

In compliance with the Open Public Meetings Act of the State of New Jersey adequate notice of this meeting has been mailed to The Daily Record and posted at the municipal building.

ROLL CALL:

Members Present: Joe Fleischner, Judy Johnson, David Koptyra, Dan Nelsen (7:05), Nelson Russell, Brian Schaechter, Frank Wilpert, Jr., Kim Mott, Sandra Stotler, Howie Weiss

Members Excused: John Mania

Professionals Attending: Chuck McGroarty, Planning Consultant, Eugene Buczynski, Township Engineer, Tiena Cofoni, Esq., Catherine Natafalusy, Planning Administrator/Secretary

Professionals Excused: Edward Buzak, Esq.

MR. WEISS: Thank you before we get into any of our agenda I do need to apologize first to the public who came out this evening, I need to start our meeting in closed session I give you my word it will be no more than five minutes. But I'm going to need everyone to leave the room for five minutes but first we'll need a motion from the Planning Board to go to executive session.

MR. FLEISCHNER: I move we go to executive session.

MR. RUSSELL: Second.

MR. WEISS: All in favor?

EVERYONE: Aye.

(MEETING ADJOURNED FOR EXECUTIVE SESSION AT 7:05 P.M.)

(MEETING OPENED FOR PUBLIC MEETING)

APPROVAL OF MINUTES

November 13, 2014 Public Meeting

Motion: Joe Fleischner
Second: Brian Schaechter

Roll Call:

Joe Fleischner - yes
Judy Johnson - yes
David Koptyra - yes
Nelson Russell - yes
Brian Schaechter - yes
Kim Mott - yes
Sandra Stotler - yes

COMMITTEE REPORTS

MR. WEISS: Okay we go into committee reports. Judy anything from the Mayor?

MS. JOHNSON: I have no Mayor's report tonight.

MR. WEISS: Thank you. John Mania is not here, Nelson anything from the environmental commission?

MR. RUSSELL: No and that's (inaudible) last meeting.

MR. WEISS: You did have a report last week. Joe anything from the ordinance committee?

MR. FLEISCHNER: No.

MR. WEISS: I have nothing from the street naming committee. David?

MR. KOPTYRA: No.

MR. WEISS: Okay that was nice and quick.

EXTENSION REQUEST

APPLICATION #PB 13-19 – KEVIN DORLON – (Block 8500, Lot 13)

MR. WEISS: We have our one extension request which is PB 13-19 Kevin Dorlon and I am going to remove myself from the Planning Board. As you know I am actively involved in this process. Joe if you would take over I'm going to step down.

MR. FLEISCHNER: Kevin? Tiena we have to swear Kevin in.

(KEVIN DORLON SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last and giving your business address for the record please.

MR. DORLON: Kevin Dorlon (D-O-R-L-O-N) my business is All Seasons General Contracting the address is 43 Flocktown Road, Long Valley, New Jersey.

MS. COFONI: Thank you.

MR. FLEISCHNER: Kevin is here this evening to ask for an extension on the d variance that was approved, what was the date it was approved?

MS. COFONI: December 12, 2013.

MR. FLEISCHNER: The floor is yours do you want to explain why you need the extension.

MR. DORLON: Yes I don't know if any of the Board members have noticed but I have actively been cleaning the project as well as working with my professionals to move all of the paperwork forward. Things are moving along very nicely in fact we're about 100 percent complete on both ends and I started the financial side of the project just recently and it's kind of difficult to secure financing I just need a little more time to do that.

MR. FLEISCHNER: And you're looking for how long of an extension?

MR. DORLON: A year or two whatever you guys could . . .

MR. FLEISCHNER: A year or two, which . . .

MR. DORLON: Two years.

MR. FLEISCHNER: And I will comment you've done a nice job in cleaning up the property.

MR. DORLON: Thank you very much.

MR. FLEISCHNER: It's quite a difference from what it was before.

MR. DORLON: Thank you.

MR. FLEISCHNER: Chuck?

MR. MCGROARTY: I'm just asking Tiena about the period of time, on a final it's three one year extension right?

MS. COFONI: Well is this an extension for the . . . I don't think this is an extension for that because he has . . . this is just for the variance.

MR. MCGROARTY: Oh this is for the variance.

MS. COFONI: Right. This is just for the variance not for site plan.

MS. NATAFALUSY: He did get preliminary and final.

MS. COFONI: Yeah but are you seeking an extension for your preliminary and final site plan as well?

MR. DORLON: Yes.

MS. COFONI: That hasn't expired yet.

MR. MCGROARTY: Not even the preliminary the final at this point has a period of two years of protection.

MS. COFONI: Right so you don't need that yet.

MR. DORLON: Okay.

MR. MCGROARTY: Yeah and the d variance ought to be simultaneous should it?

MS. COFONI: Well if you grant a one extension then they will be simultaneous.

MR. FLEISCHNER: Would you be okay with that so it will align with the . . . because you're going to have to come back in a year.

MR. DORLON: Yeah absolutely. I'd be fine with that I mean we've been actively pursuing the financing and I'm anticipating to be breaking ground in April to build the project because like I said my professionals have put everything in order. We're ready to go I just have to find the money.

MS. COFONI: So a one year variance would mean you'd come back if you need an extension, you'd come back for an extension of the variance and the site plan approvals all at the same time.

MR. DORLON: I understand.

MS. COFONI: I think that makes sense.

MR. FLEISCHNER: Gene do you have any . . .

MR. BUCZYNSKI: I agree.

MR. FLEISCHNER: Any comments from the Board?

MR. SCHAECHTER: We couldn't extend the site plan now just to do them both?

MR. MCGROARTY: Yeah but it's still under the period of protection.

MS. COFONI: I would recommend granting an extension a year ahead of time.

MR. FLEISCHNER: Anything else Mr. Dorlon you want to add to that?

MR. DORLON: No sir.

MR. FLEISCHNER: That being the case is there anyone from the public that wishes to question Mr. Dorlon? Seeing none I close it to the public, any comments from any Board members? Seeing none may I hear a motion please?

MR. NELSEN: I'll motion to approve PB 13-19 for one year so that it aligns with the other approvals.

MR. WILPERT: I'll second.

MS. NATAFALUSY: Do we do the seven again or do we . . . there's eight members would they all vote or is it just seven out of the eight.

MS. COFONI: Oh yeah do seven.

MS. NATAFALUSY: Joe Fleischner - yes
David Koptyra - yes
Dan Nelsen - yes
Nelson Russell - yes
Brian Schaechter - yes
Frank Wilpert - yes
Kim Mott - yes

MR. FLEISCHNER: Thank you Mr. Dorlon.

MR. DORLON: Thank you very much everybody.

MR. FLEISCHNER: Let the record now show that Mr. Weiss is resuming his Chairmanship.

MR. WEISS: Joe thank you very much.

APPLICATION #PB 14-20 – EDWARD NEWHAUSER – (Block 4100, Lot 94)

MR. WEISS: Okay we have originally two developmental matters on the agenda, the first one PB 14-20 is not being heard tonight if anybody is here for that application it will be carried until January . . .

MS. NATAFALUSY: He didn't notice so there's not going to be anybody here for the application anyway.

MS. COFONI: He didn't provide any notice?

MS. NATAFALUSY: He didn't provide any notice that's why he's not on.

MR. WEISS: Okay that's not on the agenda tonight if anybody is here for that it will rescheduled.

APPLICATION #PB 14-03 – ROADRANGER HOLDINGS INC. – (Block 8301, Lots 17 & 18)

MR. WEISS: Which brings us to our lone developmental matter which is PB 14-03 Roadranger Holdings a d-1 variance a d-3 variance preliminary and final site plan with bulk variances at 398/400 Route 46 West and because this is a use variance application Ms. Johnson is going to step down and that's why Mr. Mania is not here tonight. And obviously in front of us tonight we have Mr. Michael Selvaggi and I think for the record Kim Mott is going to step down.

MS. COFONI: Recuse herself from this application.

MR. WEISS: She's going to recuse herself from this application. Mr. Selvaggi just before we start I want to just review, I have some notes from our October 9 meeting and then I'll give it back over to you.

MR. SELVAGGI: Okay.

MR. WEISS: We started this application on October 9 we heard from Mr. Matt Mulhall which is your hydrogeologist, we had two exhibits A-1 and A-2 for the record so any kind of exhibit we'll start tonight at A-3.

MR. SELVAGGI: Yes.

MR. WEISS: And I won't steel any of your thunder that's where my notes show we left off.

MR. SELVAGGI: Okay.

MR. WEISS: Hold on one second, Catherine?

MR. NATAFALUSY: Sandra and Dan were not here for the last meeting so if there is a vote tonight they can't vote. If it's carried they'll have to read the transcripts . . .

MR. WEISS: And although I won't speak for the applicant I do not believe we're going to finish this tonight.

MS. NATAFALUSY: Okay I'm just putting it on the record.

MR. WEISS: Okay and Michael is that accurate?

MR. SELVAGGI: Yeah I mean we'd like to but I know you know we'll go as quickly as we can. I know Matt Mulhall was asked to come back he's on vacation. And you know just to go quickly into what we have, based on the last meeting there was a rather significant revamping of the plan. So although I understand the missing Board members have to listen to the tape, the good news for you at least from the Civil Engineering standpoint you haven't missed much. Because following comments made by Mr. Fleischner and some others about access in and out we went back to the drawing board so to speak and came up with a proposal that addresses some of the preliminary concerns and we've also done a more elaborate traffic study to hopefully give the Board members and members of the public a comfort level so that they know that this site will work from a public safety standpoint in and out. So we really starting over so to the Chairman's point while we'd like to finish tonight as every applicant would, we will certainly try to go as quickly as we can to get through witnesses I think realistically it may be difficult. But what we should do is start with Mr. Glasson who had testified previously on this matter. Jim . . he was sworn last time.

MS. NATAFALUSY: Just one thing we're going to need an extension, I don't want to forget that tonight by the end of the night.

MR. SELVAGGI: Okay yeah that's fine.

MS. COFONI: Mr. Glasson you remain under oath.

MR. SELVAGGI: And just . . . you know I know Jim has been here quite frequently and you guys are always gracious enough to accept his credentials. We do have a resume just for maybe people in the public that I'd like to submit that I'd like to submit as A-3 I guess?

MS. COFONI: Sure.

MR. SELVAGGI: Of Mr. Glasson just so the record is clear. Jim why don't we pick up with . . . or restart I guess is a better term on the bottom of the easel we have a colored drawing which is a new drawing correct?

MR. GLASSON: No that actually is, just so I can quickly talk about two months ago for the Board this is A-2, before I get into what we're proposing I just want to refresh everyone's memory on what we had started with. Again this is Lots 17 & 18 in Block 8301 it's at the intersection of the southern side of this drawing is Route 46 at the northern side of Sand Shore Road it's at that intersection it's the triangular piece. It's the property that previously had a residential home on it as well as I'll call it a garage area on it that were recently removed. When we appeared before the Board last month we appeared with a proposal for a BP Gas Station with pumps and three islands that ran parallel to Route 46 in this fashion. And at that time we had a single entrance off of Route 46 and two exits onto Sand Shore Road. One exit located approximately 90 feet from the intersection of Sand Shore and Route 46 and another one located about 165 feet. We had no entry from Sand Shore Road these were just strictly exits. And based upon comments and comments regarding turning movements and comments regarding entrance and exits and the alignment of things we have now come up with a complete new layout that's part of your site plan that you have before you.

MR. SELVAGGI: And let's mark this A-4 before you identify it.

MR. GLASSON: This is sheet 4 of 12 it's part of my site plan it also has some landscaping and some coloring added.

MR. SELVAGGI: And you're A-4 is the caption of the title of it down in the right hand corner?

MR. GLASSON: A-4 is Site Layout Plan Rendering.

MS. COFONI: And what is the date on that Mr. Glasson?

MR. GLASSON: 3/14/14 last revised 12/5/14.

MR. SELVAGGI: And down below you've kept A-2 which shows the original rendering.

MR. GLASSON: Correct.

MR. SELVAGGI: Relying on A-4 and drawing comparisons when appropriate what were the changes that the applicant has agreed to or is proposing in light of or in response to the comments received?

MR. GLASSON: Okay the main revision to this, well first of all let me just go through this again. Our entrance off of Route 46 remains somewhat identical in that it's a 15 foot wide entrance located in the same position. But the main I'm going to say two differences in this proposal are the pumps now which previously ran parallel to Route 46 and previously there were six actual fueling positions with three stacked pump islands, the pumps now are running perpendicular to Route 46 facing Sand Shore Road and there are four fueling positions versus six they're no longer stacked pumped isles they're a single pump isle across. That's one of the main changes. The second main change is we've eliminated the exit that was located closest to Sand Shore Road and I've shown it on this plan with black just so you can see it. That's where that previous location was. That was a single exit that was located about 90 feet from the intersection of Sand Shore Road and Route 46. We now have entrance/exit, ingress/egress off of Sand Shore Road that's located approximately 170, 175 feet from Sand Shore Road and Route 46 which is somewhat close to the area of the what I'll call the old exit only out onto Route 46 and it (inaudible) to Sand Shore Road in the previously plan. The fueling positions have three pump areas, the four lanes; the four lanes vary in size from 10 foot down to 11-1/2 foot for the center lanes. There is, what this layout does is it provides a through road or a through passage around the pumps; it also provides a way for anyone to enter the site, come into the pumps from any direction. There is one turning movement that is somewhat prohibiting and if you look at your site plans that you have this is actually my sheet 5 of 12 that's before you as part of your plans.

MR. SELVAGGI: This is the one last revised?

