

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8367

Planning Board Minutes

August 11, 2022

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m., followed by the salute to the flag.

Roll Call: Daria D'Agostino, Secretary

In attendance at the meeting: Barry Fisher, Daria D'Agostino, Todd Brown, John Castronovo, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Richard Hogan

Absent from meeting: Steve Kastell, Brian Shorr

Also present: Louis Karp, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Karp swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm, Professional Planner.

Minutes:

A Motion was made by Mr. McNaboe, Seconded by Mr. Brown to approve the Minutes of July 28, 2022 as written.

Yes: Fisher, Brown, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson, Hogan

No: None

Absent: Kastell, Shorr

Abstain: None

Not Eligible: None

Application: PPM2104 ~ Stavola Asphalt Company
Manalapan Landing
Stavola Woodward Road-Office

**Stavola Woodward Road-Retail
Woodward Road and Route 33
Block 7232 / Lots 1.04, 1.06 and 2.04
Preliminary and Final Major Site Plan
Carried from July 28, 2022**

Peter Wolfson, Esq. of Day, Pitney represented the applicant this evening. Mr. Wolfson explained that this is a continuation of the public hearing which began August 26, 2021 and October 14, 2021. We did present testimony from our engineer last October regarding this site plan and he will give a refresher, as well as highlight some of the changes that have occurred as the plans progressed. We have received Mr. Boccanfuso's updated Review Memorandum, dated August 10, 2022 and we will be addressing issues that are raised in his Review. One of the things that Mr. Boccanfuso raised was if we anticipated any phasing within the overall project and then within the retail portion. We continue to work on Resolution Compliance for the inclusionary residential project and we've made a lot of progress and we're hopeful that within the next couple of months we should be complete with that and expect construction on that to be the first piece that gets underway.

Mr. Wolfson said they are working on outside agency approvals for the other portions, including tonight's retail portion, but our best guess in terms of order of sequencing is that the residential will be under construction first. In terms of the medical office and the retail, should the Board approve the retail portion, that is going to be largely market dependent in terms of our ability to attract tenants. Phasing within the retail/restaurant site is also market driven. We do have a lease for one of the buildings with Burger King so that if we were approved, that would likely be the first to commence. We anticipate that the second building to start construction would be that on the corner. With respect to the roadway improvements, we agreed at the last hearing, the approval of the medical office, that we would commit to do the roadway improvements on Woodward Road along the frontage of the medical office lot. If the retail project goes first however, we would complete all roadway improvements at the same time, even if the medical office has not started.

Mr. Karp swore in Christopher Szalay, Licensed Professional Engineer from Menlo Engineering in Highland Park, New Jersey. Mr. Szalay presented Exhibit A16, Stavola Woodward Road Retail Existing Conditions dated July 28, 2022. This is an aerial exhibit depicting the existing conditions which highlights the property boundary and shows some of the surrounding areas. The second exhibit is a colorized rendering of the submitted site plan, entitled Site Plan Exhibit dated July 28, 2022, Exhibit A17. Mr. Szalay said we did provide engineering testimony for this site prior to making some minor modifications. The site is known Block 7232 Lot 1.04, consisting of 6.28 acres, located on the corner of Woodward Road and Route 33 with frontage of approximately 800'

on Route 33 and 276' on Woodward Road. The assisted living is located to the North. To the West is wooded property where the future Manalapan Landing Residential development will be constructed. Across the street to the East of Woodward Road is WaWa. The property is undeveloped and is environmentally constrained by the Stillhouse Brook wetlands, 50' wetland buffer and 150' riparian buffer, as well as the flood hazard area.

Mr. Szalay said overall the site layout was very similar to this one, with a couple minor modifications. Previously we came in with three single story buildings. Building 1, which is the building located to the West side of the property, is a 3,021 sq ft fast food restaurant with drive-thru lane. Building 2 is a 8,000 sq ft mixed retail and restaurant, and is located in the center of the site. Building 3 is located on the East side of the site, a 7,260 sq ft mixed retail/restaurant with a drive-thru on the West side. Previously, the ordinance stated 142 parking spaces were required, and we provided 183 spaces. One of the reasons for the change was the difference between what was required, and what was provided. We had the excess parking, and so we thought it made more sense rather than to provide such a difference of excess parking, to widen out the building where we could and bring the required parking more in line with each other. Now, Building 2 has been increased to 11,200 sq ft from the previously submitted 8,000 sq ft, so we gained 3,200 sq ft of retail space, which is essentially two tenant spaces. We eliminated head on parking along the West, South and East sides of the building façade and we moved the ADA parking across the Southern drive aisle in front of the building in order to expand the building, provide patios on both sides of the building and relocated a few of the parking spaces.

