

**WALL TOWNSHIP PLANNING BOARD
MINUTES - REGULAR MEETING
MUNICIPAL MEETING ROOM
FEBRUARY 22, 2010**

Chairman DiRocco called to order the regular meeting of the Wall Township Planning Board at 7:30 P.M. Members present were Ralph Addonizio, Tim Clayton, Kristin Coman, Dominick DiRocco, Mary Hearn, Todd Luttmann, George Newberry, Matt Nolan, first alternate George Bednarski, Attorney Rubino, Engineer Rooney, Planner Bergailo, Planning Board Secretary Lang, Planning Board Recording Secretary Schinestuhl and Court Reporter Arnone. Member Farrell was not present.

Chairman DiRocco announced the meeting was being held in accordance with the "Sunshine Law" and a resolution adopted on January 11, 2010.

SALUTE TO THE FLAG

Chairman DiRocco said ASP is being carried to March 15, 2010. No further noticing is required.

CARRIED APPLICATION

SUMMIT/WALL ASSOC. – PB#6-2009 – 3400 State Highway 138, Block 774, Lot 8, OP-2 zone. Application complete: May 19, 2008. Carried from June 24, 2008, September 15, 2008, December 2, 2008, February 23, 2009, March 16, 2009, May 18, 2009, June 1, 2009 and September 14, 2009. Applicant requests approval to construct an office park consisting of two 64,000 s.f. two-story buildings. Site with variances.

Attorney Henderson said we re-noticed for this meeting.

Attorney Rubino reviewed the file and stated the Board has jurisdiction to proceed.

Keith Henderson, Esq. appeared for the applicant.

Entered into evidence:

A-26 Letter from Keith Henderson, Esq. to Roberta Lang dated February 19, 2010

A-27 Jurisdictional Items

A-28 Letter from Keith Henderson, Esq. to Joseph L. Verruni

Attorney Henderson said this application has been going on for some time. The developer's agreement is more restrictive than the zoning. The applicant thought it permitted larger buildings. Originally 129,000 s.f. was proposed and that has been amended to 120,000 s.f. We took care of the drainage problems. The drainage facility is larger than what you would expect but it went into the 75' buffer. The Board was not happy with that. We offered the appraised value of \$50,000 to the abutting neighbor so we can meet the setbacks. He wanted \$500,000.

We asked the Township Committee to amend the developer's agreement regarding the setbacks and that was denied.

Attorney Henderson said we moved the access road back so we can honor that setback. The applicant has done everything they could to present this Board what they requested. Off-site traffic is a result of structures being built. If the Board thinks it is important we will submit the letters to the Governing Body regarding the developer's agreement and the letter denying our request.

Entered into evidence:

- A-29 Keith Henderson letter to Joseph L. Verruni dated April 8, 2009
- A-30 Joseph L. Verruni letter to Keith Henderson dated April 28, 2009
- A-31 Letter from Lueddeeke to Keith Henderson dated January 27, 2009
- A-32 Letter regarding appraisal of \$50,000 from Henderson to Lueddeeke
- A-33 Lueddeeke's response asking for \$500,000 dated February 13, 2009

Attorney Henderson said he has copies of the letters. He was not representing the applicant at that time. He said he does not think the developer's agreement is a factor. You really can't turn down an application for off site traffic. The zoning was changed to accommodate this use.

Chairman DiRocco said the concern about the impacts of traffic clearly exist.

Attorney Henderson said the applicant has complied fully with this Board. The only jurisdiction you have is ingress and egress.

Maurice Rachee, Traffic Expert, gave his credentials which were accepted by the Board.

Attorney Henderson asked if he was retained by the applicant. Mr. Rachee said yes.

Attorney Henderson said you did a traffic study on Allenwood Road on the impact of the proposed drive. Mr. Rachee said correct.

Attorney Henderson asked what the findings were. Mr. Rachee said he looked at the driveway, off-site section of 138. He also did an assessment as to where the traffic would be coming from. The driveways on Allenwood Road operate at a very desirable level, 16 seconds which is minimal. The driveway will operate very well. The queuing would be no more than 2 – 3 vehicles in the driveway. It can service much more. There is an existing issue of queuing going south on Allenwood. We worked the numbers to 2010. We added traffic and analyzed it again. 60,000 s.f. office and 60,000 s.f. medical we will have a queuing on Allenwood that measures about 455'. The available distance is 480' before the driveway so it exceeds the queuing. The last vehicle in the queuing will be south of the driveway or the queuing will not interfere.

