

Town of Phillipsburg
Planning Board Meeting
525 Warren Street
Minutes for Sept 28, 2017

Chairman Corcoran called the meeting to order at 7:08 pm and led the meeting with the Pledge of Allegiance. Chairman Corcoran read the Open Public Meeting Acts Statement. Those Present were: Mayor Stephen Ellis, Councilman Randy Piazza, Chairman Kent Corcoran, Keith Zwicker, David P. Morrisette, Dominick Vangeli, Rosanne Rohm, Darren Bodogh, Bernie Rooney and Bill Duffy. Also in attendance were William Mandry, Planning Board Attorney; Stan Schrek, Board Engineer; and Ms. Charee Carney, Recording Secretary.

Resolution- Case 15-004 (OPUS)

Councilman Piazza motioned to adjourn the resolution for Case 15-004 for I-78 Logistics Renewal Entity to the next because there will be an amendment to it.

New Business- Bourbon Street LLC Case 17-002

Mr Duffy recused himself.

Mr. Christopher Nusser, civil engineer and professional planner, was sworn in for testimony and considered an expert witness. Attorney William Coldwell asked if Attorney Edleston would be afforded the opportunity to cross examine and it was stated that he will not.

Mr. Schrek stated that he recommends the board deem the application complete. Mr. Schrek asked if the engineer listed on the plan is a licensed engineer. The applicant will submit a new survey with his title on the plan.

Mr. Nusser gave a brief description of their application that involves the car wash that is located on Memorial Parkway, Pickford and Cromwell. They propose to construct a 8,000 square foot building. The entrance will be at the northern end of the building and feels the safest entrance will be on Pickford Ave. 44 parking spots are required and 29 spaces are being proposed and feels that 29 are appropriate and feel the benefits outweigh the detriments for the town of Phillipsburg. The parking lot includes 2 handicapped stalls and a loading area. They are reducing the impervious coverage from 79% to 78% and maintaining the current grading for storm water. There will be street trees, foundation plantings along the edge of the building and site lighting mounting north facing and two standalone light poles.

Mr. Nusser used the ITE trip generation for the proposed project, which complies with NJDOT. Coming from Pickford for people already on the road, 58 percent would go to the carwash in the afternoon and 60 percent will access the proposed site. In the morning peak, 39 trips would go to the carwash and 36 would go to the proposed site. The liquor store would be busier in the afternoon opposed to the morning peak and would generate 58 trips during the pm peak for the carwash and 235 for the proposed liquor store.

Chairman Corcoran asked about the other Bourbon Street locations with concern to the customer count. Mr Wade described the other sites located in Pohatcong Township, Greenwich Township and Hunterdon County. His personal knowledge concerning various stores, 9am to 11am 10 trips are generated per hour. From 3pm to 6pm, 90 to a 100 trips per hour would be generated on a great day and 60 to 70 on an average day and 10 to 25 on the weekends.

Mr. Schrek asked about the parking ratios, spaces per square foot. Mr. Nusser responded that the other Bourbon Street stores are not stand alone liquor stores. The Pohatcong Store is 4500 sq. ft. with a rehab office next door and a 3 bedroom apartment upstairs. There are 22 spaces for that store. 14 stalls are for the liquor store, which is less than what they are proposing today. The proposal is consistent with the other Bourbon Street stores.

Michael Wade, applicant, was sworn in for testimony. Mr. Wade stated that there will be a phase I and phase II on the property. Mr. Schrek requested that information for the phasing for this application.

Mr Wade stated that the day before Thanksgiving, Christmas and New Year's eve, are busier than the other days of the years. They don't come close to filling the spaces at the Clinton store, even on those days. Mr. Wade likes that the store is stand alone and does not foresee any issues with parking.

Mr. Piazza asked about deliveries. Mr. Wade stated that they carefully schedule and receive deliveries during the weekdays around 8 am or 2pm, depending on the areas. Most trucks are box trucks and never tractor trailers.

Mr. Schrek stated that the property used to be a gas station and asked if there were tests done to see if there any contaminants and Mr. Nusser responded yes it is being taken care of.