Mr. Szalay said in regards to use, Building 1 will have 70 seats which requires 28 spaces. For Building 2, we are proposing 124 seats as well as 6,400 sq ft of retail space, which requires 82 spaces. For Building 3, we are proposing 80 seats of restaurant space and 3,200 sq ft of retail space, requiring 48 parking spaces. This brings our total required spaces of 158, and we are providing 169 spaces. The site plan still meets all bulk requirements for FAR, setbacks, building height and coverage, so none of that is changing. The other change that we made to this site is that one of the items that came up had to do with circulation of the site and ingress/egress. Access to the site is provided by three driveway entrances; two along Route 33 that are right in/right out driveways and one along Woodward Road at the Northwest corner of the site. This is a right in only driveway entrance only as well as full movement out. In order to alleviate some of the concerns with this driveway entrance, we did modify the striping within Woodward Road to provide an acceleration lane along the center portion of the roadway. As vehicles make that left turn out, they will have a place to queue and accel safely into the two lanes provided along Woodward Road, with the Woodward Road widening that is proposed.

Mr. Szalay said we are still providing landscaping, lighting, Stormwater Management, utility connections all in accordance with the Township ordinance. We are providing four dumpster enclosures disbursed throughout the site to provide locations for pick-up for each of the three different buildings. The loading area behind Building 2, where the building has been expanded, we reconfigured slightly due to the enlarged area. We are providing sidewalk along Woodward Road that will lead through the site, and connect to a pathway that will ultimately connect to the residential portion of the overall project. This is a gravel pathway as coordinated with the DEP. We have a letter from the DEP that requested the material of the pathway to be this gravel/stone and we can provide that the Township as part of our resubmission package.

Mr. Boccanfuso said some of these items were addressed in October of last year, so just to make sure the Board is clear, he asked about Stormwater Management. Have there been any changes to that as a result of the proposed changes to the site plan? Mr. Szalay said no, we are still collecting the Stormwater via an underground system. We picked up a little bit of additional area from the DOT roadway, per comments from the State. It caused us to modify the grading of the basin slightly, but overall the design of the site did not change. Mr. Boccanfuso added that an important aspect of projects on Route 33 is the green belt. Mr. Szalay said our plan complies with the ordinance requirements for the green belt and the berm and is still 2'-4' above the parking area surface, and still has an array of landscaping including deciduous and all season plantings and generally meets the intent of the Route 33 overlay zone requirement.

Mr. Boccanfuso asked for clarification regarding the phasing. He directed his question to Mr. Wolfson and said in his opening statement, he indicated that if the retail is built first, all roadway improvements will be done upfront. Is that correct? Mr. Wolfson said that is correct. Mr. Boccanfuso said if the retail is approved tonight, do you know which order the development will be constructed in? Mr. Wolfson asked do you mean between the medical office and the retail? It is totally market dependent. Mr. Boccanfuso said regardless of the status of the approvals, if the market dictates that the medical office needs to be built first, you'll construct the Woodward Road improvements which we talked about at the last public hearing. Mr. Wolfson said the ones tied to the medical office frontage - yes. Mr. Boccanfuso said it's pretty clear and it would be more appropriate for Mr. Taylor to speak about this. The improvements aren't going to just stop at the property line - there needs to be some transition from the medical office lot to the existing conditions. Mr. Boccanfuso said we would need a plan as part of Resolution Compliance if that is the case. If the retail goes first, based upon market demand, then all of the improvements - the intersection improvements, the widening, signal re-timing - all of that would be done basically at one time, is that correct? Mr. Wolfson

said that is correct. Mr. Boccanfuso said can you confirm that the intersection improvements would be completed prior to CO within the retail development? Mr. Wolfson said the answer is yes.