MR. GLASSON: Yeah this is the same thing that you actually have before you, the same plans Grading & Utility Plans sheet 5 of 12. If you look in the lower left corner of that plan it shows car turning movements. The first depiction is car turning movements off of Route 46 and it shows how cars access each of the pump areas, the four pump lanes. The second detail is car turning movements entering from Sand Shore Road and it shows how cars entering these pumps from the opposite direction can obtain an exit back out onto Sand Shore Road being that the Route 46 would be an entrance only. There is one turning movement that is prohibited, the second turning lane or the second pump lane as you can see on the second detail shows no entrance this lane. And what it does is in order to get out of that lane if you pull in off of Sand Shore Road you would actually have to . . . you wouldn't make a clean turn you wouldn't make a clean turn back out n that thruway, if you went through the other pump lane you wouldn't make a clear transition. So you would have to actually stop your car and almost have a "K" turning motion where you come out of that pump, you back up for a second and then come around. So that is a prohibited movement we are going to sign that accordingly it would have to be something that would be policed internally but that is the one turning movement that we have that is prohibitive with this layout. Any other position coming in, the four positions are accessible and usable and coming in from and that will be coming in from Route 46 and going from Sand Shore Road three of the four are accessible and usable with a single turning movement. So that means you can pull out of the pump and make a single turning movement and get right back out of the site. The only one that's prohibited is that second lane and that's why I'm showing you that just to be clear that . . . and that would correspond to my exhibit to this lane here entering from Sand Shore into this lane. What would be prohibitive would be you pull out of this lane here and to make that turning movement around there that radius would be prohibitive to a car. To make that turning movement run out of that existing lane on the other side would be prohibitive to a car in that a car would pull out and have to back up and pull forward.

MR. SELVAGGI: So we're going to sign it . . .

MR. GLASSON: We're going to sign it accordingly that's all we can do it's an internal problem with the site that we would have to sign accordingly. It's not that someone couldn't get out of that position but they would have to make a turning movement to do so.

MR. WEISS: Jim is that accurate coming in from Route 46 or only . . .

MR. GLASSON: Only from Sand Shore Road.

MR. WEISS: Only from Sand Shore Road.

MR. GLASSON: Only from Sand Shore Road, Route 46 (inaudible) easily obtained all of those movements are shown in that first left hand sketch on the bottom.

MR. FLEISCHNER: Mr. Chairman?

MR. WEISS: Joe?

MR. FLEISCHNER: How many feet are those pumps from Sand Shore and from the highway?

MR. GLASSON: The pumps from the . . . okay this is a tricky question in that the pumps are 23 feet from the highway property line or from the actual highway there's about 7 more feet so they're actually 30 feet from the highway, from the lane of the highway and then when you go to Sand Shore Road the closest pump is 8.9 but you have a distance to the traveled way of 23 feet. So that's about 31 feet to the traveled way of Sand Shore.

MR. FLEISCHNER: And you're aware that the ordinance says 60 feet.

MR. GLASSON: I'm going to address that. But physically to our property line and it should be recognized that the right-of-way of Sand Shore Road is actually 66 feet wide. Most of your right-of-ways in town are 50 foot wide that's why the building that was previously on the property and it was shown on my existing conditions that I testified to last month there were two buildings on the property and both of those buildings as you can see were over the property line.

MR. WEISS: And Jim you're looking at A-1 is that right?

MR. GLASSON: I'm looking at A-1, I'm sorry. The property line previously was further out and there was a taking at one point to make this a 66 foot right-of-way. You could consult with your engineer as to whether 66 feet is really a required right-of-way or a customary right-of-way now, it was at that time. Everything was 66 feet and that's why that property line actually on the existing buildings is actually ran through the buildings. So when those buildings were taken down a portion of those buildings were actually in the right-of-way. Okay our building as previously presented to the Board we had a small building that was located centrally on this site and that was on the north side of the pump area and it was a 264 square foot building. What we've done on the new layout is we've relocated the building to the westerly end of the site and where we had previously had parking spaces at the end we've now pulled those parking spaces in on the site. As you'll recall previously we had a handicap access way that was actually in the town's right-of-way we've pulled those spaces further into the site, put the small one-story I'm going to call it a rest room and vending machine building on the far end of the site on this westerly end. The building is now only 128 square feet it was previously 264 square feet, it's only a 7-1/2 foot wide building by 17 foot long it is strictly for a handicap bathroom, realistically there will be maybe one or two vending machines. As the owner will testify there's a lot of I'm going to say associated with the pumps that will be in this building, on the wall in this building. So it will be very limited to the amount of area that would be able to be used for a vending machine so it's strictly it's really more a restroom building than an area for the telemetry for the gas pumps. We pulled those parking spaces now that were previously located somewhat into the right-of-way and pulled them into our site we still have a handicap spot and a handicap access and now that coincides to the front entrance to this building. And then we have an employee parking spot and we were able to now make that 9 by 20 whereas previously we had asked for a design waiver for the parking space size. We have directional signage located internally just trying to prohibit from ever having a turning movement if they try to exit to out we have directional signage here, we have directional signage for the handicap spot, we have directional signage to our stop signs and striping to promote the flow of traffic around this site. On the northern end of the site with the previous application if you recall we did a widening it's this grayer area we did a widening on Sand Shore Road. That widening was to coincide with the bank, the bank down here has widening up to our easterly end of our site and that widening was about 8 feet and it provided a shoulder down by the bank area. We've continued that widening through our site and it basically . . . and a new curbing across that whole area and it basically ties in before the Sand Shore Road/Route 46 intersection. In conjunction with that widening we've, I think we've come up with a pretty unique idea I know it needs to go to the Council for approval but we've taken our loading space if you recall last month we talked about having an internal loading space that was pretty prohibitive in the size truck that we would have. We had an internal loading space located within the site and it really kind of prohibited us from making this an entrance/exit because we have a loading zone within the site. We've taken that area that's right-of-way we still have the 8 foot proposed shoulder but we put a

loading space, it is actually within the town's right-of-way we would need to obtain permission to do this, but we have a loading space that could accommodate a full tanker, a full WB50 truck for access into a loading space. And what we've done is we've taken our tanking internally within our site and taking it by piping to a remote fill area located here within our property. So a truck would pull in and a truck would be able to access this loading space, the loading space is 8 by 60 and it is located outside the 8 foot shoulder and it would be curbed and then that truck would be able to offload to this remote fill area and not have to enter the site. So we tried to eliminate that restriction of . . .

MR. FLEISCHNER: If I may how does the truck get to that loading space?

MR. GLASSON: Okay any truck that would be delivering to this site would be, as Mr. Sandhu will testify to, he schedules with a specific trucking company. Specifically he is able to line up his trucks to come when they want and how they . . .

MR. FLEISCHNER: I understand that but how?

MR. GLASSON: Okay let me explain. They would all be traveling in the westbound direction because they're going to be coming from the Linden area. They will travel in a westbound direction they would have to go down Route 46 make the U-turn come back up to this light make the turn so that they're coming in this lane and then they would just pull off. And then they would exit the site in a straight easterly direction traveling on Sand Shore Road to Smithtown Road make a right and back onto Route 46.

MR. FLEISCHNER: So they would stay on Sand Shore and they're going to go down the hill on Smithtown.

MR. GLASSON: Yes.

MR. FLEISCHNER: Now there is a left turn lane on Route 46 to go into that road, what is the length of the turning lane and the length of the truck?

MR. GLASSON: I'll let our traffic engineer give you more . . . he's going to testify.

MR. FLEISCHNER: Okay. Because I think the truck, my own personal opinion I don't want to testify, but you've got an issue there.

MR. SELVAGGI: But you already have an industrial property on Sand Shore which can accommodate tractor trailers.

MR. GLASSON: I have already designed two of the sites on Sand Shore directly across from this in the industrial park that have tractor trailer access.

MR. FLEISCHNER: No I mean when you're coming up Hackettstown hill and you want to make the left onto Sand Shore Road you can get I believe three cars in queue to make the turn. So my question is if you've got a truck full of gasoline and two cars want to make a left turn at the same time where do they go? Do they just still sit in the left bound lane of Route 46?

MR. WEISS: Joe you know I don't want to interrupt but I did hear Jim say that the traffic engineer will testify. But that's a good question but I don't know if Jim is the right person.

MR. FLEISCHNER: Okay sorry Jim.

MR. GLASSON: That's all right.

MR. NELSEN: Jim I have one question. The positioning of the truck where it would be loading is that on the property or in that . . .

MR. GLASSON: No it's in the right-of-way.

MR. NELSEN: It's in the right-of-way.

MR. GLASSON: And we would have to go to the Council to get that.

MR. NELSEN: The curbing that you intend to put in is that on the outside of the right-of-way?

MR. GLASSON: We're putting new curbing on the entire . . . in the town's right-of-way on the entire Sand Shore Road.

MR. NELSEN: Right so will this truck be on the inside of the curbing or the outside?

MR. GLASSON: The curbing will be on the outside.

MR. NELSEN: Okay so then there's a cut out there for that truck to enter?

MR. GLASSON: Yes there's a cut out I didn't make that clear there is an actual loading space cut out with tapers and a full loading space. So there's an 8 by 60 loading space with tapers on each end with the curbing and it would be signed accordingly and striped accordingly but it would be in the town's right-of-way.

MR. BUCZYNSKI: Jim just a clarification on that, that isn't just off the edge of pavement that's off the shoulder lane correct?

MR. GLASSON: Yes so there's an 8 foot separation. We have a 22 foot wide two-way traffic way within Sand Shore Road, then we have an 8 foot proposed shoulder then we have the 8 foot loading space. So its 8 feet outside of the traveled way before the loading space even starts.

MR. SELVAGGI: So when the truck is loading it should not interfere with traffic going eastbound on Sand Shore Road.

MR. GLASSON: Correct it will be 8 feet away from the traveled way. I can answer your question only because my traffic engineer just gave me some excellent data. There's 200 feet of queuing area located making a left hand turn off of Route 46 traveling in the eastbound direction and making that left hand turn. There's a 200 foot queuing lane.

MR. FLEISCHNER: Okay.

MR. WEISS: Brian?

MR. SCHAECHTER: Hey Jim if they offload that truck at night how well lit is that loading area going to be?

MR. GLASSON: It's not lit right now I mean we can light it but he will not schedule deliveries in that fashion. The advantage of this quite frankly is we don't have to bring trucks through the site; he can schedule deliveries whenever he wants. He can prohibit deliveries that late at night I mean he can prohibit anything after dark if he wants. The beauty of this is we no longer have to basically kind of congest our site. I know it's within the town's right-of-way but he can literally schedule a delivery at a certain time of day and not have it come at night if we don't want to put light out there. I'll let Mr. Sandhu kind of comment on that but we hadn't planned on having deliveries at night.

MR. SELVAGGI: And we're not going to light the area either so if that was a concern . . .

MR. GLASSON: That is the wooded portion or the area of our site where we really have nothing going on. We could light it but we're not planning on . . . we would be able to schedule our deliveries and he runs another five other gas stations he would be able to provide testimony to how he schedules deliveries. As was, and I don't even remember last month if I even got to this, but let me go through our utilities on-site. In the absence of any public water or public sewer system we have an on lot septic system proposed here it's the same location as it was proposed on the previous plan. There's a disposal bed proposed out here this is actually what was Lot 17 the real advantage for us obtaining Lot 17 as you recall or if you were on the Board I appeared a number of years ago with an application on only Lot 18. The advantage for us for obtaining Lot 17 due to the Highlands was not so much for coverage because of the Highlands it was somewhat or very restrictive. But the major advantage for us obtaining this property was to put a septic system. We have very, almost no coverage at all on what was Lot 17 but we do have a septic system here and we did testing for that and it's a pump system and all it does is supply septic for this single bathroom that will be in here this handicap bathroom. But basically it would run through a lateral to a septic tank or to a series of two septic tanks a pump tank and then to that disposal bed. Our well as you recall last month we had some comments from the Health Department. Our well last month was located all the way here at the western end of the site, basically we were kind of shoehorned into that end and we did not meet the township's requirements of setback of 10 feet

from the property lines. By shifting our building further in and our parking further in we have now accommodated a well that can conform with the town's requirements. I met with the Health Officer and we went over this and we conform to the 10 foot side setbacks and we also have sufficient distance from the building. So our well should be approvable from a town standpoint. For our drainage we have relatively the same type of drainage system that we had last month, it's a different drainage area but we have an inlet located in this corner of the site and we have a drywell system that's located under the parking area. That drywell system is designed to handle the increase in the 100 year storm. We did a soil log back a number of years ago that showed we had sufficient soils and I revised the drainage report accordingly with the new layout. For our electrical utilities we're going to take underground for Route 46, the only other utility that I wanted to talk to you about is just our refuse. We have a small dumpster area, the dumpster area last month shows it in the same location. This is last month it's a 3 by 5 dumpster area the garbage generated from the site will strictly be by the cans that are located in the islands that you normally pull into a station and empty your garbage from your car and there will be a can in here. There's not going to be a lot of garbage generated because there really is no store location here it's more if there's garbage from the vending machine or bathrooms and these garbage cans here so we only have a 3 by 5 fenced enclosure in that location. Landscaping my site plan has a landscaping plan, I know the planner had a comment on his addendum to his report this month that we were removing additional trees we originally had a replacement tree requirement of I believe 14 and we had 20 trees proposed and we tried to mix in with our revision some of the native trees which are Red Oak and we showed I guess about 8 Red Oaks and about 12 other of these Leland Cypress for a 20 count of replacement trees. We are taking down 4 additional trees within the right-of-way for this loading space so that would account for another 29 required trees. We have 20 proposed we would add an additional 9 trees and we could add them of native species of those trees that are taken down. So we could conform with that requirement. We've shown various other, I believe there's an additional 94, 95 shrubs around the property, we have a row of Boxwoods along Route 46 basically a buffer of Route 46 from the pump area. The majority of the corner is left as grass anything that you put out here in this corner is going to have a rough time because of the salts in the road so we've kept plantings around the building area with islands at the entrances and exits for shrubbery. For our site lighting I have a lighting plan and we have on the lighting plan we have two pole mounted lights at a height of 15 feet one located here on the east side of the gas area and one located on the west side of the gas area. And in conjunction with these gas pumps we have an overhead canopy. That canopy basically is this white area that you see and that canopy is 20 by 56 and that canopy is at a height to the bottom of 15 feet, to the top 18 feet so it would have a band around the canopy of roughly 3 feet it would have a flat top. The architect is here to provide testimony regarding the look of the canopy and what the graphics are on the canopy but that canopy would be located as close as 15 feet from Route 46 and as close as again .2 feet to the right-of-way of Sand Shore Road. Again Sand Shore Road's right-of-way is 66 feet it would be located approximately 23.2 feet from the traveled way of Sand Shore Road.