Mr. Bodogh asked about the proposed vegetation on Pickford and Mr. Nusser stated that he does not foresee an issue with a box truck entering or leaving the site with the trees being proposing. Mr. Nusser stated that the package truck will be able to do a K turn without impacting any of the parking stalls. They are also dedicating 2 spots for employees. The waiver is needed for the entrance of Memorial Parkway because it has a site distance of 161.3. The cars on the highway are not going 20 mph. As for Elder Ave, they have a site distance of 134 feet.

As for the parking analysis, Mr. Nusser stated that liquor stores will require 25 parking stalls for the weekday peak and 21 for the weekend peak, peak being 2.98 per thousand which is less than the Phillipsburg standards. They are proposing 29 parking stalls which exceed the 24 required. Parking is also available on the street. Mr. Schrek stated that the area is becoming very successful and very busy especially during the holiday season. It is a residential area across the street and it is not their intention to have parking for businesses in a residential area. Mr. Schrek recommended they look for shared parking with another business because they may need to accommodate for more parking on those 3 days. Mr. Nusser stated that eliminating the entrance on Elder Ave. and the parking available on the frontage would allow additional parking, 60 to 80 feet on the sides. All studies have been reliant on DOT peak, not actual counts. Mr. Shrek stated that there is a lot of parking available off road in that area. Mr. Shrek stated that maybe their employees can park elsewhere during those 3 days of concern. He believes the parking will

work on a normal basis, but they are asking for a significant variance for the parking not the traffic. Attorney Coldwell stated that the employees can park elsewhere on those peak days, which would create 4 spots. Mr. Schrek stated that they need to explore the other opportunities in that area. Chairman Corcoran stated that the Japanese steakhouse is not busy during that time. Attorney Coldwell stated that after a snowstorm a carwash would most likely have stacking on the street.

Mr. Morrisette stated that the residents in the area will despise the liquor store if the customers park in the residents spots that are needed for entertaining. Attorney Coldwell stated they will inquire about additional spots but was concerned that the customers will not walk.

Chairman Corcoran stated that he would love to see the applicant's business in that location but the board needs answers for the additional parking.

Mr. Nusser stated that the curb age and sidewalk on Memorial Parkway are in good condition and feels that it would more of a problem for the area to shut down parts of the road than to just leave it the way that it is, for the variance. Mr. Shrek agreed with the burden but stated that they need to discuss it more. The applicant plans to plant some evergreen shrubs to provide a screen for the headlights. There is not a lot of room on the Elder Ave. side, so they decided to move the development closer to Memorial Parkway by a foot and a half. The signage will face the front of the building facing Memorial Parkway and facing Elder Ave.

Attorney Coldwell asked if the board would allow Attorney Edleston the opportunity to cross examine. Attorney Mandry stated that it is appropriate for a cross examination. Chairman Corcoran stated that when the meeting is opened the meeting for public comment, Attorney Edleston can ask questions.

Mayor Ellis stated that he is in favor of this project because there are too many abandoned buildings in the Phillipsburg area. The carwash is floundering. He encourages the applicant to resolve the parking issue. Mr. Rooney stated in regards to the waivers, he feels that the sidewalk on Memorial Parkway is a state issue and doesn't feel it should stop the project and feels there should be a circulation study. Mr. Schrek stated that the traffic study does address circulation.

Chairman Corcoran opened the meeting to the public.

Gloria Decker from 161 Pickford owns the building at 291 Pickford Ave, commented that the traffic coming from Pickford Ave to Memorial Parkway is very dangerous. Her building has parking for 26 people and the building is for sale for a medical office and they don't use that intersection. She commented that they need sidewalks; her property has a small sidewalk. Right now, the car wash only has ten customers a day. Mr. Nusser stated they will be adding sidewalks on Pickford. The applicant responded that the waiver is for the Route 22 sidewalk which ends next of the new site. Mr. Wade asked Mrs. Decker if she would be willing to rent spaces on the 3 days they need additional parking.