Ms. Beahm said there was some discussion of the landscaping percentages being initially lumped together between the office and the retail, and now that the retail was separated - are you requesting relief for the landscaping, the 35% of the parking area of the retail be landscaped. Is that relief that you are requesting? Mr. Wolfson said we are seeking a waiver and we are also amenable to making the contribution. Ms. Beahm said what about the street trees? Mr. Szalay said where we don't comply, we are requesting that waiver. Ms. Beahm asked about the parking stall size; are the spaces here 10' x 20'? Mr. Szalay said yes and we are not asking for relief for the spaces.

Mr. McNaboe had a question about the gravel walkway. You said there is an issue with the wetlands and the transition area, but that stone path appears to come all the way through what appears to be a lawned area. Mr. Szalay said it was requested by the DEP, but we have all of our DEP permits in hand for that stone path that crosses through the wetlands area. Mr. McNaboe said when you leave the wetlands area and only about half of that walkway is in the wetlands area. The other half is actually on high and dry property, and it is still says its a stone pathway. Why didn't you switch to a hard surface at that point? Mr. Szalay said there wasn't a reason. Mr. Wolfson said if we are talking about the portion of the path that is on the residential development? Mr. McNaboe said no, if you look at the path right now, it goes to a wetlands area and then it appears to be in the green lawn area, right? Mr. McNaboe said his concern is handicap people, obviously a hard surface would be beneficial to them over a stone surface. Mr. Wolfson said the gravel is compressed gravel, it is compacted granular gravel and someone in a wheelchair would be able to navigate this pathway on this site.

Ms. Beahm asked are you that tight on coverage? Is there a reason you can't make it hard? Mr. Wolfson said we want to make a consistent appearance and we think that is preferable to have less paving. Ms. Beahm said whether you pound down gravel or put actual asphalt it is the same issue - you're not doing the environment any benefit by having compacted gravel. The concern is, we get through the wetlands, but once you get onto the site, there is no reason why you can't make it like a regular sidewalk or hardscape path. It's already counted towards impervious coverage, correct? Mr. Szalay said correct. Ms. Beahm said there is no impediment to doing it. Mr. Wolfson said we'll take that under advisement and we'll circle back on that issue.

Mr. Jacobson asked do you plan to have any electric vehicle charging stations in the parking lots? Mr. Szalay no, said we do not at this time.

Mr. Karp swore in Charles P. Dietz, managing member of the Dietz Partnership, LLC, Architects. Mr. Dietz showed the updated aerial view, Exhibit A18. Building 1 will consist of two restaurant users, Building 2 is the middle building which will be a mix of restaurant with a drive-thru and retail and Building 3 to the West will be a free-standing Burger King. The landscaping and green belt along Route 33 add to the new and modern look of the three buildings. We are proposing three signs, one at the corner, one at the main driveway at the middle of the center, and then a monument sign near the furthest West driveway. Burger King will have a small monument sign with their logo with only their name on it. As you travel on Woodward Road, we are showing a smaller monument sign as well for traffic to bring you into the rear driveway system in the back of the site. Some the materials will be similar in nature to the medical building and we are using gray stucco. There will be a canopy to protect customers entering the buildings during inclement weather. We are proposing a patio and decorative bollard system with outdoor tables with umbrellas which would be on both sides. We have added some landscaping and buffering where we could. We try to create a store-front system giving the client flexibility to move the doors as tenant needs and spaces get subdivided down the road. This makes it difficult to provide the foundation plantings along the front. He pointed to Exhibit A20, Building 1 and why he needs a waiver for the plantings.

Mr. Dietz continued with Building 2, which shows the buffering and awnings. This building has the patios on both sides fenced in, so they will be secure for each of the restaurant tenants. He wanted the front area to remain clean and neat. He further explained the stand-alone building which will be a Burger King, which is his architectural sheet A5, dated April 18, 2022. There will be an outdoor dining area and landscaping which will be foundation plantings. Architectural sheet A6, dated April 18, 2022 depicts what the Burger King is proposing and their main parking area. They are proposing an extra sign which is their logo, and a drive-thru window.

Mr. Dietz said there are four free-standing signs. The corner sign at Woodward Road and Route 33 and the main driveway sign are both proposed to be the same size, as depicted in his sheet A9, dated April 18, 2022. Our actual sign area is only 112 sq ft, but if you calculate the entire structure, we are looking at 251.65 sq ft. The reason we picked this size sign and panels, is Route 33 has a speed limit of 55 MPH. There are standards and they base the size of letters, the size of panels, etc. based on the offset of the roadway and the speed limit on the roadway. They would recommend that the sign panels would be larger than what we are actually proposing. We are proposing each of these slots to be 28" tall, which would give you a 22" letter inside of that. The code that we normally follow says it should be above 30" for that. The Woodward Road sign is a monument sign which is ground mounted, there are no openings. We are proposing 80 sq ft of signage, but when you add the entire structure we are

100.78 sq ft and we'll need a variance for that. The fourth sign is the Burger King monument.