MR. RUSSELL: Is it the Highlands that keeps you from flipping those two?

MR. GLASSON: Yes the Highlands basically takes this lot and takes it out of the game. That's the problem with the Highlands I mean that's the problem with the way the Highlands is . . . to relate the Highlands to a site like this you get coverage where coverage is and they're very inflexible. Unless you have over an acre of coverage on a property you can't move coverage. If you take coverage away you lose it so it's restrictive when you have a small property you almost have to put coverage back where coverage is.

MR. FLEISCHNER: How wide is the actual asphalt on Sand Shore, the actual asphalt?

MR. GLASSON: Right now the traveled way right now is 22 feet wide. We're proposing an 8 foot shoulder that is the . . . it's actually wider down by the bank because they've already done the widening so they already have the 8 foot shoulder.

MR. FLEISCHNER: No, no I understand.

MR. GLASSON: So we're proposing to widen that with the shoulder to 30 feet and that will be paved for 30 feet, still keeping the 22 foot traveled way and an 8 foot shoulder and then we would have that loading space also outside of that. So if you were to take the whole width it would be 22 plus 8 plus 8.

MR. FLEISCHNER: So when cars are traveling, and I don't know if you're the person I should be asking, you cut down in half because you've got a stripe down the middle so it's 11 feet on each side.

MR. GLASSON: Right and that is the striped lane.

- MR. FLEISCHNER: All right but no vehicle rides or should not be riding the line.
- MR. GLASSON: Right.
- MR. FLEISCHNER: So therefore what we're talking about is maybe if you're a foot off the line, 2 feet I don't know so maybe what we're talking about is driving area of what, 9 feet, 8 feet?
- MR. GLASSON: 8 feet.
- MR. FLEISCHNER: Okay 8 feet and a car is about the width is about 72 inches, 5 feet wide?
- MR. GLASSON: Yeah.
- MR. FLEISCHNER: Okay so when you've got a
- MR. SCHAECHTER: A truck is 110.
- MR. FLEISCHNER: Right in length. No I'm just saying
- MR. SCHAECHTER: An 18 wheeler is 110 inches wide.
- MR. FLEISCHNER: Okay so my concern is if two cars are crossing and your loading gasoline the window is like . . .
- MR. GLASSON: Well it's a minimum of 8 feet plus the distance the car is within that lane.
- MR. FLEISCHNER: The concern that is going through my mind I see so many people because I come up Hackettstown hill all the time and they really want to get into the bank because you can't make a left on Route 46 to get into the bank. And I see people going to get into the bank and unfortunately they're also on their cell phones or not really paying attention and the cars are kind of wobbling there and I'm thinking well are they still going to pay attention when there's a gas truck sitting there. I mean it's a concern I have.
- MR. SELVAGGI: I think the gas truck will be there when nobody is going to the bank.
- MR. MCGROARTY: But could I ask just if I may?
- MR. WEISS: Sure Chuck go ahead.
- MR. MCGROARTY: I mean if you're traveling on Sand Shore and you wanted to move over to get to the bank you might go into the shoulder area.
- MR. FLEISCHNER: Correct.
- MR. MCGROARTY: And if you did you're still separated from your proposed loading area.
- MR. GLASSON: Your nowhere near our . . . the bank is . . . there's actually a whole wooded lot that separates us from the bank. You haven't even approached the shoulder of . . .
- MR. MCGROARTY: Right so what I'm saying is if I road on the shoulder, which I shouldn't do, but if I did I'm not going to hit the truck because the truck is going to be removed from the shoulder correct?
- MR. GLASSON: The truck has its own . . . the truck will actually have a curb line that would actually surround the loading space. So if you were on the traveled way, if you pulled off of the traveled way and were driving on the shoulder you still would not have . . . you would not be able to go into the truck area unless you turned off again.
- MR. BUCZYNSKI: But it will be tight there though but you're off the roadway.
- MR. GLASSON: And I mean quite frankly I made that loading space 8 thinking I was going . . . a loading space requirement is 10 I could make that 10 and it would push the truck even 2 feet further out. I mean that would be not a problem to do it would just be more area within the town's right-of-way. But I could extend that out, right now I have an 8 by 60 loading space and I believe one of the

engineers comments is 10 by 60 is technically required. I had thought we already are given 8 feet of shoulder and that 16 feet with the loading space but I could make that loading space 10 foot wide and push it 2 feet up further over.

MR. MCGROARTY: I think Gene had that similar question. Jim do you get credit . . . first of all before you say no, are you maxed out on the 125 percent?

MR. GLASSON: Yes.

MR. MCGROARTY: Okay.

MR. BUCZYNSKI: So that would be a problem wouldn't it?

MR. GLASSON: No.

MR. MCGROARTY: So you can't add anymore impervious over there.

MR. SELVAGGI: They're not counting the road.

MR. GLASSON: It doesn't count unless it's on you're, on that property.

MR. BUCZYNSKI: Well it's not on your property.

MR. SELVAGGI: Yeah it's not on our property.

MR. BUCZYNSKI: It's in the right-of-way.

MR. GLASSON: It's in the right-of-way.

MS. NATAFALUSY: Just like if the town went to widen the road you don't have to go get a Highlands Exemption.

MR. MCGROARTY: So that was my question though if you had the opportunity to expand the loading area, do you have the opportunity to expand onto your site?

MR. GLASSON: No.

MR. MCGROARTY: Just into the road because that's where the impervious is.

MR. GLASSON: Right now I wouldn't have to, to add 2 more feet I'm still from the actual property line we're still 4-1/2 feet from the property line. So if I add an additional 2 feet and expanded that loading space from 8 to 10 I still wouldn't be on our property.

MR. MCGROARTY: And so in other words you could do it and not run a fowl of your Highlands . . .

MR. GLASSON: Correct.

MR. BUCZYNSKI: It would probably just be helpful from a safety standpoint to bring it a couple 2 feet over.

MR. GLASSON: Right it would add an additional 2 feet so now if a truck pulled in there and pulled further into the space and actually pulled off further because they got 2 more feet it would push them further away.

MR. SELVAGGI: Yeah we can expand to a 10 foot width.

MR. SCHAECHTER: Hey Jim I know how wide a truck is, how long is a Class A?

MR. GLASSON: I'll let our expert talk about it. He'll be up to testify so if you want to ask him anything . . .

MR. SCHAECHTER: Well I want to know if that space is long enough so that when you pull out . . .

MR. SELVAGGI: Oh lengthwise? Yeah no, no . . .

MR. GLASSON: I'll testify the space is plenty long. Its 60 feet from straight away to straight away without even having the curb tapers.

MR. FLEISCHNER: Have you considered the piece . . . because you know the concern I have which is a serious concern is that corner cars making right turns, cars in queue, have you considered redeveloping that corner? Going to the State and say we will redevelop that corner and so that the road will be wider so people can make a right turn? Because right now . . .

MR. WEISS: Joe we can actually address that with Gene's report if you don't mind.

MR. FLEISCHNER: Oh okay all right.

MR. BUCZYNSKI: Do you want to do it now or I can do it later.

MR. WEISS: Let's let Jim take

MR. FLEISCHNER: Okay I'm sorry go on Jim.

MR. GLASSON: Okay so I was talking about the canopy and we have an architect here to talk about some canopy lighting. I was talking about the pole mounted lights we have two of those proposed. We do not have as we just discussed, we do not have any lighting proposed at that loading space we would schedule it to be after you know day light hours. I wouldn't want to put lighting up there just for the loading space, let's put it that way. It's the area of the site that's probably the most picturesque or landscaped and I mean really the majority of the development is over in this area. If we put lighting over there I don't know that it wouldn't be . . .

MR. MCGROARTY: It would look funny.

MR. GLASSON: Yeah it would look funny.

MR. SCHAECHTER: Jim what are you doing for spill containment on the

MR. GLASSON: I'm going to let somebody else . . . we have other people to talk about that.

MR. FLEISCHNER: You know you say, and I fully appreciate not putting lighting there if the gas truck only comes in the morning. Because that's what your kind of saying.

MR. GLASSON: It can come whenever we want it to come.

MR. FLEISCHNER: Right unless you need gas and then do you close the gas station down all day because you can't get a gas delivery and will get it at night? Because you can get it at night and then all of a sudden you have a night delivery.

MR. SELVAGGI: The applicant himself, I it should not . . . it would be bad management on his part if that happens.

MR. FLEISCHNER: Okay I'm good, I'm good.

MR. GLASSON: Just so you know tanking wise we have three tanks, three proposed underground tanks. We have a 20,000 gallon unleaded fuel tank which is our largest demand. We have a 4,000 gallon premium unleaded and then we have a dual tank that basically houses both kerosene and diesel fuel. So I would take it that our largest demand would be the unleaded because we have a . . . but that is our largest tank and he'll testify to how he schedules and how he gets delivery. The last item I want to talk about before I talk about the variances is our signage. When we appeared last month we had comments from Mr. McGroarty regarding our sign that was previously proposed to be placed all the way at the west end of the site. We've taken into account his comments and we've relocated our sign to the easterly end of the site. We are having a hard time with the trees that area located on Lot 16 and the trees . . . only because we don't own that property we have asked for two variances with our sign. The sign requirement is that the sign be set back 10 feet from the right-of-way line; we're proposing 2 feet which is actually about 8-1/2 feet from the traveled way of Route 46. If we put it back 10 feet it would actually be behind the tree line, this portion of the property owned by the bank is actually wooded and it continues this wood line that you see here over onto this property so it would be rough for us to get a decent view of that sign. We've also asked for a height variance, we'd come in last month

for a sign at 25 foot in height, we have a sign now at 20 feet where 15 feet is the max. so it we would ask for two variances associated with that sign. The sign is the same 7 foot wide by 12-1/2 foot high two sided sign that we came in with and they showed on my detailed sheet of my plans. I believe we have an exhibit that kind of shows what it looks like that will be presented to the Board. If I could just kind of walk through the variances they'll be planning testimony relating to them but if I can walk through the variance that we're requesting. We need variance number one for minimum lot size for both the . . .

MR. WEISS: Jim hold on one second. Chuck?

MR. MCGROARTY: Mr. Chairman I have a question about the freestanding sign. Do you want me to wait until he's finished?

MR. WEISS: No because I have a question as well.

MR. MCGROARTY: Jim I noticed, and as you said you did move it to the easterly side and I think that that's positive. Is there a reason though why it has to be as far to the east, if you moved it closer to the . . . if you moved it a little bit more west then your away from the existing tree line that you can't touch on the adjacent parcel. And it shouldn't be a problem with the entrance because it's not blocking any sight triangle right?

MR. GLASSON: No there is no sight triangle.

MR. MCGROARTY: So if you shifted it a bit more possibly you can get it and then have it conform to the 15 foot height? Something to at least think about.

MR. GLASSON: The applicant said he would be okay with the 15 feet. I'm looking at it scale wise I probably could shift it another 10 or 12 feet back and still be before the curb line entering the site.

MR. MCGROARTY: Yeah and as for the Board or at least my observation on it the setback again because it's really setback from the property line as opposed to the traveled way to me that's not an issue I mean as long as it's far enough away from the highway. So that works if you can shift it over.

MR. GLASSON: Yeah we would shift that over and that would give us a better view of it and not have the trees encumber us.

MR. WEISS: So just to confirm you're not going to ask for a 20 foot high on the sign?

MR. SELVAGGI: No we'll withdraw that.

MR. GLASSON: No we'll go for 15 but we would ask for the 2 foot versus the 10 foot setback from the property line which still enables us to be 8-1/2 feet off of he traveled way.

MR. WEISS: And Chuck you thought that was okay.

MR. MCGROARTY: Yeah I think that makes sense. In my view anyway it makes sense it will allow visibility and still keeps away from the traveled way.

MS. COFONI: And I'm sorry you're going to shift the sign to the west?

MR. SELVAGGI: Yes.

MR. GLASSON: Yeah I'm going to shift it to the west about 10 to 12 feet. Our curb opening is here I'm just estimating by the scale here that it's probably 15 feet to the beginning of that curb opening. So I'd say 10 to 12 feet will shift it west and we'll lower it in height from 20 to 15. If I can go through the variances I'm basically going to list them and tell you what they are and then there's going to be more testimony regarding them.

MR. SELVAGGI: Understanding too just on some of these Jim make sure to point out because the use is conditionally permitted these variances will sound like their bulk variances, in some respects they are, but ultimately they are variances or exceptions from the conditions that would otherwise make this a fully conforming use as a gas station in the C-2 zone.

MR. GLASSON: The first variance relates directly to a gas station and a C-2 zone lot. C-2 zoning requires 2 acres and a gas station requires 2 acres and this lot has .294 acres and that's the combination

of both lots 17 & 18. The square footage is 12,817 square feet. As we had kind of brushed upon it last time the gas pump island setback from the property line where 60 feet is required we have a setback of the middle gas pump of 8.9 feet from the property line on Sand Shore Road. As the closest point and to the traveled way on Sand Shore Road you'd add an additional 23 feet so that would be 31.9 and the gas pump island to the property line on Route 46 is 23.8 and if you added in the additional right-of-way of about 7 feet it would be about 30.8 feet. So both of those don't conform with the 60 foot requirement. Minimum distance between gas pump islands you have a requirement of 25 feet, we have gas pump islands setbacks as the two inner pump areas where we do not have two-way traffic by the way this is one way traffic where some gas pumps are set aside so you have a car entering one side, a car enter the other served by pumps on either side. We have a single lane as small as 11-1/2 feet whereas 25 feet is your ordinance with regard to distance between gas pump islands. The canopy, the canopy setback to property line requirement is 60 feet, again our canopy as I testified to earlier is as close as .2 feet to the property line on Sand Shore Road, 23 feet to the traveled way, 23.2 total and as close as 15.6 to the property line on Route 46 again another 7 feet so that would be 22.6 feet to the traveled way on Route 46.

