to safely enter and exit.

Board Planner Michael Sullivan reviewed his report and requested some clarification as to the areas that were measured for the lighting calculations in the parking area. Mr. Wilder stated it was the paved areas. The applicant agreed to reduce the temperature of the lights in the canopy and provide an analysis of the lighting for the free-standing sign.

Mr. Sullivan noted that no buffer had been delineated on the plans. Mr. Wilder explained that they are seeking relief from the buffer requirements and noted that landscape plantings have been proposed to provide buffer. Mr. Sullivan stated that he recommends additional plantings and some screening to the parking area.

Mr. Sanchez stated that the plans would be revised to include a 6-foot stockade fence on the eastern border from the corner of lot 14 to the northeast corner of the propane tanks. Mr. Sullivan noted that a fence detail must be provided and recommended some additional plantings in that area.

Mr. Sullivan questioned if some of the gravel could be removed to reduce the amount of impervious coverage noting that some additional plantings could also be added in that area if some of the gravel was removed.

The Board questioned the height of the proposed plantings on the northern end of the property. Mr. Wilder noted that they are proposing 6-7-foot-tall plantings.

The Board questioned the chicken coop that is shown on the site plan.

Chair Goodwin opened the public portion of the meeting for questions of Mr. Wilder.

Tanya Rohrbach, Old Highway 28 was sworn and questioned when the data was collected for the traffic report and if it considered any impacts during the summer months when there is an increase in traffic. She also questioned whether there will be additional trucks accessing the median cuts on Route 22.

Ms. Rohrbach questioned if the stand-alone diesel pump was in use. It was confirmed that it was currently in use.

Ms. Rohrbach expressed concern about an increase in noise from trucks noting that she can hear them when she is outside on her deck and questioned how the noise would be mitigated.

Mr. Wilder explained that the traffic study data comes from the Institute of Transportation Engineers Manual 10th Edition. He also noted that landscaping is proposed for noise mitigation.

Ms. Rohrbach asked for confirmation of the number of parking spaces in the rear. Mr. Wilder stated that there are 8 parking spaces proposed in the back and 4 spaces on the south side of the building.

Ms. Rohrbach questioned how water runoff would be handled and if soil testing was done during construction. Mr. Wilder stated that the applicant obtained permits for the removal of the tanks but was not aware of what soil testing was done.

Mr. Sanchez confirmed that soil testing was done.

Ms. Rohrbach questioned the pole structures that were near the freestanding diesel pump. Mr. Wilder stated that they were for air venting. Ms. Rohrbach also questioned if there would be any issues with trucks queuing when the trash dumpster was being emptied.

Ms. Rohrbach questioned if the sale of diesel would be advertised anywhere on the property. Mr. Wilder confirmed that it would not be.

Ms. Rohrbach questioned if the lighting hours would be noted in the resolution.

Chair Goodwin stated that due to the late hour, the application would be carried to the next meeting. It was announced that the application would be carried to Thursday, May 20, 2021 at 7:30 p.m. No new notice will be provided. The applicant's attorney agreed to grant an extension of time through May 31, 2021. It was also noted that meeting log in information would be posted on the agenda on the Township website.

The Board requested the lighting calculation be provided and the rendering of the proposed sign. The Board professionals requested that revised plans be submitted 21 days in advance of the next hearing to allow adequate time for review.

EXECUTIVE SESSION

Litigation - James W. Hutton & Barbara J. Hutton v. Hunterdon County Construction Board of Appeals; Township of Readington; Bureau of Fire Prevention of the Township of Readington; Board of Adjustment of the Township of Readington Docket# HNT-L-000132-21

ZONING BOARD TOWNSHIP OF READINGTON

RESOLUTION

Open Public Meetings Act – Executive Session

WHEREAS, N.J.S.A. 10:4-12, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of the Township of Readington County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from the discussion of the hereinafter specified subject matters.
2. The general nature of the subject matters to be discussed is as follows:
Litigation/Attorney-Client
3. It is anticipated that the above-stated subject matters discussed in closed session may be disclosed to the public upon determination of the Board that the public interest will no longer be served by such confidentiality.
4. This Resolution shall take effect immediately.

Ms. Hendry moved, and Ms. Albrecht seconded to adopt this resolution. The motion carried unanimously.

Ms. Mittleman moved, and Mr. Albrecht seconded a motion to come out of closed session. The motion carried unanimously.

ADJOURNMENT

Ms. Albrecht moved, and Ms. Mittleman seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at approximately 10:40 p.m.

Respectfully submitted,
Ann Marie Lehberger
Zoning Board Secretary