Bill Duffy, 386 Bates Street, asked how many parking spots the Bourbon Street in Greenwich has. Mr. Nusser said that it has 85 stalls that they share with 3 other businesses. Mr. Duffy stated that when the liquor store gets too big for that spot and moves, you will have an existing condition. Mr. Duffy also

asked, for the off-street parking requirement, where are they going to park their construction vehicles. Mr. Nusser stated they have other projects that are very tight and didn't park on the street. The applicant builds the building and has control. Mr. Shrek stated that they will work closely like with other applicants to make sure that it is controlled.

Danielle Degerolamo, 620 Corliss Ave, said that Elder Ave. is very busy and she is worried about the offset from the street and the building. The building will get hit if it's too close and you cannot see at that stop sign. She was concerned about accidents on Elder and the height of the shrubbery. Mr. Piazza suggested putting up a 4 way stop. Mr. Nusser stated that there will not be shrubbery right up to the corner and will work with Mr. Schrek to make sure that it is not dangerous.

Janet Crine, 4680 Deltry Drive, asked if the public will be able to speak again before the final decision. She asked if this was the largest store and if they have more or less than this store. Mr. Nusser stated that the Clinton store is larger and has more parking but they share it with other businesses. She said that the KFC has a lot of traffic. She said that super bowl Sunday has a lot of traffic as well and it is not just 3 days a year.

Charee Carney, 894 Hill Street, said that she has been to the other Bourbon Streets various times of the year and if she had to wait, it was not long because the customers are quick. She has never seen the Pohatcong store inundated even during those peak days.

Attorney Edleston asked Mr. Wade asked why they have not considered a smaller liquor store; parking would not be the same and closer to the town's ratio, feels they are asking for a significant variance. Mr. Wade feels the store is an appropriate size for the population for this town and has larger stores in neighboring towns. Attorney Edleston said they did not take physical counts of the traffic in the area and relied on the ITE. He asked if they considered queuing of vehicles. Mr. Nusser stated that he does not see a negative impact for the queuing of vehicles.

The items from Mr. Schrek's review and the parking questions for peak days are required to be discussed at the next meeting. Mr. Rooney suggested they do a circulation study.

Mr. Piazza motioned to adjourn to the next meeting and Mr. Bodogh seconded. The motion carried with one abstention from Mr. Duffy.

The board took a five minute recess.

Attorney Mandry stated that the Phillipsburg Commerce Park Renewal Entity resolution is being modified for the phasing schedule.

Mr. Zwicker motioned to amend the resolution for I-78 Logistics Renewal Entity and Mrs. Rohm seconded. The motion carried.

Attorney Mandry stated that the Phillipsburg Commence Park Renewal Entity resolution regarding the subdivisions is being modified and will be presented at the next meeting.

Mr. Bodogh motioned to accept the minutes and Mr. Zwicker seconded. The motion carried.
Ms. Carney stated that there is not enough in the escrow to pay the River View invoices.
Mr. Duffy motioned to accept the bills and seconded Ms. Rohm. The motion carried.

Other Business

Mr. Duffy asked about the question on the election ballot concerning recreation funds and asked if there is a plan for what the funds will be used for and Mayor Ellis said that the funds will be used for natural and historic across the board, deferred maintenance (football and baseball fields, basketball and tennis courts, and the trails).

Mr. Zwicker stated referring to the person from Bethlehem that gave public comment, Ms. Crine, we can entertain her comment but she is not a tax paying resident. Chairman Corcoran agreed that it was not appropriate for the board to take her opinion into consideration but listen to what she had to say. Mr. Duffy stated that in the past, the board has heard from people from the surrounding towns and the board should listen to what the person has to say but she should have stated a city and state with her address. Attorney Mandry stated that she works for Norton.

Mayor Ellis stated that whole area needs to be studied for traffic purposes. Mr. Duffy stated that the larger change has been since the high school moved. Mr. Schrek stated he asks for a police response for applications. Ms. Carney stated that applicants have complained in the past that the police do not respond to the request.

Councilman Piazza motioned to adjourn Mr. Duffy seconded. The motion carried. Meeting adjourned at 9:01.

Respectfully Submitted

Charee Carney

Charee Carney
Land Use Technical Assistant