Ms. Beahm said we did hear this testimony in October about the signage and she feels the signage is appropriate and well designed. They need relief because there are three monument signs along Route 33, where we typically allow one. There is justification because you want to make sure that the travelling public sees the location will safely allow access the site prior to getting on top of it and trying to make a hard right into the site. In addition, one façade sign is permitted along Route 33, but there are multiple tenants and they are proposing multiple tenant signs. She agrees that this is also justified because each tenant wants a sign for their space. Ms. Beahm said if the Board were to act affirmatively on the application, she would take no exception to the relief that they are requesting associated with the signage. They were designed in compatibility with the architecture and she has no objection to what they are requesting.

Mr. Boccanfuso asked for confirmation that the floor plans for the restaurants include seat numbers that are consistent with those calculations including the outdoor patio areas. Mr. Dietz said he worked closely with Menlo Engineering to come up with the number of seats shown on his plans, and the interior sheets are listed on his floor plans as well as the exterior seating and they do confirm and conform to Menlo's plans and calculations. Mr. Boccanfuso asked if any other tenants at this time? Mr. Dietz said no, there are no other leases in place.

Chief Hogan asked Mr. Dietz about the lighting for the signs. Mr. Dietz said they will all be internally illuminated sign cabinets.

Mr. McNaboe said it appears you have the bollards on the horse shoe that faces Route 33, but towards the drive-thru it doesn't appear that they continue around. Mr. Dietz said the bollards actually do go all the way around. Mr. McNaboe said the curb runs around to the drive-thru - is your testimony stating that there are bollards along that curb line? Mr. Dietz said no, they are just in the sitting area. Mr. McNaboe asked how high the curbs are. Mr. Szalay said it is a 6" curb. Mr. McNaboe said he would like to further discuss the safety of the diners and the protection of the building.

Ms. D'Agostino asked who constructs the Burger King? Mr. Dietz said it will be a hybrid approach.

Mr. Brown asked why doesn't the Burger King elevation and materials match the other two buildings on the site? Mr. Wolfson said in his experience with dealing with national brands is that the look, both signage and architecture, is important to them and their marketing. They usually have a common design.

Mr. Brown also had concerns over the bollards around the drive-thru. Mr. Brown counted a total of potentially ten tenants and Burger King. But the pylon sign would have 12 slots - just for the Route 33 sign. The other sign on Woodward Road only has 8 slot. Mr. Dietz said the depictions we have are still dependent on the market, and what kind of users we get. The panels can be adjusted, if need be. Mr. Brown is concerned about sign pollution on Route 33.

Mr. Castronovo asked if the two signs on Route 33 are going to mirror each other? Mr. Dietz said material-wise, yes. Mr. Dietz said the signs are specific for each building. Mr. Castronovo said there are four handicap spots proposed by the Burger King - is that actual? Mr. Dietz said that is an engineering question since he designs from the curb back.

Mr. Fisher said sometimes with a restaurant like Burger King, people like to eat in their cars. He would like to have no idling and the ordinance in a couple signs along that area. Mr. Dietz said Menlo Engineering can address that. Mr. Fisher wanted confirmation that the plantings would be maintained at all times and Mr. Dietz said it will be maintained.

Chair Kwaak asked about the signs on the building and if they are illuminated. Mr. Dietz said yes, they will be internally illuminated channel letters.

Ms. Beahm had a question regarding the sidewalk. The connection to the residential through the bridge that leads into the site by the second building - is there a reason why you didn't extend that also all the way out to Woodward Road? Mr. Szalay we have ADA access from the far building to the site. Ms. Beahm said the initial conversation when the assisted living was constructed and there was a discussion about connectivity to this site which would not require people to go onto Woodward Road to get back into the site was walkability. She would like to see the sidewalk extend to Woodward Road so that employees of the assisted living can get to these retail and restaurant facilities without having to drive or without having to walk through the drive aisle or what have you. Mr. Szalay said we do have connections from Woodward Road to Building 1. Ms. Beahm said she is talking about from the assisted living down. She doesn't want to see pedestrians in the drive aisle.