MR. MCGROARTY: Jim on the canopy to your Route 46 side the setback . . .

MR. GLASSON: I'm sorry 14.8.

MR. MCGROARTY: 14.8.

MR. GLASSON: 14.8 I read the other side sorry. 14.8 and then you add the additional 7 if you were going to go to the traveled way that would be 21.8 where 60 is required.

MS. COFONI: 14.8? I think the plan says 15.6.

MR. MCGROARTY: On the left side.

MR. GLASSON: I made the same mistake. On the plan look at the left side of the canopy.

MR. MCGROARTY: I list them in my report too if you want to look at it but the westerly edge of the canopy is a little bit closer.

MR. GLASSON: I believe we show it correctly in our table though.

MR. MCGROARTY: Yeah you do.

MR. FLEISCHNER: An educated guess, what would you say the tallest truck, diesel truck that could pull in there for gas would be?

MR. GLASSON: I'm not going to give you that educated guess we have a lot more educated people than me to answer that.

MR. SCHAECHTER: But if you're planning it out and you've got diesel pumps (inaudible) it comes there. If an 18 wheeler wants to come in would they . . . as the planner would you be able to make that turn on an 18 wheeler.

MR. GLASSON: To come into our site?

MR. SCHAECHTER: Come in and go out.

MR. GLASSON: No, no we will not permit that. We will not permit trucks of that size we would have to sign it accordingly we will not permit . . . this is strictly going to be, how would we prohibit it we would say, it will be no trucks. But I mean other than pick-up trucks. Other than that we have minimum distance between service stations, again I think I touched upon this last month, 2500 feet is the requirement and we have a service station directly across on the westbound side the Exxon Station which is 90 feet away. We're separated by the right-of-way of Route 46 which is 90 feet. And that really is my list of my variances.

MR. SELVAGGI: Jim just we touched upon it briefly and I know Gene has raised it in his report about the Highlands. The property already has a Highlands Exemption #4?

MR. GLASSON: Yes it does.

MR. SELVAGGI: Do we have to go back and get another one in light of any changes?

MR. GLASSON: We were given a square footage and maybe Catherine could comment on this I think she talked to somebody about this, or Chuck did I'm sorry and we were given a square footage and I believe as long as we stay within that and as long as we . . . it's not so much related to the use of the property as it is the amount that was granted.

MR. BUCZYNSKI: You know really just for the record, what really bothers me with the Highland is this use you know it's in a wellhead protection area of the highlands. So Highlands won't look at it because it's already intentioned. But if you came in for an exemption under this site before the other project they would probably treat it differently.

MR. GLASSON: I don't think they would because when I deal with the Highlands they don't deal with anything but the math. They don't care about what you're doing, they don't care about what the . . .

MR. BUCZYNSKI: Even though it's a wellhead protection area of Highlands?

MR. GLASSON: They wouldn't even look at it.

MR. SELVAGGI: They look at it if you don't exceed the square footage requirement you're exempt so the Highlands Act doesn't apply.

MR. GLASSON: They quite frankly don't care about anything your doing on the site all they care about is your coverage.

MR. BUCZYNSKI: Isn't the Highlands supposed to protect the water?

MR. GLASSON: I don't understand the (inaudible) but I'm just telling you.

MR. BUCZYNSKI: That's what drives me crazy.

MR. WEISS: Chuck?

MR. MCGROARTY: What Mr. Glasson just testified to is consistent with the conversation I had with Highlands staff on this. That if it's exempt, it's exempt.

MR. BUCZYNSKI: Yeah I'm just saying it wasn't exempt. I'm saying forget the previous years just if you went in . . .

MR. GLASSON: If we went in new right now.

MR. BUCZYNSKI: New application with that they won't even look at the water.

MR. GLASSON: Never have I ever had an application to the Highlands where they ever even make a comment on the use. They are not related to the use.

MR. MCGROARTY: Well really at the moment at least for this application doesn't matter because their position is you've got the exemption for an office building . . .

MR. BUCZYNSKI: Right, understood.

MR. MCGROARTY: Yeah, no I'm not disagreeing with you Gene I'm just saying that their position is the exemption is still valid as long as you stay within the limits.

MR. GLASSON: Right.

MR. WEISS: Dan?

MR. NELSEN: Jim I had a question I think this is to you. Regarding the parking, you said you have one parking space. I was reading that Sergeant Pocquat had given us some information he was concerned about if you needed additional employees to get there they would have to park across the street?

MR. GLASSON: Well I know that the client is going to talk about the number of employees and what he uses in all his stations and he'll talk about that but a single employee is all that will be needed at this station. He has other stations in town that have 12 pumping positions and have two employees and this has four pumping positions. He would not have . . . if he employed two employees at this site he wouldn't make money let's put it that way it only has four pumps so he'll testify to that. But that's basically the gist of it.

MR. SCHAECHTER: Hey Jim on your plans 9 of 12 where you outline all of your signs, I'm missing the sign that prohibits . . .

MR. GLASSON: No you aren't missing it because I don't have it on there. That prohibits trucks?

MR. SCHAECHTER: Yes.

MR. GLASSON: Yes it will be added.

MR. WEISS: I just had a brief conversation with Tiena, I would imagine that before we wrap up we would certainly need Sergeant Pocquat here to testify to that report.

MR. SELVAGGI: Oh I hope he comes.

MS. NATAFALUSY: That will be next month. He was not available tonight we had somebody else that was going to be here but it was confirmed that he being the author had to be here.

MR. WEISS: I would imagine Mr. Selvaggi would object heavily if he brought somebody else to testify to his report. So just so you know we do intend to bring Sergeant Pocquat here.

MR. SELVAGGI: Fine by me.

MR. WEISS: Okay. Anybody else had a question?

MR. GLASSON: That really wraps up my . . .

MR. WEISS: Okay so let us move over to Gene's report. I know Gene gave us a second report dated December 11.

MR. BUCZYNSKI: Yeah some of it is going to tailor into the traffic engineer's report also his testimony but let me go over just some of the items. I mean if you look under technical items number one I think a lot of those issues will be addressed by their traffic engineer pertaining to concerns at the intersection stated in the third paragraph of item number one. There also was concern regarding the turning movements going into the site from Sand Shore Road and my concern that there will be cars sitting on Sand Shore Road. I think their traffic engineer will probably address that issue also. Number two that's again the wellhead protection issue which I guess you're bringing your consultant back again on that. Jim addressed number three the Highlands. Number four the variances will be addressed by the planner and number five kind of goes into Joe's concern earlier relative to the Sand Shore/Route 46 intersection. I don't know if you recall the previous application it was Manesh going back a year or two ago, at that point we also requested to have a right-of-way taking at that corner at that intersection. And at the time we also drew a proposed wider radius so cars can make that right hand turn off of Route 46. The concern you have as far as, I think it's up to the DOT and at that point DOT has no immediate concerns to do improvements at that intersection. One of the concerns would be if you make that widening there's a signal pole right at that corner that's probably maybe 1 or 2 feet off the curb line. So it would be a whole redesign of that traffic signalization. So it's really we're kind of tied into with what would DOT do with that and I called DOT in the last couple of days about seven times the guy who supposedly was reviewing the application and nobody answers the phone. So I'll continue . . .

MR. FLEISCHNER: It's holiday time.

MR. BUCZYNSKI: Well I guess I don't know I'll try again before the next meeting to see if I can talk to him a little bit more about you know our concerns, the Board's concerns relative to that intersection and see what their plans are for any improvements. But we're kind of tied into the DOT and as far as how much this applicant should pay towards those improvements you know it's based on traffic generations so that's a whole other issue to deal with. But we have to find out what the DOT wants to

do, are they going to do anything. Because that is a concern but it's not just widening you can't just widen the road without moving that traffic signal.

MR. FLEISCHNER: Right I understand that.

MR. SELVAGGI: The best we can do is make the dedication which we have. And I think you'll see the testimony that the problem with the road is a problem inherent with the road the way it's designed now and this use

MR. FLEISCHNER: No I'm going to stop you there because the original applicant was going to put an office building there he was not going to put a gas station.

MR. SELVAGGI: But when you talk about the geometry and the turns and everything else that has that's there whether this property gets developed or not.

MR. FLEISCHNER: But it's a big difference from an office building versus a gas station. There is a big difference, there is a big difference traffic wise essentially because I travel this road almost every day sometimes two, three times a day and I'll speak to your traffic expert because I'm confused by his traffic report with missing parts that I think should be there.

MR. GLASSON: Could I ask you just . .

MR. FLEISCHNER: Sure.

MR. GLASSON: Your talking I would take it about cars traveling in the westerly direction taking that right?

MR. FLEISCHNER: Taking that right . . .

MR. GLASSON: My question is why for the gas station wouldn't they enter the gas station . . .

MR. FLEISCHNER: Because they don't want to go to the gas station they want to go many times to the farm . . .

MR. GLASSON: So okay so what I'm saying is though you're saying that it's related to our station. You're saying the traffic generates from our station.

MR. FLEISCHNER: Because now more cars are exiting out the back of the gas station because they can't exit onto the highway they're exiting out the back of the gas station and then they're actually going to have to queue because many times with the light the way it is, and I'll get into it with your traffic expert, you only get one car through.

MR. GLASSON: Right but how does that relate to this radius? You're coming out here you're not using this radius to go to the gas station your pulling in here.

MR. FLEISCHNER: But when there are cars all backed up, queued on Sand Shore it is very hard to make that turn especially, and I'll get up to do this, because right here is the driveway that leads into the farm. And many people come in this way to get into the farm. Many people cross over Route 46, do not make a left onto Route 46 to go west to turn into the farm they turn in over here in this driveway. And when you have cars queued up here and your trying to make the right turn which is a tough right turn, it's a tough right turn you know.

MR. GLASSON: I know.

MR. FLEISCHNER: And now you're kind of like well where do you go so now cars are going to start to back up here. Got that Mr. traffic man? That's the real world not once a day taking a (inaudible) looking at it, that's the real world every day. So that's a concern I have, I'm not saying it can't be rectified but that's a concern I have.

MR. WEISS: Gene why don't you continue with the report.

MR. BUCZYNSKI: Number six in the report which talked about deed descriptions to be submitted for review. Number seven regarding storm drainage, the previous plan did not show any drainage along Sand Shore Road, the revised plans show two new inlets which will handle the drainage along that

frontage of Sand Shore Road within the limits of their property which is more than acceptable. Jim on item number ten regarding parking in a loading zone I think Mr. Glasson went into detail regarding that and I brought up in my report where you know if the application gets approved they're still subject to the Council approving building zoned within the municipal right-of-way.

MR. WEISS: Gene can you jump back up to your number 8?

MR. BUCZYNSKI: Sure.

MR. WEISS: And maybe why have we not heard from the Health Department. Or have we heard from the Health Department?

MS. COFONI: Mr. Glasson mentioned that he met with them.

MR. GLASSON: Well I met with the Health Department for the location of the well I don't make septic . . . they witnessed the soil logs they know that the tank can accommodate a septic system. But I don't make septic application until after we have our site plan approval if it gets it.

MR. WEISS: Okay so if it gets approved.

MR. BUCZYNSKI: It will be subject to.

MS. COFONI: Yeah it will be a condition.

MR. GLASSON: But their main concern at the last month or when we appeared last time was the location of that well and being able to meet their requirement of setbacks. And I sat down with them and that's what we did for this.

MR. WEISS: Okay.

MR. BUCZYNSKI: And item ten too for Mr. Glasson just a small error in your description of operations just clarify it I a revised report accordingly.

MR. GLASSON: Yes and the good news is if we change the plan to 10 by 60 my description of operations will be because we're going to change that loading space to 10 by 60 now.

MS. COFONI: So it's actually going to be correct.

MR. GLASSON: Yes.

MR. BUCZYNSKI: Number eleven regarding proposed hours of operation just confirm they're supposed to be 5:00 to 11:00 seven days a week?

MR. GLASSON: Correct.

MR. BUCZYNSKI: And item number twelve was just approvals required, the one for the exemption from Highlands Council, of course they don't need that at this point. And that's all I have right now but I think I'll have some more comments once the traffic engineer gives his testimony.

MS. COFONI: If we could just touch on number nine just so I can make sure I have my notes correct. I've got it that we now are . . .

MR. BUCZYNSKI: 29 trees now.

MS. COFONI: 29 trees now right?

MR. BUCZYNSKI: Yes.

MS. COFONI: Okay.

MR. SELVAGGI: I think that picks up on what Mr. McGroarty's report (inaudible).

MR. WEISS: Okay so let's do this then we've heard from Jim, we've heard from Gene is there anybody from the Planning Board have any other engineering questions? So let me close it to the

Planning Board for a second and open it to the public if anybody from the public has any questions or comments regarding the testimony that we've heard this evening about engineering if you would sir you can come to the podium state your name. Never mind? Okay anybody else from the public have any questions for the engineering testimony you heard tonight? Seeing nobody from the public we'll close it to the public and Mike I'll give it back to you.

MR. SELVAGGI: Okay what I'd like to do now is call is call Mr. Paul Sandhu.

(PAUL SANDHU SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your full name spelling your last name and giving your business address for the record please.

MR. SANDHU: Yes full name is (P-R-I-T-P-A-L) last name is Sandhu (S-A-N-D-H-U).