Mr. Rachee explained this will generate 167 more trips per hour. We applied the standard medical rate. Medical is less intense than regular office. What I did counts for the most medical use. We also did the safety studies.

Mr. Rachee said they did the site distances for trucks and cars. The site distance is adequate. We are providing about 620 spaces and banking 116 where 640 is required.

Chairman DiRocco asked about the banking. Mr. Rachee said 640 spaces are required and we are planning on building 620 – 646. It requires more handicap spaces. The banked spaces can be used in the future if needed. He pointed out where the banked spaces will be.

Chairman DiRocco said at some point in the future you have the spaces to build those spots. Mr. Rachee said yes.

Attorney Henderson said the Land Use Office will monitor it. Attorney Rubino said you always have the right to build it out on your own.

Captain Clayton asked on queuing, 30' south of the driveway this is going up hill is it both lanes. Mr. Rachee said one lane.

Mr. Rachee said from the driveway you need 445' site distance and we have 600'. Captain Clayton asked about the queuing vehicles. Mr. Rachee said this queuing happens during one short period of the day. Normally it is within 15 minute segments. Half office half medical the peak doesn't coincide.

Chairman DiRocco asked Mr. Rachee to point out the distance between the intersection and the proposed driveway where the queuing will be. Mr. Rachee using A-23 showed where the queuing would occur. It is about 30' from the guide rail.

Chairman DiRocco asked what it is currently. Mr. Rachee said the current is 284'. There would be about 50' additional because of this development.

Committeeman Luttmann said you are being conservative on the amount of traffic coming out of the site no more than 40% medical. Mr. Rachee said no half and half. The medical I believe is going to generate less traffic.

Mr. Addonizio asked when you did your field study. Mr. Rachee said May 9, 2007. Mr. Addonizio asked what time of day. Mr. Rachee said morning from 7:00 – 9:00 A.M. and in the evening between 4:00 – 6:00 P.M.

Mr. Addonizio said personally he has seen cars backed up where you are showing the queuing. Those numbers are slightly outdated. How many cars are going to exit the site total? Mr. Rachee said half and half there will be 299 vehicles exiting the site during P.M. peak hours.

Mr. Addonizio asked for the break-down how many going left and how many going right. Mr. Rachee said it is in the report.

Mr. Addonizio said your study is from 2007 how long do these numbers stay accurate. Mr. Rachee said it was done in 2007 and we added the peak trips. Queuing went up from 284 to 404.

Attorney Henderson said this project has been around since then.

Ms. Hearn said a comment was made there is more queuing today than in 2007. Mr. Rachee said 2007 queuing was verified and then we also sent someone out in 2010 to verify the queuing.

Mr. Rooney said he has reviewed the traffic report. He has comments on the queuing analysis. We asked for back-up. Close to the intersection you have two lanes and one back by the driveway how many are you counting regarding the queuing. Also we are questioning the timing of the signal. Did you use the current time of the signal or a changed time. Mr. Rachee said current time of the signal. Mr. Rooney said he is anxious to see the analysis. Mr. Rachee said you can see that in the back of my report. It has all of the information you need.

Attorney Rubino said we discussed this at workshop this is critical to the case. We would like Mr. Rooney to have that material before we vote on the application. We will carry this to March 15, 2010. Get that to him ASAP and we can have you on March 15th. The Board has the right to look at the ingress and egress. If there is a queuing back up the Board has jurisdiction. It is a matter of concern to the Board. They must make sure your numbers are correct.

Chairman DiRocco said the Board is concerned about what that might cause on 138 and we are also concerned about what other safety issues are created.

Mr. Addonizio asked how many total movements would there be on and off the site during the peak hours. Mr. Rachee said 299 trips to exit during P.M. hours, $\frac{3}{4}$ will make a right and $\frac{1}{4}$ will make a left. A.M. there will be 241 trips coming onto the site. Mr. Rachee explained there will be a small peak for lunch. There will be minimum activity during the day. The bulk of the activity is in A.M. and P.M.

Mr. Nolan said you compiled this in 2007, what date? Mr. Rachee said May 9, 2007. Mr. Nolan asked what day of the week. Mr. Rachee said Wednesday.

Mr. Nolan asked what protocol is done in one day. Mr. Rachee said we install the counters on the street and leave them for a whole week. We have tubes and counters and make sure they match.

Ms. Hearn asked about northbound coming in in the morning. Mr. Rachee said that has not been brought to us as an issue but we do have it analyzed.