Mr. Karp swore in Justin Taylor, Traffic Engineer from Dynamic Engineering. Mr. Taylor said when we were here last October, we did a presentation of the traffic impact that the overall project would have on the surrounding roadway. There have been some minor modifications, including adding square footage to the buildings, therefore in order to account for that, we revised our traffic study and resubmitted in March 2022. This updated traffic study has also been submitted to NJ DOT as part of our Major Access Application for the retail component and the roadway improvements that are associated with that. The DOT permit was granted conceptual approval in June 2021. We then moved

from the concept phase into the full design phase and put together the full design plans for the intersection improvements. Then we submitted that back to the DOT earlier this year, and it is currently under their review for approval. The residential portion has its own Major Access Permit from the DOT which has been signed by the Township and resubmitted back to DOT for counter signature about two weeks ago and we anticipate getting that executed permit within the next several weeks. As part of the project, is the major roadway improvements that are associated with this project. Mr. Taylor referred back to Exhibit A17. He stated that to accommodate the additional retail traffic, which is the traffic generator of this entire project, we took a hard look with DOT and worked through their allowable constraints for improvements at the intersection and we came up with a plan that rectified not only the traffic associated with our project, but also the traffic that is out there today. We understand that there are issues that are generated by Sportika, WaWa, the CVS, etc. and background traffic that travels Route 33 every day. We were relatively constrained to start with, given the operation of the existing signal. What we looked at is what we can do to improve not only what is out there today, but to mitigate and accommodate the traffic that this retail, and the overall center, will generate. In order to do that, there were improvements along both Route 33 and along Woodward Road. On Route 33, we are looking to construct a secondary left turn lane, so there will actually be two east-bound left turn lanes that travel along Route 33 East bound, both approximately 375' that will allow for the left turns. If you are traveling North on Woodward Road, you can utilize both lanes to turn left and the u-turn maneuvers that happen currently today, but also will be to access the site as you travel East bound on Route 33.

Mr. Taylor continued and said in order to accommodate those double left turn lanes, we are also required to widen Woodward Road, because we need two receiving lanes. So, we are carrying two North bound lanes along Woodward Road approximately 700' in order to get them sufficient time to clear the intersection and then merge back together. The merge area is just North of the WaWa and the assisted living driveway. They begin to merge back down to one lane to continue on the roadway cross section North of that which exists today. We are also constructing a two way left lane along Woodward Road to allow for left turns both into the assisted living, into the WaWa, Sportika and into the medical office building. Another improvement that goes along with this is the widening of the West bound shoulder. Given the proximity to the traffic signal and the environmental constraints that we have at the Western end of the property, it is not feasible to construct pure DOT acceleration/deceleration lanes, but what we have been able to do is widen that lane to 12' to give a full width lane for the vehicles to be able to use, we just can't call it an acceleration lane because DOT won't allow you. They have certain length standards in order to stripe it. The 12' lane gives that ability for vehicles to utilize to slow

down and get out of the traffic flow of Route 33 West bound as they enter and exit the site. We are also lengthening the South bound left turn lane by about 175' to accommodate both this traffic and the existing queues that we observed on Woodward Road. We are constructing an East bound right turn lane that will actually go South bound onto Woodward Road, and while that seems slightly counterintuitive because none of our traffic is going in that direction, what happens is it allows us to then utilize some of the other green time to get back to Woodward Road, which is really the South bound approach that needs the help out there - that's where we observed the existing deficiencies and that's where some of our traffic is going to be. By constructing that East bound right turn lane, it allows us a little bit of flexibility to give time back to that South bound approach.

Mr. Taylor said finally what we are doing is we are aligning the North bound approach of Woodward Road. Today, if you are traveling North, it drives you into the canopy of WaWa. By constructing a second through lane, we have also been able to realign slightly that North bound approach so that you are pointing into one of the receiving lanes for the North bound approach. We are rectifying that existing deficiency because we had the ability while we were out there doing the improvements and realigning that intersection. All that coupled together essentially meets DOT's criteria for the proposed development. DOT has reviewed the traffic study; they had a couple minor comments that we have addressed in our resubmission, but conceptually they said yes - we agree, this will meet our standards and improve what is going on out there and it will make the intersection operate at their acceptable levels of service, and probably a little bit better than it currently is today.