MR. SELVAGGI: You're the . . . I mean its Roadranger but you're the majority owner of Roadranger?

MR. SANDHU: Yes.

MR. SELVAGGI: And Jim had testified before your looking to build a gas station here. How many other gas stations do you currently own?

MR. SANDHU: I have five other gas stations three in New Jersey, two in Pennsylvania.

MR. SELVAGGI: Okay you have one that's in close proximity to this location?

MR. SANDHU: Yes on eastbound the BP Gas Station opposite the Budd Lake Diner.

MR. SELVAGGI: Okay so east of here?

MR. SANDHU: Yes.

MR. SELVAGGI: Okay so you've got one there. What kind of attracted you to this location as a possible gas station?

MR. SANDHU: Well I feel that there are quite a few gas stations on eastbound, there's six of them altogether. If you start by the Hackettstown there's a Shell gas station, there's the Exxon, then you've got the Sun Energy by the lake, a little further down is a Valero, and then further down there is a BP that I own, and then there's a Shell gas station all the way down there so you've got six of them.

MR. SELVAGGI: And that's from Hackettstown to basically Route 80?

MR. SANDHU: Hackettstown roughly to Route 80 there. And on the other side on the westbound okay when you're coming down there's a 76 you pretty much miss it when you're getting off of Route 80. Then you've got the Delta which is right next to the Budd Lake Diner, then you travel all the way down back to Hackettstown then you have the Hess gas station. So I felt that there is a need the gas station that I'm proposing you know would do good on this side since there's only basically two you know accommodating the westbound traffic.

MR. SELVAGGI: And what type of gas station would you propose goes here if you got an approval?

MR. SANDHU: I'm proposing a BP but that doesn't mean . . . that's dependant on getting approval from BP. You know I have to get township approvals first before I can go to them and then they have to look at it and see if they want to be at the particular location on westbound. And if they approve it to me then I would like a BP gas station, if they do not approve I would have to go to a different brand Citgo, Gulf or somebody you know somebody else who is willing to go in there.

MR. SELVAGGI: But they have the same problems they're not going to approve you until you get an approval at the local level.

MR. SANDHU: Yeah really they don't really want to talk to you about it unless you have approval done that you can build it.

MR. SELVAGGI: Okay. On the plans it notes the hours of operation 5:00 to 11:00 you're comfortable with those?

MR. SANDHU: Yes.

MR. SELVAGGI: Okay assuming you were operating 5:00 to 11:00 how many employees would you have work each day and how many would work each shift and what would those shifts be?

MR. SANDHU: Well there will be several employees but at any given time there will be one employee attending, a gas attendant at the gas station. If he's working 8 hours or 10 hours somebody else will come in in his place to fill that, there will be part-timers n the weekend and so forth. But basically there will be one employee I'm proposing there. Like we say before I own this gas station there, a lot of them, that has 12 fueling positions . . .

MR. SELVAGGI: You're talking about the BP?

MR. SANDHU: Yeah my BP the other one. You know and 12 fueling positions it's a pretty busy gas station it has two employees outside and it has one inside the convenience store. You know this one here does not have a convenience store it's 129 square feet it's not even . . . nothing. So it has four fueling positions one employee will be sufficient to cover that. And with fueling positions you're not going to pump that much volume like you do with a twelve over there. So one is sufficient for the operations. Even Sun Energy owned by Dr. Sandhu they have one employee, one employee outside and they have one inside the store.

MR. SELVAGGI: So let's talk about the actual, because there's been some attention paid to it, the scheduling of deliveries.

MR. SANDHU: Scheduling of deliveries yes I can answer that. Okay I've been doing this since 1994 my father has been in this business since 1988 as of this day we're still dealing with the same oil company that he was dealing with S&J Fuel Company from Brooklyn, NY. Obviously there are other ones we currently get fuel from but basically if I'm operating this gas station and I'm with them or in this case it wouldn't be them because I want to brand it it would be like a BP. You know they are unbranded S&J Fuel Company. So you can instruct them, since you're always getting loads from same company, you can instruct them such as the truck has to go down you know to make the U-turn and come back in to the loading zone. Okay because they know that that's on file then. You know it's not like your getting a totally different company every day or something delivering your fuel, you would have an issue with that, so that can be addressed. And second of all such deliveries you know you can request them that you want a night delivery or you want a day delivery. You know there's occasions that will not meet that criteria they're busy or something but the majority of the time they can accommodate that. You know you can say listen I need only night deliveries they do it 24 hours you know so you can get that . . . I have flexibility on that that's what I'm trying to explain.

MR. SELVAGGI: Now how big is each delivery truck when it comes?

MR. SANDHU: Each delivery is 8500 gallons.

MR. SELVAGGI: Okay.

MR. SANDHU: 7500 gallon for diesel, 8500 for gas.

MR. SELVAGGI: Now how many underground tanks do you propose here?

MR. SANDHU: There's the biggest one is a 20,000 gallon for unleaded regular that's the most I will sell and that's why it's a larger tank, and there's a question about running out of fuel, that wouldn't happen because I have a larger capacity I always know you know that how much your pumping you can always get an extra load there. You know so it's not like if I had a smaller tank let's say a 10,000 gallon tank I'm definitely going to run out because I've got 8500 gallons coming in and I'm playing with a 1500 gallon capacity. So that's not going to work, what if he's late or something. So with 20,000 gallons you could have, when you place . . . when a delivery comes you could still have 10,000 in the ground and you still have 10,000 capacity okay and you're only putting in 8500 maximum. So a larger tank eliminates that problem, it also eliminates the problem which is not a problem these days such as overfilling a tank. You know a smaller tank you could overfill it because a driver doesn't pay attention, somebody doesn't pay attention or I made a mistake didn't order on time or I ordered too soon and the

station was slow and he has to take it back or he's you know so it eliminates that problem completely with a 20,000 gallon tank. And the premium it doesn't sell a lot okay so you're only getting it's an 8,000 gallon tank I believe okay when I add the 8500 gallons I can tell them I want 1500 premium, 7000 regular. So I don't have to get a full load of that you know and that will accommodate that. And the diesel is not going to sell a lot it's a small site and I can do the same thing with that. I can order 2000 gallons of diesel but this time it will not be 8500 because diesel is heavier so they'll probably given me 5500 or something of regular. And so it makes a total of 7500 or 8000 you won't get a full load of 8500 because diesel is heavier. But it can come, every truck has compartments in it okay the one is . . . they vary 1500 gallons, 1800 gallons I've seen there are like 2200 gallons and I think that's 2700 there are different compartments in there. So you can get any combination that you need delivered.

MR. SELVAGGI: Now with four pumps you know which is a pretty small station, what would you expect the number of deliveries to have every week?

MR. SANDHU: I would be very happy if I can get three deliveries a week and you know that would pump about 100,000 gallons a month and compared to BP and so forth they have twelve fueling positions and their pumping about 200,000 gallons.

MR. SELVAGGI: And how many deliveries does that equate to?

MR. SANDHU: Well 200,000 that's divided by 8500 how much . . . About six deliveries a week I think.

MR. SELVAGGI: All right so you'd expect about half of that.

MR. SANDHU: I'm expecting half of that.

MR. SELVAGGI: And ideally I mean you could if the Board wanted to in its wisdom say look we think deliveries should be night, evening you have that flexibility.

MR. SANDHU: I have the flexibility. Not 100 percent but I have about 90 percent I would say. And you strictly have to talk to the company and make clear to them that this is what has to take place.

MR. SELVAGGI: Okay but the traffic route they follow.

MR. SANDHU: The traffic route will be given to them in writing and they will have to follow that yes.

MR. SELVAGGI: Okay now . . . and I know Matt Mulhall spoke a little bit about the tanks but let's talk about it from an operational standpoint in terms of you know what are the safeguards as you as an owner follow to make sure you know there's not a leak in a tank and what's the mechanisms in place to avoid that?

MR. SANDHU: I as the owner don't have to follow any safeguard I am . . . the DEP makes you follow the safeguards. Even if I don't want to follow them they will fine me heavily. They come randomly to check you know it's not like you call them or they will come once a year, they come like sometimes two, three times in a six month period. And Dr. Sandhu just got a fine for \$17,000 just for having one drip, one dispenser in Broadway, New Jersey on Route 57 the nozzle was dripping just dripping off of it and they fined him \$17,000.00 and he's still in court with them over that. These tanks if I started a tank now a day's they're double wall steel tanks with fiberglass coating on them. They have interstitial monitoring on top of that. If the inner tank leaks okay the computer inside will tell you the inner tank has leaked which it has to take an Act of God for that to happen. And on top of that there's a containment sumps they make them they're completely covered with water tight fittings that go through it for the product line and for the conduits. And then you have the submersible motor inside there. So inside that area I'm talking about they have sump sensors they call them which is linked to the main computer inside the building. If there's water in there okay it will tell you, you have water inside your sump okay just the sump that house the submersible motor. And you have to on top of that every month you have to open that up, I think it's weekly I'm sorry you're supposed to open that up and check to make sure there's no water or nothing leaking in there. And the product line is four layers of pipe that supplies the fuel from the tank to the dispensers. You've got four layers okay back in the day you had steel one then you have single wall fiberglass which could crack, then they have another one which went (inaudible) because they were default with that. Now a day's you get a pipe, they call it APT a double wall pipe it's actually four layers I wish I brought a piece today I will bring it to you next time because I had it, and if you look at it it cannot leak, and again Act of God. On that pipe there's that test

holes on both ends one above the tank, one underneath the dispenser the way it goes. That needs to be tested annually according to the DEP regulations. Then come back to the submersible motor that has a mechanical leak detector on top of that. It has one inside the computer that monitors it and it has a mechanical leak detector. Then you go back to the dispenser, underneath the dispensers those things are a self-contained also. Back in the day's you just had pipes coming out if they drip they would drip right into the ground. Now if anything happens it will drip in that containment sump and you can always get that pumped out. You can call local petroleum which I deal with and they can come and pump it out if you ever had a problem. And usually you don't because it's all contained within that. Then they have shear wells, if somebody hits your dispenser, a car comes flying and hits a dispenser the dispenser falls over that shear well cracks okay no fuel can come out of it. You might get a half a gallon that was in the pipe that will spill out. No fuel can come out of that thing. If somebody forgot to take the nozzle out of the gas tank, which I've seen it happen many times, right above the tank if you ever go to a gas station next time you get fuel look at it it's looks like a (inaudible) thing, that will come apart it will not take the pump down the whole nozzle will come apart and no fuel will leak out of it again. Even out of the hose it will not leak out. And the nozzle has an automatic shut off if somebody puts the nozzles on starts filling up even . . . well it's a full service state in New Jersey, even employees busy with another car this one fills up it will automatically shut the nozzle down. Okay as soon as the tank fills up there's a mechanism in front of the nozzle you can see it if you go to the gas stations it's a little square thing. It's a sensor when the tank fills up it will shut her down. Then you've got the Veeder-Root they call it, they came out with a 250 which is outdated, the people are using a TLS-350 now which is not outdated, they just came out with a new one a TLS-450. It does everything for you it monitors your fuel, it tells you how much fuel you have in the tank, it tells you how much water you have in your tank, it does automatically even if your pumping fuel it will do a tank tightening test and figure it out for you every single day. Your tanks are tight or your tanks are leaking. It will tell you every single day automatically it will do that for you. You won't have to do any of that and you can just go there push a button it will print out and tell you you have 8,000 gallons in your tank and you can accept another 12,000 if let's say the tank is 20,000 gallons. So all of that is pretty much automatic if I call my employee and I say how much gas do you have all he has to do is push a button and tell me he has this much in that tank, this much in that tank and I usually know how big the tank is or if I don't remember that I can ask him what is the emptiness, they call it (inaudible), how much can accept and you can order your loads based on that. Back in the day you had to go take a stick in there, you had to put a stick in there and you had to take it out and measure it then you go and check the chart to see how many gallons you have it does it all for you. So much has changed since back then to now it's . . . I don't even know how to describe it.

MR. SELVAGGI: Let me ask you, all of this computer hardware and everything where you can see it, where is that going to be housed on this location?

MR. SANDHU: We have 129 square foot building with a handicap bathroom, I don't remember all of the numbers now, it leaves us a small space okay we are still calling it a snack shop I think we should change that Jim, it's not going to have any machines in there it's taken up by the bathroom and then you've got the 200 amp service panel on the wall and then you have the TLS-450 right there and then you've got they call them grey boxes, okay one is 30 inches by 30 inches that's a computer that controls the pumps where you can change the prices on gas and so forth. Then there's the smaller ones three of them it would depend on which company you go with it could be one or it could be three or four smaller boxes that control the submersibles in each tank. When somebody lifts the handle it tells the submersible to turn on. Okay when they finish fueling when you put the handle down it tells it to shut it off so the motor is not running when you're not pumping fuel. And based on that there's nothing left maybe a little spot for somebody's snack.

MR. WEISS: So let's go back to deliveries and I want to make sure our expectations are on the same page. I know you said that you've been working with a supplier out of Brooklyn for many, many years unbranded gasoline supplier?

MR. SANDHU: Yeah they have Citgo but I think unbranded mostly.

MR. WEISS: And so now you're starting a new relationship relative with a brand new fuel supplier.

MR. SANDHU: Yes.

MR. WEISS: And I don't know if the Planning Board has any preconceived opinion or idea of when deliveries are going to be, but I want to make sure that although you have a long term relationship with your existing supplier you don't necessarily have the same relationship with a brand new supplier.

And I'm worried that you don't have the same clout and therefore you might not be able to control deliveries with BP as you do with some of your other stations.

MR. SANDHU: That is not necessarily true okay; they actually want to create a relationship with you because they are, how do I say that? They want to sell you the fuel they don't have to pump it, they don't have to do anything they're sitting home okay they sign an agreement with you. They're not just going to come and put a sign on my property and say here's a BP sign and see you later, they're going to make me sign a minimum five to ten year agreement with them. Okay that I have to buy fuel from them and I am basically married to them for that period of time.