Mayor Newberry asked the peak hours can you define them. Mr. Rachee said counts were taken between 7:00 and 9:00 A.M., 7:30 to 8:30 A.M. are peak hours sometimes 7:45 – 8:45 A.M. We take the highest.

Mayor Newberry said regarding queuing off 138 we hope we don't back up on 138. During the evening there will be about 300 trips during that peak hour. Mr. Rachee said correct.

Mayor Newberry said you are proposing over 600 parking spaces. 600 vehicles are being parked at the site but only 300 exiting during peak hours. Mr. Rachee said cars also come in after the peak hours. Throughout the day cars will be coming in and leaving. It is important to have an abundance of parking. You may only reach 60% at peak.

Committeeman Luttmann asked you did the study on the changed light time. Mr. Rachee said no we did not change the time for his study.

Ms. Hearn said your study is based on the traffic signal as it is now. Mr. Rachee said yes.

Done Pyle was sworn. He said he is concerned about the water coming off the property. He said he gets too much of it. Attorney Rubino said this is for questions regarding traffic.

Mr. Pyle said you are not considering enough things. Going west on 138 there is going to be a traffic jam.

Lou Thompson, Allenwood Road, was sworn. Mr. Thompson said he has a problem with the difference from 2007 to the current rate of traffic now. It backs all the way back to 18. Attorney Rubino asked if any supplemental studies have been done since 2007. How does that affect your numbers? Mr. Rachee said he sent someone out there and he made notes of the queuing. We did that about three weeks ago.

Chairman DiRocco asked what is the accepted length of time in your field for doing traffic studies. Mr. Rachee said there is no strict rule. It is very common to do a study four or five years ahead of time. It went from 284 to 404.

Mr. Thompson said he travels up the hill at 5:00 – 5:30 they back up almost to the jug handle. Mr. Rachee said the existing queuing is not too far from the jug handle. Add 50' to the queuing. The cars are not all coming out at the same time. The queuing is increasing by 50'.

Mr. Thompson said most of the people will be leaving at afternoon peak hours. Mr. Rachee said you have different offices, sometimes 30 – 40 different tenants.

Mr. Thompson said there is going to be major problems. Mr. Rachee said keep in mind the coverage allowed. We are developing less than what we could.

Attorney Rubino explained this is zoned by a developer's agreement.

Susan Olson, 2068 Allenwood Road, was sworn. Ms. Olson said this will back up traffic to 138. It is happening with the Pittenger building. Mr. Rachee said the concern is if the queuing is to exit the driveway the analysis says it will not exceed the queuing.

Ms. Olson said the traffic light is about two minutes. Mr. Rachee said that is what helps. It provides gaps for cars to make a left turn.

Ms. Olson said your numbers are based on 2007 is there any projection for the future. Mr. Rachee said we don't project in the future developments like this usually they never increase.

Mr. Thompson said his concern is when you get to the hill it's a two lane county road and people are going to look for the easy way out. You are going to create traffic in the hill area. I think you are asking for a lot of trouble traffic wise.

Chairman DiRocco asked about make a left out. Mr. Rachee said Hurley Pond Road is working very satisfactory.

Mr. Addonizio said you said you had people out in the field two or three weeks ago. How many times have people come out in the field since 2007? What were the conditions? Do you have a report on that? Mr. Rachee said a day or two prior to the last meeting we sent someone out there to get some data that is a very common practice. Mr. Addonizio asked when that was done. Mr. Rachee said during PM peak hours.

Ms. Hearn said just for the record we talked about medical use was there any discussion about emergency use. Mr. Rachee said that is a question for the applicant. Ms. Hearn said maybe that can be answered at our next meeting.

Chairman DiRocco said this will be carried to March 15, 2010. No re-noticing is needed.

Attorney Henderson waived the time limits.

MINUTES TO BE APPROVED

Committeeman Luttmann moved to approve the minutes of the Regular and Workshop Meetings of July 13, 2009 and October 5, 2009. Mr. Addonizio seconded the motion, which was unanimously approved by a roll call vote.

Ms. Hearn moved to approve the minutes of the Regular and Workshop Meeting of December 14, 2009. Mayor Newberry seconded the motion, which was unanimously approved by a roll call vote.

There being no further business to come before the Board, a motion was made, seconded and unanimously approved to adjourn the meeting at 8:53 P.M.

February 22, 2010

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Respectfully submitted,

Betty Schinestuhl
Recording Secretary