Mr. Taylor said in describing this at the last meeting, we had conversations about the driveways, and most importantly the driveway on Woodward Road. As we have it proposed, it is a right turn in, left turn out, and a right turn out. Based on the analysis that we have given, it would be a level of service C with queues of one vehicle. We heard the concerns of the Board, and we went back to the drawing board to see if there was something we could do here to improve that. If that left out goes away, where is the traffic going? There are several options. If you wanted to go North on Woodward, you could either go down to Iron Ore and u-turn, or go North on Iron Ore and work your way back over in the Easterly direction. Or likely, you are going to drive through Knob Hill and over to Daum, and cut your way through that, which I believe there are already concerns of cutting through via Knob Hill and there is not much we can do to stop that. There is the potential that people are going to make an illegal left out, just like they do coming out of the WaWa when no one is looking. We came up with a new design for an acceleration lane along Woodward Road. As depicted on Exhibit A17, it was originally proposed and submitted to the Board as a striped lane to allow the left out and then it gives you some room to accelerate and merge into the North bound traffic flow. After this submission,

we also had the capability of sitting with the Board professionals. Conceptually they like the plan, but we think there should still be some more protection.

Mr. Taylor presented Exhibit A21, Left Turn Lane prepared by his office, dated July 28, 2022. We took that concept of just striping and actually went back in and looked at what we could do to construct some sort of physical barrier at the suggestion of CME. We have proposed along the center line of the roadway, a raised island that will be 2' in width and will be mountable in case it does need to be crossed, but it is designed to essentially prohibit the left in, which we always wanted to restrict, but also give a little bit of channelization and further discourage the left out of the WaWa in this area. It will cross their driveway up until where the entrance maneuver is. This island is supposed to be approximately 100' long and will channelize the left turn out vehicles into the lane. The lane then traverses for another 150' and merges into the North bound traffic, while still leaving room for a left turn storage area for the assisted living. Also, at the suggestion of CME, we are proposing raised pavement markers, or truncated domes, along the Western side of that lane. We didn't want to put another raised island because we didn't want those vehicles to feel trapped in a little tunnel in there, but we wanted to give an indication to the South bound traffic that this is a center line that they are not allowed to cross and that the lane is there for the North bound traffic flow to merge into Woodward Road. Based on this, he believes this design not only takes into account the concerns of the Board, but also works hand in hand with the professionals to kind of give a reinforced, dedicated refuge area for the left turns to come out and then merge into Woodward Road. It also has the benefit of prohibiting the illegal lefts out of WaWa and reinforces that the left in is not a permitted maneuver in this location.

Mr. Taylor referred back to A17, we also worked hand in hand with Menlo on the on-site circulation of the proposed facility. All the aisles have been designed at a minimum of 24' which meets the ordinance for two way traffic and parking. The drive-thru lanes are designed as 12' lanes. It meets the standards of quick service restaurants around today. Even though we don't have a tenant yet, it will not be a Chik fil-A, they need a bigger space. The roadway changes have been designed to be safe and efficient and there will be a great improvement to the traffic flow along Woodward Road because of this development.

Mr. Boccanfuso had questions regarding the vehicles queues. Mr. Taylor had stated that 10-12 vehicles is the sweet spot for these types of uses. Can you show us on the exhibit approximately where 10-12 vehicles would reach within that queue? Mr. Taylor said Building 2 has a pick-up window located in essentially the Southwest corner of that building. The 10-12 car queue allows you to wrap around the back of the building, along the North edge and then back into the end of the drive-thru lane to the Northwest corner. It will not

exceed into the parking area that is located along the Eastern side of that building.

Mr. Boccanfuso asked Mr. Taylor what feedback he received from the DOT. He said the initial submission to the DOT was in June 2021. We went through a two stage application. What that allows you to do is bifurcate and give them a 2D geometric plan and the traffic impact study to make sure that they agree with the improvements before you go into full design plans in the third dimension. We obtained the conceptual approval, including the review of the traffic impact study, last year. We have not received comments on the full design plans yet. Mr. Boccanfuso asked what would be your expectation as far as receiving comments? Mr. Taylor said he is hoping for comments, things have been running between 120-150 days at DOT. He anticipates at least one more review cycle with them, so we are hoping for permits in Spring 2023.