MR. WEISS: Correct you're going to build a relationship. My only point is to make sure that your expectations are equal to that of the municipality. That if for any reason the Planning Board is to say we don't want a delivery, or we don't want to see deliveries between . . . and I'm making it up because I don't personally have an opinion, but I don't want you to say that's not a problem I have a long term relationship and you don't.

MR. SANDHU: No that's just . . . it has nothing to do with a relationship these are delivery schedules. Okay you would instruct them, the truck has to go down it has to make a U-turn and come back in that's number one. And then you will instruct them I want the night deliveries, you can't tell them I want an 8:00 a.m. you know that's not going to happen. Okay but you can instruct them given a three, four hour window period and they will do that for you.

MR. WEISS: I don't know if the Planning Board had any concern about evening or overnight delivery, I didn't hear anything I'm not going to assume one.

MR. SANDHU: Yeah the truck is there maximum 25 minutes. You know he unloads . . . they're paid by their loads mostly and they don't want to talk to you they just sell . . . everything is all set up okay they just deliver okay and they're gone.

MR. WEISS: So then my next question has to do with . . .

MR. SANDHU: They don't even ask you for a check they just suck it out of your account.

MR. WEISS: Okay like everything else. We talked about your hours of operation and one employee at a time, your parking looking just correct me you have one handicap parking and that's it.

MR. SANDHU: Yes.

MR. SELVAGGI: One and then one regular.

MR. WEISS: Okay so we're having one employee at a time and you have a shift change, where does that person park? He comes to work there's somebody already in the parking spot.

MR. SANDHU: Well that person has, there's some space behind the handicap parking that person has to park there until the other one leaves and maybe he has to pull his car in. And then the odds . . . I mean since there's no convenience store basically okay the handicap person that will come in there, he's coming in there maybe to use the bathroom.

MR. SELVAGGI: You know I mean the reality is . . .

MR. WEISS: I know Jim is not here but is there any other space on this property to put another spot in? I understand there's only one employee it makes good sense.

MR. SANDHU: I would love to have another spot but that's up to Jim if he can accommodate it.

MR. WEISS: Yeah I know Jim is not here when he comes back I don't mind asking him that.

MR. SELVAGGI: Yeah I mean we can stripe somewhere I mean but again being it's temporary just to make the switch.

MR. SCHAECHTER: But Howie you have a good point you know if your employee is parked in a spot someone who is not handicap wants to use the men's room and they're not getting fuel half the time.

MR. SANDHU: Why can't he park in the loading zone there? You're not getting loads every day.

MR. WEISS: I don't know if you want to go there because it's a loading zone.

MR. SELVAGGI: No, no we wouldn't park in the loading zone. Look you know the reality is he'll park in probably one of the empty bays and when the employee leaves he'll hope in, I mean it's you know

MR. WEISS: It's something to think about I mean we don't want to create . . . it's a tight lot now, Jim is not here we can ask that question if he can find a spot.

MR. SANDHU: I mean legally I understand the point of view but they'll find the place to park somewhere.

MR. SELVAGGI: Look the notion that somebody is going to park across the street and run across Route 46 is ridiculous.

MR. WEISS: I understand that so how do you account for that now? You're going to have an overlap and it could happen twice a day.

MS. COFONI: Three, three shifts.

MR. SELVAGGI: No there will be two shifts.

MS. COFONI: Oh two times yeah.

MR. SELVAGGI: I mean again they'll park somewhere and you know . . . I mean just because you have it marked they might not even park there.

MR. WEISS: Yeah it's just a concern. Nelson?

MR. RUSSELL: Sir your objective was to have a westbound BP; did you ever consider the abandoned Shell Station across the street from your BP?

MR. SANDHU: That one I believe has a restriction it cannot be a gas station. When Shell pulled out . . . are you talking about the one . . .

MR. SELVAGGI: By the Budd Lake Diner.

MR. SANDHU: Yeah that's why it's closed when Shell left from there they took the tanks.

MR. WEISS: Well maybe Chuck can answer that question.

MR. MCGROARTY: Oh no, no I was . . . I'm sorry.

MR. WEISS: Oh all right that's all right.

MR. MCGROARTY: I actually am aware of that site because we moved against it for abandonment some years ago and that was my understanding as well. I had a different question.

MR. WEISS: Oh go ahead.

MR. MCGROARTY: And it may be . . . maybe Mr. Glasson would be the better person but Mr. Sandhu I'm just wondering if the loading area, what happens in the winter when the town plows that road?

MR. SANDHU: We have to be responsible to . . . if we want to stay in business and we want to get our loads we're going to have to clean that up.

MR. MCGROARTY: Right so the town plows it and I have no idea how they do that but they might even have their eye on that bay area once it's created as a dumping area to put some snow.

MR. SANDHU: I have to pay money to get it cleaned otherwise I'm not getting deliveries there.

MR. MCGROARTY: So whatever happens you're going to be responsible for your property.

MR. SANDHU: I have to.

MR. BUCZYNSKI: I think that's going to be an issue that has to be addressed to Council I'm sure.

MR. SELVAGGI: Yeah.

MR. MCGROARTY: That's right.

MR. SELVAGGI: Yeah the expectation was we probably going to have to get a backhoe or a front loader.

MR. BUCZYNSKI: The town is not going to plow it let's face it I agree with you.

MR. MCGROARTY: No, no I know the town is not but I'm just thinking right, and Gene is right they do have to . . .

MR. SCHAECHTER: You know but that's going to plow the snow in there pretty high.

MR. BUCZYNSKI: It's going to go right in there oh yeah.

MR. MCGROARTY: So if the snow gets plowed . . .

MR. SANDHU: Yeah it's going to go in there yeah then I have to like we do with any gas station we're going to have somebody a contractor deal with somebody like we have. Then they're responsible they have to plow that out. If they don't I'm not getting deliveries it's as simple as that.

MR. MCGROARTY: So let me ask a follow up question to that. Again I don't know how it works so you can tell us, if that were to happen the truck comes follows the route that they're supposed to follow and whatever but they can't get to that spot because of the snow are the hoses on the truck long enough that if they parked in the driveway to Sand Shore they could reach?

MR. SANDHU: In emergency that could be done I never measured the hoses but they're about 20 feet.

MR. MCGROARTY: Well I guess the thought was that's probably not a good option and I wanted to know if that's something that it's easily done so . . .

MR. SANDHU: The hose is roughly about 20 feet they have extra hoses they can always connect them. I've never seen them connected but they could if they wanted to.

MR. MCGROARTY: Right well I guess what I'm trying to get at is that's probably not the preferred option. So you know it rests on your ability and the likelihood of getting a contractor out there to clear the snow in time to have the truck park where . . . if it were approved.

MR. SANDHU: Well then I see I know ahead of time that my load is coming if I have scheduled one and I know that and I know that it's full of snow over there so I have to do something about it. You know so I do have that flexibility. Because I know when the load is going to come and I know that there's snow there that needs to be cleaned out.

MR. SELVAGGI: Let me just as a practical matter, how long from when you order it how far out can you order a load?

MR. SANDHU: I can order one today for four days from now.

MR. SELVAGGI: Is that the soonest?

MR. SANDHU: No I can order one today for tomorrow or I can tell them send me one Monday I can order one for Monday.

MR. SELVAGGI: My point is it's a short enough period of time that if you knew there was a snow event you could probably order one.

MR. SANDHU: Yeah, yeah, yeah you can get a load yeah. Sometimes they might not give it to you because everybody else wants one but you could get one yeah.

MR. MCGROARTY: Oh Mr. Chairman?

MR. WEISS: Yes Chuck.

MR. MCGROARTY: Are you going to have a generator at this site also as so many stations now do or will?

MR. SANDHU: You know I never thought of that but that would be a good idea to have that. I've noticed a lot of gas stations are putting them in.

MR. MCGROARTY: Okay and maybe at some point you and Mr. Glasson and Mr. Selvaggi will talk about if you are going to do it show us where you're going to do it and all that stuff.

MR. SANDHU: Sure yeah.

MR. MCGROARTY: Okay.

MR. WEISS: Brian?

MR. SCHAECHTER: Where are your employees going to take brakes?

MR. SANDHU: Excuse me?

MR. SELVAGGI: There's only one employee he's not taking a break.

MR. SCHAECHTER: He's going to work outside all the time?

MR. SANDHU: No, no he's got the building to go to; he's got the kiosk underneath the canopy.

MR. SCHAECHTER: Oh it's going to have a kiosk.

MR. SANDHU: He's going to have a kiosk which is going to have heat in it, a stool in it If there's no cars there he's on brake.

MR. SELVAGGI: You never worked in a gas station?

MR. SCHAECHTER: No I never worked in a gas station. Sometimes I do pump my own.

MR. SELVAGGI: On a slow day you could be on brake for hours.

MR. MCGROARTY: The ones I go to its hard enough to get them to come out when your there.

MR. WEISS: Does anybody have any other questions for Mr. Sandhu?

MR. WILPERT: I would make note on the plans my guys in DPW are directed to plow curb to curb. It would hurt if we would come in going curb to curb riding the curb line and hitting this junction where the cut out is. So if you could clearly mark delineation of that curb that would be helpful.

MR. SELVAGGI: Okay.

MR. MCGROARTY: Say that again.

MR. WILPERT: Our guys are instructed to plow curb to curb so as we're plowing we're feeling the curb coming on the one side and we don't want to as the curb cut dives in the guy is going to want to pull into that curb and he's going to smash into the other end of the curb. So if you could delineate along that edge that they can see it before they hit it it's going to save me thousands of dollars in (inaudible).

MS. COFONI: Which is probably going to eliminate your concern so they're going to plow it.

- MR. MCGROARTY: So Frank it's like a pole or something?
- MR. WILPERT: Yeah you just put a delineator in. Because they're going to end up going into that area anyway.
- MR. WEISS: What is a delineator?
- MR. WILPERT: It's just the orange sticks or yellow sticks they're seasonal just make note if they can
- MR. SANDHU: Yeah I know.
- MR. BUCZYNSKI: You said he'll plow that spot?
- MR. WILPERT: It's within the township right-of-way technically, I know that you guys are giving it away but my guys are still going to feel it. Now we can train them because it's typically we try to keep the same guy on the same route we're going to try not to do it but just in case it happens if I have a different guy on the route I don't want him to hit it because like I said it will blow a plow out.
- MR. SELVAGGI: Well why don't you just add one thing too because we didn't talk about it. You went through all of the tanks and everything else but beyond that one of the proposals you had was to install in the drains water separators?
- MR. SANDHU: Oh yes. We are also because of the concern the Board had we are going to put oil/water separators in those dry wells just as a precaution if there is any.
- MR. SELVAGGI: So if there is a leak and it was to run in the drains . .
- MR. SANDHU: If there is anything happens it will be separated from the regular water. Somebody had a question about the height of the canopy?
- MR. FLEISCHNER: Yeah I think I did.
- MR. SANDHU: Yeah like we own the truck stop in Phillipsburg the height of the canopy is 14-1/2 feet and only the trucks go through there. This site is strictly going to have a sign there's no tractor trailers allowed okay we don't even want box trucks. I just want the diesel for the convenience of diesel vehicles, pick-up trucks you know.
- MR. FLEISCHNER: The Volkswagon diesel.
- MR. SANDHU: The Volkswagon my dad has one of those and then there . .
- MR. MCGROARTY: So the height Mr. Sandhu then the height on the architectural and I know your architect is here but the height is shown at 15 from grade to top.
- MR. SANDHU: No from underneath the canopy.
- MR. SELVAGGI: And then the canopy itself is 3 feet wide.
- MR. SANDHU: Yeah.
- MR. MCGROARTY: So it's . . . no I'm sorry it's 15 feet clearance.
- MR. SANDHU: Clearance yes.
- MR. WEISS: What was 14.5 then?
- MR. SANDHU: No that was just giving you the reference at my other gas station. That's a truck stop and it has a 14-1/2 foot canopy.
- MR. WEISS: Understood okay so this one is 15 so it should be plenty high.
- MR. SANDHU: Oh way more yeah.

MR. WILPERT: Mr. Chairman just for the record I just want to be clear the township is not saying we are going to plow that spot.

MR. SELVAGGI: Yeah we didn't read it that way.

MR. WILPERT: Right just in case and even for your contractor it's just a safety precaution and if this application does go off and gets approved you know I will educate the driver as to what . . .

MR. BUCZYNSKI: I think that will be finalized when it gets to Council because there will be a resolution they're either going to plow it or the town agrees not to plow it.

MR. WILPERT: Right.

MR. WEISS: Joe?

MR. FLEISCHNER: You mentioned that deliveries would be like in a three hour window.

MR. SANDHU: Yes, yeah.

MR. FLEISCHNER: Is it possible on days when school is in session that that three hour window becomes after school? I don't mean after school but after the start of school? Because that gas truck is going right past Sand Shore School they've never had a gas truck go down past Sand Shore School ever this will be a first at least in 40 years.

MR. MCGROARTY: Why not do it at night?

MR. FLEISCHNER: No I'm just saying but if it's during the day you know I want to make sure the buses and parents dropping their kids off, because that's a busy, busy time at Sand Shore School, that the three hour window starts after school opens, or way before.

MR. SANDHU: I mean it could be done but . . .

MR. MCGROARTY: At night would probably be better there's nobody out there then.

MR. SCHAECHTER: Do it 5:00 in the morning.

MR. MCGROARTY: Well at night on Sand Shore Road is pretty much . . .

MR. WEISS: I'm going to remain . . . I'm not convinced that you can do it. With all due respect I think that we should either say deliveries will be at night or before 8:00 a.m. or something like that.

MR. SELVAGGI: We could do it I mean if you wanted to . . . 8:00 a.m. may be too late but you may want to say between . . .

MR. SANDHU: It's very hard to do that.

MR. WEISS: Or . . .

MR. SELVAGGI: Before 6:00 a.m.

MR. WEISS: Or after 4:00 p.m. or something, Joe makes a good point there's a lot of traffic and I understand your intentions are right but I don't see it.

MR. SANDHU: I know but I don't want to . . . that's what I'm saying it's very hard to be very specific you can't deliver in those two hours.

MR. SELVAGGI: But you can give them a range.

MR. SANDHU: I can give them a range I can do my best yeah.

MR. SELVAGGI: Let me ask the question so they're clear, if you said deliveries have to be after 6:00 p.m. and before 6:00 a.m. is that a range that you could work with?

MR. SANDHU: That could be worked yeah plus we have the tank. Just to give you an example for the Mobil gas station we have in Phillipsburg all of the deliveries come at night time, every single one of them.

MR. SELVAGGI: So if you guys agree to that condition or wanted that type of a condition it would work.

MR. SANDHU: And all the deliveries at the truck stop which comes in the morning, 6:00, 7:00 a.m.

MR. WEISS: Do you have any other opinions from the Planning Board?

MR. BUCZYNSKI: The only thing with that if we're going to do it at night then we might want to discuss about some lighting in that area.

MR. FLEISCHNER: Right and that's what I was going to say because see my thought is I would rather have deliveries during the day. Because that road is pretty dark at night and when you're coming home at night from Hackettstown and I want to make sure you see the truck. I'm just saying like could you say the delivery can't begin before 9:30 because all of the kids are in school, the teachers are in school and then you've got from 9:30 to 3:30 in the afternoon to deliver its daylight and you know the visibility is a lot better.

MR. SANDHU: At the truck stop we rent out parking spots for the tractor trailers you know and most of them are people that live locally and they park there and they go home on the weekends and then the weekdays they're like empty. We have three I think, three parking spots rented out to tankers. I didn't choose that they just happen to be tankers, they're always sitting there in the daytime and I always see them leaving in the evening. They want to work at night time because they're not fighting the traffic but . . .

MR. SELVAGGI: But again Paul, Paul . . .

MR. SANDHU: This actually works out beneficial to get a . . .

MR. SELVAGGI: If you gave them a range we don't care what the range is you can work within the range when you go to this guy and say look here's the Board's resolution you've got to get it before, whatever the time is I mean you know you gave him that six hour window they could work within that.

MR. SANDHU: Yeah then all I have to do is take the resolution and send it to them and say this is the resolution I cannot take deliveries from this time to this time and the rest is open. And they can accommodate you on that.

MR. WEISS: All right so we have something do we hear any kind of comment from the Planning Board? I know Joe is saying avoid the school hours . . .

MS. COFONI: So 6:00 p.m. to 6:00 a.m. or 9:00 a.m. to 3:00 p.m.?

MR. SCHAECHTER: I would put it later than 6:00 p.m. only because the school still gets used for PTO for night activities any time there's . . . any chance of being . . .

MR. WEISS: I tend to think that a truck would be more noticeable at night than the day because by day . . . you're distracted at night it's a dark road you'll see the truck.

MR. MCGROARTY: They've got flashers on them too.

MR. WEISS: Yeah there's all kinds of lights coming off of a truck, from the little I know about gas trucking but I . . .

MS. STOTLER: Does the truck stay, when it's being fueled does the truck stay on when the lights are on?

MR. SANDHU: Sometimes. I've seen them idle, I've seen them off.

MR. SCHAECHTER: (Inaudible) homeowners that (inaudible).

- MR. WILPERT: A lot of them are gravity fed these days too.
- MS. COFONI: Well even if it's off it can still have the lights on right? It will still have the flashers.
- MR. WEISS: I think we should offer some direction to the applicant that what we'd prefer. I know we're concerned about the school but now we're concerned about darkness do we have better direction for him?
- MR. MCGROARTY: Well if I may Mr. Chairman I mean I respect Mr. Fleischner's point I think night is probably better I mean I'm around that area, I live in the next town so you know I think night you're going to have less traffic on Route 46 at that intersection so trucks coming down and making the turn, even to the point earlier about what's the length of the queuing lane there your just not going to have that much traffic at that intersection at night. At least in my experience and I just . .
- MS. STOTLER: What would consider night after 4:00, after 5:00?
- MR. MCGROARTY: Um well I like the idea of later because I agree that Sand Shore School does get used for stuff.
- MR. SANDHU: And then you've got the evening traffic rush hour.
- MR. MCGROARTY: I'm thinking like when you're past 9:00, 10:00 at night there's really nothing going on around.
- MR. WEISS: Dan do you have a comment?
- MR. NELSEN: Yeah I think I'd like to hear from Sergeant Pocquat on that, on his thoughts on the traffic.
- MS. STOTLER: The traffic?
- MR. NELSEN: Yeah on what might be the best hours for loading and unloading.
- MR. WEISS: Well I don't disagree but I think before we get to that point
- MR. SCHAECHTER: Time out. The bigger concern is actually not as they leave Sand Shore it's when they get to Smithtown and they've got to make that right to go back on Route 46 and now you've got houses there and you've got a trucker whose got a full . . .
- MR. SELVAGGI: It would be empty by then.
- MR. SCHAECHTER: You're assuming your taking all the fuel.
- MR. SANDHU: I'm going to take all of the fuel they're going to charge me.
- MR. SCHAECHTER: They only do one load at a time?
- MR. SANDHU: Excuse me?
- MR. SCHAECHTER: They only do one load at a time so you can't take 1500 gallons you have to take 8500.
- MR. SANDHU: No, no, no, no, no you have to take 8500 gallons or you might as well close the doors.
- MR. MCGROARTY: There's a truck but it's just going down Sand Shore . . .
- MR. FLEISCHNER: You are not going to make that turn I'm sorry Chuck.
- MR. SCHAECHTER: How about your hammer break?
- MR. FLEISCHNER: You're not going to make that turn without blocking all of the cars if there are any cars coming up Smithtown.

MR. WEISS: Joe which turn are you talking about?

MR. FLEISCHNER: Smithtown Road.

MR. SELVAGGI: But guys in all due respect it's a red herring because you have an industrial site a couple of streets down and that industrial site can accommodate tractor trailers in and out of there.

MR. SCHAECHTER: But the industrial site is going out the other way.

MR. SELVAGGI: How do you know? You have no idea because there's no weight limit on Smithtown Road, there's no weight limit on Sand Shore Road so you are assuming that they're not going in that direction. But there's no evidence to suggest that that is in fact true and if there is a problem with using those roads for an industrial site it should have never been zoned to allow for an industrial use.

MR. SCHAECHTER: I will tell you most of that truck traffic is making a right out of those warehouses

MR. SELVAGGI: You've done a traffic count; you've done a traffic study.

MR. SCHAECHTER: I've not done a traffic study but I've been there enough to know that if you're a truck driver and you want to make that turn and the radius is a lot easier at the corner of Naughtright then it is at the corner of Smithtown.

MR. FLEISCHNER: I would say the trucks come up Smithtown Road they do . . .

MR. SELVAGGI: So how are they making that turn?

MR. FLEISCHNER: Because the cars heading, it would be what eastbound, okay they have that swing of that lot. I have never in 40 years or since that industrial park was made and I'm retired so last nine years I'm home during the day I have never seen one of those trucks come out of that industrial site and go down Smithtown. They make a right and come out onto Route 46.

MR. SCHAECHTER: I think to Michael's point though . . .

MR. FLEISCHNER: It's a valid point and maybe you need to go back and do a . . .

MR. WEISS: No, no I think Mr. Selvaggi makes a very good point. The zoning dictates the use and . . .

MR. SELVAGGI: You can't stop us because your roads are inadequate.

MR. WEISS: You've zone it to be . . . that's an acceptable use so we have now . . . we can't penalize the applicant at this point. I agree with you Joe but I think Michael makes a good point it is what it is.

MS. COFONI: It seems like the applicant is leaning towards night deliveries to begin with and it sounds like all of these issues point to night deliveries which would alleviate some of these concerns with traffic.

MR. FLEISCHNER: If they're going to come at 1:00, 2:00 in the morning I don't think there's going to be an issue. But if they're there before 11:00 at night there is an issue there's a lot of traffic going up Smithtown at 11:00 at night.

MS. COFONI: 11:00 at night?

MR. NELSEN: They're not open at 1:00 and 2:00 in the morning.

MR. SELVAGGI: But the deliveries could still be . . . You could still get the deliveries though.

MR. FLEISCHNER: You can still get the fuel.

MR. SELVAGGI: Yes.

MS. COFONI: Okay so I think 6:00 a.m. was the later time what are we talking about for the earliest?

MR. WEISS: 11:00 to 6:00? 11:00 p.m. to 6:00 a.m.?

MS. COFONI: Is that a time frame that you can work within 11:00 p.m. to 6:00 a.m. for deliveries?

MR. WEISS: Don't answer that question yet. Joe let's make sure we don't put the applicant in a bad position. I don't want to ask him to commit to something and then we say I don't like that.

MR. FLEISCHNER: I'm just saying I don't think the trucks should, a gas truck should be allowed down Smithtown Road, making a right on to Smithtown Road. I know it hasn't been zoned, etc. it was never thought of when the original zoning took place but we've never had a case and it's our fault in the last 8, 9 years did I ever think because no one ever came before this Board to put a gas station on that corner. I thought it was going to be an office building.

MR. MCGROARTY: Well could I ask a question?

MR. WEISS: Sure.

MR. MCGROARTY: And I'm out of my area of expertise clearly but I just wanted to . . . I mean if it's a gas truck or if it's a sanitation truck or if it's a fire truck it's not so much the zoning really it's the function of the road right? And those are collector roads I think and I'll defer to Gene on that Sand Shore and Smithtown.

MR. BUCZYNSKI: Yep.

MR. MCGROARTY: And so again whether it's a township vehicle, which is a big truck you know the ones I just mentioned, or a private truck does it matter, if the function of the road is designed to handle certain kinds of traffic . . .

MR. FLEISCHNER: Yes because a fire truck comes when there's a fire.

MR. BUCZYNSKI: But the road has to still be able to function.

MR. FLEISCHNER: I understand that but you stop at that road going up the hill and tell me how you're going to get around with a gas truck. (inaudible) that's a residential neighborhood, that is a residential neighborhood that is not commercial.

MR. MCGROARTY: I'm just asking about the function of the street though. If the function of the street and those streets are collector roads . . .

MR. FLEISCHNER: We've already lost . . . by the way you've got to fix the stop sign they hit with a (inaudible).

MR. MCGROARTY: No but if they're collector roads the presumption is they're going to have through traffic on them. And unless there's weight limits they're not restricted to certain vehicles.

MR. BUCZYNSKI: They're not. And there's no limit on the structure over the Southbranch either. And talking we were about three deliveries we're going back and forth here I think we should wait to hear testimony from a traffic engineer. I'm sure he evaluated that intersection among the other intersections and maybe discuss further then.

MR. SCHAECHTER: Well if not I think we need to hear from our traffic officer to see what the feasibility is.

MR. WEISS: So then perhaps let's table the time of deliveries until we get more information. We're going to come back to it there seems to be concern on both ends so let's do it that way, let's just not beat this dead horse anymore. Okay.

MR. SELVAGGI: I don't know if anybody else has any questions.

MR. WEISS: Well let me open it to the public. Does anybody from the public have any questions for Mr. Sandhu based on the testimony that you just heard this evening? Sir do you want to come to the podium you'll state your name, spell your name and address for the record please.

MR. CHAPARYAN: My name is Jacob Chaparyan (C-H-A-P-A-R-Y-A-N) I've got a house in the town 12 years and I work in the Exxon across the street the business for 20 years. On the traffic side I see maybe more than 20 accidents there and maybe 10 more . . . the pole, the light pole has come down so much that traffic over there. That's what I want to tell you guys. I see my eye because I'm there like from 6:00 all the way to 6:00, 7:00 sometime. There's a lot of accidents over there, bad accidents I see it. And the poles come down because a tractor trailer is coming and making a right at the corner they're just coming down.

MR. WEISS: Okay so I'm just interrupt. Was there a question, I understand and just because the process is new to you what's going to happen in this hearing is at the end of the hearing anybody and everybody is going to have an opportunity to say and speak your mind. But what I would like now if you had a question based on what he said now is your time to ask.

MR. CHAPARYAN: No sorry that's all I misunderstood.

MR. WEISS: That's okay. If you have a comment we want to hear it just not now.

MR. CHAPARYAN: Thank you very much.

MR. WEISS: Okay. Anybody else from the public? Okay seeing none I'll close it to the public Mr. Sandhu thank you for your time.

MR. SANDHU: Thank you.

MR. SELVAGGI: What I'd like to do is have our architect, it shouldn't be very long it's a canopy and I'm hoping that we can get Mary over and done with and you know this way she doesn't have to come back.

MR. WEISS: That's a good idea. And I did mention to you that we're going to wrap this up by 9:30 tonight.

MR. SELVAGGI: Yeah because if we go into traffic I think that discussion will go well beyond 9:30 and I'd rather not split it up.

MR. WEISS: That's fine.

(MARY TRUBEK SWORN IN FOR THE RECORD)

MS. COFONI: If you could state your name spelling your last name for the record and giving your business address for the record please.

MS. TRUBEK: My name is Mary Trubek (T-R-U-B-E-K) and the address is 40 Fox Farm Road, Phillipsburg.

MS. COFONI: Thank you.

MR. SELVAGGI: Mary you could have a seat. And there was a submission of architectural plans and you've given me a photograph which I think we can mark A-5 and Mary before I submit this to the Board what is this a photograph of?

MS. TRUBEK: This is a BP Station just outside of Phillipsburg on Route 22 and it just shows what the colors are and what their logo looks like.

MR. SELVAGGI: Okay and this is representative of what the sign here on the canopy would look like?

MS. TRUBEK: Right.