Mr. Boccanfuso asked Mr. Taylor about the egress left turn onto Woodward Road. There has been discussion about this notably at the October 2021 meeting. He is concerned about potential conflicts with the queue for South bound Woodward Road. Your 95 percentile queue indicates that a portion of the time it would extend to that driveway. In addition, we have multiple lanes of traffic that need to be crossed here and conflicts with vehicles approaching North bound. Mr. Boccanfuso said this is not a simple solution. If you do not allow that left turn out of the site, you are going to have illegal lefts, someone going through Knob Hill, or people going all the way up to Iron Ore Road to make a u-turn or someone makes a right out of the site and they make an illegal u-turn in one of the commercial uses along Woodward Road. The Board has to decide whether or not they feel that the safety with these improvements provides a greater benefit than any detriment that may be associated with it.

Chief Hogan said he appreciated the efforts made by Mr. Boccanfuso to work with Mr. Taylor on this aspect of the project.

The Board took a break at 9:15 pm and returned at 9:27 pm

Mr. McNaboe thanked Mr. Taylor for explaining his proposal. Mr. McNaboe said we started this conversation several years ago when we started with the Spring Point Assisted Living. Mr. McNaboe said he did a nice job with the North bound part of Woodward as you come across the alignment. He doesn't love the u-turn from Route 33, but he understands that in order in to make this viable, that has to be there. He certainly thinks we should look at a weight limit. Small trucks, pick-up trucks, cars - can you give us a number that we would all be satisfied with. Mr. Taylor said what we typical use is an SUV30, which is basically a 30' box truck - like a UPS truck and it can accommodate that u-turn maneuver. Anything larger than that wouldn't be able to make the turn. We can

work with DOT to come up with the appropriate weight restriction for that u-turn.

Mr. McNaboe continued and said as you're going South bound on Woodward Road, what is the speed limit? Mr. Taylor said it's 35 MPH. Mr. McNaboe said it is presently, and will continue to make a right on red? Mr. Taylor said yes it is presently a right on red, and I believe we are eliminating the right turn on red because of the u-turn maneuver. Mr. McNaboe said Route 33 West bound - he agrees with trying to get people out of the lane. Anywhere that we have done this, whether it's our warehouse that has preliminary approvals, there is a third lane fully marked so that as you come out of a traffic light you are able to move right. He likes the idea of marking the shoulders, if not, he believes there is one through lane and the other one people will be driving at a slow speed.

Mr. Taylor asked so you want the 12' shoulder, striped as it is? He said essentially you have that full width third lane, even though it's not striped with dashes as a through lane. Mr. McNaboe asked that Mr. Taylor and Mr. Boccanfuso work out the details on this matter.

Mr. McNaboe said as you are heading South bound on Woodward Road, you have a dedicated left, a through lane and a dedicated right. Did you look at making a dedicated left - a straight through and a left, and then a right and pull the queuing towards Route 33 and then make your argument that we are about to start to discuss? Mr. Taylor said yes we did. We investigated a lot of different alternatives in order to facilitate the traffic associated with this, but also the existing deficiencies of the intersection. When you add a second left turn lane, you then have to split the phases - North bound/South bound. You can't turn two left turn lanes across any through movements. What happens is, there is not enough green time within the overall cycle length to accommodate that. It just isn't feasible because of the timing.

Mr. McNaboe said several years ago, we talked about not putting the curbs in, even in front of Spring Point, because we weren't sure how far we were running improvements, whether it was going to be a single or double lane. If you are at a single lane, turning into Spring Point - does it make sense to pull those curbs and keep them wider going back? Mr. Taylor said every left that is going into the properties opposite us on the East side, has a dedicated left turn lane. There is a two way left turn lane that runs that entire length starting with the existing left into WaWa, but also into Sportika. Every left turn as you come South, is provided a refuge out of the through movement. The real bottleneck is that intersection. Mr. McNaboe asked Mr. Taylor if he is aware of the proposed updates to Sportika. Mr. Taylor said he is aware and he thinks it will drastically reduce the traffic along Woodward Road due to the change of use that is proposed to the facility.

Mr. McNaboe said when Spring Point appeared before the Board, he thought he was quite clear regarding a cross easement and that this would be done with the future projects. He anticipated the left out and tried to address that. Back then we decided that a conversation would be on a future date - well here we are tonight. He asked why aren't we using a cross easement? Mr. Taylor said he would reiterate what he said at the time and also at the October 2021 meeting. In his opinion, as a traffic engineer, they are not compatible uses. We're talking about a residential use for the assisted living, and then a retail use on the corner. The ability to drive retail traffic through this residential use doesn't make sense. You are going to have an interaction between families coming to visit, and somebody coming out of the Burger King. As a traffic engineer, it doesn't make engineering sense to do that because of the non compatibility of the uses. Also, the driveway that we are proposing operates safely and efficiently and it greatly enhanced by the work we have done along with the professionals to further provide the refuge for vehicles coming out.

Mr. McNaboe spoke to individuals that work on the roads around the town and have management levels for the Township. One of things he is concerned with is that there is a similar situation at Taylor Mills Road where there is a left turn out of a fast food restaurant, as well as an office building, and it is a disaster getting out of there. Today, we look back and say who designed this mess? So ten years from now - he doesn't want somebody saying who possibility voted for this? He wants to make sure everything is safe and right.

Mr. Taylor said it is his job to make safe and efficient traffic improvements. The capacity on Woodward Road can accommodate the traffic. The queues are relatively short based on the analysis that we have done. We have also provided clear site lines in both directions. Mr. McNaboe stated the left turn out is still making him feel uncomfortable.

Ms. Beahm added that when asked about the cross access easement, the argument is that it is residential vs. retail - that was always the intention. She does not agree that it is residential, it's more institutional. That very issue was brought up when the assisted living was proposed. It was specifically discussed and this shouldn't be a shocker to anybody. The argument that this is incompatible, she doesn't believe it carries much weight considering this is an issue that was discussed three years ago. Previously that applicant stated that the topography wouldn't allow for the easement, but now it's incompatible - get your story straight and figure out what the deal is. The employees of the assisted living would be leaving the facility for food/retail. Mr. Wolfson said his take on what happened for the approval on the assisted living was we agreed to disagree; there was extensive discussions and we worked through that to preserve that discussion. The resolution specifically says that the easement would not preclude this discussion. We're not shocked we are having the discussion, but our take, and as evidenced by the resolution is, that we were

going to come back and have this conversation. Ms. Beahm doesn't disagree with that but she doesn't agree with incapability conversation. Ms. Beahm read from the resolution, "the applicant agreed to provide a cross access easement between the proposed assisted living and the commercial retail. The applicant however was clear that this did not foreclose or in any way limit the right to construct the driveway. It was understood the existence of an easement would not serve as the alternative."

Mr. Wolfson said we had a chance to discuss some of the issues raised, and he can say that the applicant is very happy to work with your professionals to come up with a means of access to the retail site for the employees at the assisted living. We addressed that concern and we expect that would be a condition to approval. Mr. Taylor said it's a pedestrian access to the assisted living, and not vehicular.

Ms. Beahm asked for confirmation that these are leased spaces, not for sale. When this site is fully tenanted, there will be someone in charge of the property and if a tractor trailer is parked on the side of Woodward Road that there will be a responsible party that is accountable for that, correct? Mr. Wolfson said that is correct.

Mr. Wolfson asked if Chair Kwaak would like to open the floor to the public to see if they had questions for the engineer and architect to close them out.

Chair Kwaak opened the floor to the public, seeing none she closed public. Mr. Wolfson asked would it be acceptable to not bring the architect and engineer back for a future meeting. Mr. McNaboe asked who would handle the questions about sidewalk/curbing? Mr. Wolfson said we are able to accommodate making a hard surface for the walkway on our property as it is currently configured, outside of any wetlands or buffer constraints.

Mr. McNaboe stated he would like to further address the number of pylon signs for this property.

Mr. Karp stated that the application of PPM2104, Stavola Asphalt Company will be carried to the October 13, 2022 Planning Board meeting with no further notice to property owners.

Chairwoman Kwaak opened the floor to the public for questions or comments. Seeing none, the public section was closed. The next meeting is August 25, 2022.

Mr. Jacobson made a Motion to end the meeting at 11:05 pm and it was agreed to by all.

Respectfully submitted,

A handwritten signature in blue ink, reading "Lisa Urso-Nosseir". The signature is written in a cursive, flowing style with a large initial "L".

Lisa Urso-Nosseir
Recording Secretary