MS. COFONI: What was the date of the picture?

MR. SELVAGGI: When did you take this?

MS. TRUBEK: First of December, around the 1st or 2nd.

MS. COFONI: Okay December of 2014 okay.

MR. SELVAGGI: Mary let's start first with the canopy. You've prepared the . . . submitted the architectural plans I think (inaudible-paper being shuffled) 15 foot clearance and then 3 feet on top correct?

MS. TRUBEK: Yes.

MR. SELVAGGI: And what's the materials proposed for the canopy?

MS. TRUBEK: It's a metal canopy with . . . it's a neon, the narrow strip and then two different colors the white background . . . I don't actually design the structure of the canopy that's a specialized company but I just drew the look of it and then they . . . but it's mainly a steel canopy.

MR. SELVAGGI: All right and where will signage be? Assuming we get BP approval where would the logo be?

MS. TRUBEK: Okay we have one of the logos on each side of the canopy.

MR. SELVAGGI: Okay and how does that equate to, if I was driving along Route 46 where would the logos be or the signs?

MS. TRUBEK: Okay the one, the first one would be kind of . . .

MR. SELVAGGI: And you can certainly go to A-4.

MS. TRUBEK: It would be towards the . . . towards your end.

MR. SELVAGGI: Okay why don't you go up there, we're looking at A-4.

MS. TRUBEK: Okay if your coming here there would be a logo here and here that you would see.

MR. SELVAGGI: Okay and those are the only two places?

MS. TRUBEK: And from the other side as your coming in there or your coming down Sand Shore you would see a logo on this side and there's one here.

MR. SELVAGGI: Okay.

MS. TRUBEK: So if you stop at the light there you would see the logo there.

MR. SELVAGGI: Okay so those are the four locations of the logo?

MS. TRUBEK: Yes.

MR. SELVAGGI: Okay and lighting is proposed beneath the canopy?

MS. TRUBEK: Yeah those would be LED down lights that wouldn't really spread a lot but it's mainly to light the area below. And I know the owner has assured us that if there's testing by the township after it's installed and they want more shielding on the lights he's certainly willing to do it.

MR. SELVAGGI: So the proposal is for any of the lighting associated with the canopy to comply with all of the township's requirements?

MS. TRUBEK: Right.

MR. SELVAGGI: Okay. The lighting of the canopy would run with the hours of operation? So if it was dark then . . .

MS. TRUBEK: Right they'll turn it off.

MR. SELVAGGI: Turn it off. Now with regards to the, for a lack of a better term, the outbuilding where the bathroom is what's the materials proposed to be there and the look of what's (inaudible), and again I'm referring to the architectural plans you submitted. I guess the upper right hand corner.

MS. TRUBEK: Yeah the building would have a band of about 3 feet high of what we call cultured stone which would be a brown stone and the a beige stucco above it. I wanted to split the building a little bit because otherwise it's so narrow especially at the one end it was going to look like a post not a building. And then the roof would be a dark green metal to match the darker green of the BP.

MR. SELVAGGI: What are the dimensions of the building? I mean width, height.

MS. TRUBEK: Okay it's 7-1/2 feet wide, it's 17 foot 2-1/2 long and the height is 8 feet to the bottom of the roof overhang and then another 2 foot 8 up to peak.

MR. SELVAGGI: Okay and the bathroom would encompass, what would be the dimensions of the enclosed bathroom area?

MS. TRUBEK: Well the bathroom, because we are putting in handicap it's taking up 5 feet of the whole width, depth of the building there. And the other end of the building we have an electric room for the panels, possibly a vending machine he may need more of that space for more of his computer equipment. So we may lose the vending machine and then in the middle is a counter for the you know the work station for the employee.

MR. SELVAGGI: And the interior of that space would be lit?

MS. TRUBEK: Yeah.

MR. SELVAGGI: All right and the lighting would run concurrent with whatever the hours of operation are?

MS. TRUBEK: Well the light within that counter area would probably be at least . . . it's probably a 4 tube fluorescent, we would put at least two tubes on as security lights so that that would be on even when the place is closed.

MR. SELVAGGI: Okay any other lighting associated with that (inaudible) exterior.

MS. TRUBEK: On the front of it at the entry we have in the little roof overhang we have three small down lights that would just light up the front but those would only be when it's open.

MR. SELVAGGI: All right and that lighting would be directed inward towards the parking area.

MS. TRUBEK: A little bit toward . . . but it would spread some but its raining straight down.

MR. SELVAGGI: If we were looking it would be in here though right?

MS. TRUBEK: Oh it's on that side yeah.

MR. SELVAGGI: Okay so there will be no lighting, my point is there's some homes and some other . . .

MS. TRUBEK: Yeah there would be nothing behind the building.

MR. SELVAGGI: Any other structures of note on this thing?

MS. TRUBEK: Other buildings on the site?

MR. SELVAGGI: Yeah.

MS. TRUBEK: No.

MR. SELVAGGI: And the bathroom would be able to meet even though this is such a small space it meets all ADA compliance requirements?

MS. TRUBEK: Yeah (inaudible).

MS. COFONI: Excuse me Mr. Selvaggi if I may I missed . . . there are going to be lights on the building? Is that what you said three lights on the building?

MS. TRUBEK: On the front overhang there will be three little down lights just for when it's open. You have to have lighting at the entrance.

MS. COFONI: Thank you.

MR. SELVAGGI: And I apologize because I know we were trying to blow through this quickly, Mary if you could, and I apologize your credentials as an architect just for the record.

MS. TRUBEK: Okay . . . I'm a graduate of Columbia University School of Architecture, I won't mention what year but I've been in private practice for 40 years now.

MR. WEISS: Thank you welcome to Mt. Olive.

MR. SELVAGGI: So when you have an Ivy League graduate you want to . . . since nobody else on our team I think . . . So you have the three lighting, no lighting in the back and the exterior lighting on the building will go out when the facility is closed correct?

MS. TRUBEK: The lights on the front will, the interior light would be on dim just for security.

MR. SELVAGGI: And just the canopy lighting that's more of a glow that's not a direct light outward? I'm talking about the band.

MS. TRUBEK: Along the edge yeah that's just, it's just kind of an accent it doesn't light the area at all it just calls attention to it.

MR. SELVAGGI: Okay that's all I have for Ms. Trubek.

MR. WEISS: I have a question, just generally speaking Mary we're going forward with the assumption that this is a BP gas station.

MS. TRUBEK: Yeah.

MR. WEISS: I just want some assurance that if it's not a BP gas station that the colors and the décor of the gas station will be submitted to the township. I don't think that's unreasonable.

MS. TRUBEK: No, no we would . . .

MR. WEISS: So we can go forward with the assumption that it's BP but the applicant clearly stated and we accept the fact that it's not definite and I know your coloring and your pictures shows what a BP canopy looks like, I would hope that we don't see a bright red canopy if it's another brand or unbranded.

MS. TRUBEK: Each brand has their own . . .

MS. COFONI: When you say submit do you mean submit to the town engineer and town planner?

MR. WEISS: I'm not sure I was going to turn this way and ask that question. I just think we'd like an assurance or something.

MR. SELVAGGI: We can come back on an amended site plan if that's what you want.

MS. COFONI: That's what I was trying to clarify if you meant come back before the Board or just have . . .

MR. WILPERT: Typically it just goes to the Zoning department and a zoning permit is issued off of it.

MR. WEISS: Yeah but I don't think the zoning department would say what color is your canopy.

MR. WILPERT: Well I mean it would if they changed hands ten years down the road and they went to Enright which is black and red it doesn't matter you're going to look at the structure, the size of the canopy and go by that. Because BP could go bankrupt which they won't you know in a couple of years he could have to go with Gulf or somebody else.

MR. SELVAGGI: The dimensions and everything of the structures will remain the same I mean we prefer not to but understanding if it's a big enough for you to see aesthetically what it's going to look like we can come back.

MR. WILPERT: Typically before they even go for permits they got to get a zoning permit for that sign.

MR. WEISS: Well I think we can resolve this by saying if it's not BP then the township engineer and planner get the opportunity to review it and that would be fine. Chuck I know that that's what you were going to . . .

MR. MCGROARTY: No I had a different question Mr. Chairman when you're done with that.

MR. WEISS: Sure go ahead.

MR. MCGROARTY: Ms. Trubek on Mr. Glasson's plans there's a reference to the architectural plans for lighting details but your plan doesn't have any lighting details. So if it's not going to be your plan then some plan from either BP or whomever I think it's important for two things. The lesser of the two is some detail showing the lighting under the recessed roof or the recessed lighting I'm sorry under the roof, I think a detail should be provided for that, and more importantly at least in my view the canopy lighting needs to be detailed. Because the problem with canopy lighting is it is not recessed then it catches the motorist's eye and it can be a distraction. And there are examples on Route 46 where that occurs. So the idea is to have it recessed under the canopy and really what I would suggest to the Board is that you get as you move along you get a detail of that on the plan. So that should this be approved and when it's built they'll be something tangible to look at and say that's how the lighting should be designed.

MR. BUCZYNSKI: I imagine there's going to be a detail plan for the lighting when it goes to the building department but it's almost like how would we get to see it. You know that's the only concern.

MR. SELVAGGI: We can get you a catalog I mean you know depending on who approves it I mean they may have different specs but we can certainly agree that . . .

MR. MCGROARTY: Right but I've sort of been down this road with other gas stations and when we talk about recessed canopy lighting there may be something lost in the way it gets processed. So yeah if there's some kind of detail that actually will show.

MR. SELVAGGI: We'll do that. We'll do that and then if let's assume another company or he doesn't get BP and the lighting has to change because . . .

MR. SANDHU: The lighting, we'll give a detail for the underneath the canopy lighting they're standard.

MR. SELVAGGI: If it's standard that's fine.

MR. SANDHU: For every gas station they're LED lights and if the township says too much light they make kits, retrofit kits for them.

MR. MCGROARTY: And we'll see that.

MR. SANDHU: Yes.

MS. TRUBEK: It's the same canopy manufacturer isn't it?

MR. SANDHU: Yeah.

MR. SELVAGGI: All right.

MR. WEISS: Does anybody else have any questions for the architect? Seeing none from the Planning Board does anybody from the public have any questions for the architect based on the testimony that she delivered this evening? And I see none from the public so I'll close it to the public. Mike I think it's a pretty good time to . . .

MR. SELVAGGI: Yeah.

MR. WEISS: What we'll do is we'll look at our schedule and you'll tell me some dates that might work for you.

MR. SELVAGGI: We would assume the 15th knowing that the 8th is reorganization.

MS. NATAFALUGY: 8th is reorganization on the 15th I have four matters on the agenda that night, a variance, extension request, a minor subdivision reapproval and that certification.

MR. WEISS: Well what was our conversation about reorganization? Did we say that we would . . .

MS. NATAFALUSY: We were going to go into a public meeting to adopt resolutions.

MR. WEISS: We'll close reorg. And open up public?

MR. FLEISCHNER: Yes to do resolutions.

MR. WEISS: Do we have anything on?

MR. BUCZYNSKI: Resolutions.

MS. NATAFALUSY: Just the resolutions that's it.

MR. WEISS: Can we add something? Can we add this on the end?

MS. COFONI: Yes that's up to you.

MR. SCHAECHTER: We're here we might as well . . .

MR. WEISS: So Mike I would give that to you I'd give you the . . .

MR. SELVAGGI: That's fine.

MS. COFONI: You're available for the 8th? Mike you also need to check your hydrogeologist for that date too so do you want to say we'll carry it to the 8th and then if we have to carry it again we can?

MR. SELVAGGI: Yeah I mean that's fine. I mean if worse came to worse depending on how long reorganization and everything else is I mean we'll at least have traffic in and if the Sergeant is here then we'll . . . that could take . . .

MS. COFONI: Okay that could take up a whole meeting yeah.

MR. WEISS: Catherine will you ask that Sergeant Pocquat be here on the 8th?

MS. NATAFALUSY: Sure.

MR. WEISS: And I think that's the only application that evening.

MS. NATAFALUSY: Yes.

MR. WEISS: We won't schedule anything else so we should have plenty of time Mike because reorganization won't go more than a half an hour.

MR. SELVAGGI: All right so you have our consent to carry it to, we'll do it to the 15th this way God forbid something happens . . .

MR. WEISS: And you'll have to sign the extension.

MR. SELVAGGI: Yes.

MS. COFONI: However this meeting is being carried to January 8 no further notice will be provided so if you're interested in hearing the continuation of this hearing please come on January 8th meeting.

MR. FLEISCHNER: It's the second Thursday.

MR. WEISS: And again just for members of the public there will be an opportunity at the end of the meeting to state your position, give an opinion and speak quite frankly about anything that you'd like that you might want us to know about. Along the way with every expert we'll stop and open it to the public for questions. And I know it's a little slow going now but we'll make sure everyone gets an opportunity to be heard.

MR. SCHAECHTER: Catherine you don't want us to . . . you want us to hold these.

MS. NATAFALUSY: Yes.

MR. WEISS: Everyone hold their paperwork.

MS. NATAFALUSY: Put it back down there and we'll collect it and bring them back out again. Don't throw them out please.

MS. COFONI: I'll keep mine Catherine.

MR. SELVAGGI: All right thank you.

MR. WEISS: Michael have a happy new year, happy holidays.

MR. SELVAGGI: Merry Christmas.

MR. WEISS: Okay well we have just absolutely no more business on tonight's agenda I do want to remind everyone on the Planning Board if you'd like to join us we are going to head over to the Corner Pub there is some food set aside so when we come in go to the right there will be a table I ordered some food and we'll go for a holiday toast.

MR. SCHAECHTER: I make a motion to adjourn.

MR. FLEISCHNER: Second.

MR. WEISS: All in favor.

EVERYONE: Aye.

(MEETING ADJOURNED AT 9:22:30 P.M.)

Transcribed by:
Lauren Perkins, Secretary
Planning Department

