

Approved: 5/5/16
 Offered: Vignola
 Seconded: Solomeno

Minutes of March 17, 2016

The Regular Meeting of the Hazlet Township **Land Use Board** scheduled for March 17, 2016 was called to order at 7:30 PM with a Salute to the Flag followed by a Moment of Silent Prayer and a Reading of the Letter of Compliance.

ROLL CALL:

Present: Mr. Bace, Mr. Tyler, Mr. Solomeno, Mr. Vignola, Mr. Grossman, Mr. Sanfilippo, Mr. Mann, Mr. Moore

Absent: Mayor Aagre, Mr. Rooke, Mr. Byrne, Mr. Lavan, Deputy Mayor Kiley

Professionals: Mr. Vella, Esq, Mr. Otto, CME, Mr. Taylor, CME, Mrs. Keegan

MOTION: To approve the Minutes of the Regular Meeting of March 3, 2016

Offered by: Mr. Vignola

Second: Mr. Tyler

ROLL CALL

	<u>YES</u>	<u>NO</u>	<u>ABS</u>
Mr. Byrne	_____	_____	
Mr. Bace	<u>X</u>	_____	
Mr. Lavan	_____	_____	
Mr. Tyler	<u>X</u>	_____	
Mr. Solomeno	<u>X</u>	_____	
Mr. Vignola	<u>X</u>	_____	
Mr. David Rooke	_____	_____	
Deputy Mayor Kiley	_____	_____	
Mayor Aagre	_____	_____	
Alt #1 Mr. Mann	_____	_____	<u>X</u>
Alt #2 Mr. Moore	_____	_____	<u>X</u>
Alt #3 Mr. Grossman	<u>X</u>	_____	
Alt #4 Mr. Sanfilippo	<u>X</u>	_____	

Carry-Over : 15-11L; First Hartford Realty Corp/CVS; Highway 36 and Laurel Avenue; Block 134 Lot(s) 1, 15, 15.01 & 16, BH Zone and R-70 Zone. Applicant is seeking Preliminary and Final Site Plan & Subdivision approval, Use variance approval and several bulk variances to construct a new CVS store.

Attorney Vella announced that the traffic engineer will testify and answer questions from the board and then will open up to the public. The objector nor his attorney were present, will request all witnesses' attendance at May 5 meeting.

Chairman Tyler stated that CVS' traffic engineer would give testimony tonight.

Mr. Gianetti: Reviewed the use variance application and associated waivers. Civil engineer and architect testified at last meeting about revised plan closing off Liberty Place entrance. The architect testified about changes to the building in response to requests from the board and planner gave testimony in support of the use variance. Nick Verderese from Dynamic Traffic is testifying tonight about the supplemental traffic study of February 4, 2016.

Attorney Vella advised Mr. Verderese still under oath. Advised updated traffic study would be marked exhibit A-13 and CME report dated February 10, 2016 as LUB exhibit and Dynamic Traffic supplemental letter dated March 2, 2016 as A-14.

Mr. Verderese: Addressed the concern of the board at the last meeting about the traffic at the intersection so did some additional traffic counts during peak hours and Saturday as well as at Liberty Place and Route 36. Reiterated the difference in traffic generated by a CVS compared to gas station. The traffic study did an analysis of the driveways at Route 36 and Liberty, South Laurel and Sidney as well as Route 36 and South Laurel. The analysis showed that the CVS would not significantly impact the traffic at the intersections. CVS would move the driveways on Laurel Ave. further away from the signalized intersection. Acknowledged that during peak hours the traffic would back up past the driveway but the difference in waiting times at the light were negligible. CVS would change the timing of the light at Route 36 to improve the flow of traffic northbound on South Laurel. In the peak summer months, the traffic increases by 44% and the analysis showed that the CVS would generate a very small impact on this traffic.

Mr. Bace: Asked for clarification on the length of the queue of cars along South Laurel.

Mr. Verderese: The queue was shortened by 78 feet by changing the timing of the signal.

Mr. Moore: Asked how many cars go through the traffic light when green.

Mr. Verderese: In October evening hours, there were around 10 cars in the queue. On average, 1-2 cars did not get through. The average can be longer during the peak times. There are existing conditions there especially during the summer months. There will be no noticeable difference whether CVS is there or not.

Mr. Solomeno: Asked about previous testimony that a gas station would generate less traffic than a CVS.

Mr. Verderese: The gas station generates less during the pm peak hours. During the am peak hours and on Saturdays, the gas station generates more than the CVS. Explained the grading system given to the intersection contained in the traffic study.

Mr. Solomeno: Asked Mr. Otto for an explanation of the 250 second delay time noted in his letter.

Mr. Verderese: Explained that they were summer time peak delay times. The wait time can span 3 light cycles during that time and those are the existing no build conditions. Referred to table 9 on page 10 of traffic study.

Mr. Solomeno: Noted that with the gas station not operating now, there would be an increase when there was a business operating there.

Mr. Sanfilippo: Asked with the summer time delay, what would that do to the length of the queue.

Mr. Verderese: During summer peak hours, the queue would extend beyond the driveway.

Mr. Vella: Questioned how many cars would cut through the CVS parking lot to avoid the light and back up at Route 36.

Mr. Verderese: There is always the potential to do it. Some cars may cut through the residential neighborhoods before they even get to CVS driveway.

Mr. Vella: Asked about closing off the driveway entrance on South Laurel.

Mr. Verderese: Noted that traffic would have to find a new way to go north, south or west which would encourage more cars to cut through Liberty Place or Sidney.

Mr. Solomeno: Asked what the percentage of exiting traffic turning onto Liberty Place would be now under the current site plan.

Mr. Verderese: Maybe a handful of cars or people who live in the area. Most people would make the left out of the driveway to go south on Laurel Ave.

Mr. Gianetti: The site already has traffic issues, including it being impossible to make a left turn out of the existing gas station driveway to go south on Laurel Ave., ensuring that most people would cut through Liberty Place.

Mr. Solomeno: CVS is asking for a use variance, including only 33% of the building being in the existing commercial zone so trying to establish whether there are special reasons for this to be approved and whether or not it poses any detriment to the public good.

Mr. Gianetti: The traffic concerns would be in the negative criteria. If another commercial use were allowed there, all of the traffic needing to go south on South Laurel Ave. would go through the residential neighborhood because of the current location of the driveway.

Mr. Verderese: Suggested an application to DOT to request a signal timing adjustment to help ease the traffic at the intersection. The county has identified this as a problem location.

Mr. Tyler: Asked about the possibility of a right turn lane on Laurel in front of CVS.

Mr. Verderese: Explained that they looked into it but was too expensive with all the DOT requirements and there was not a heavy volume of traffic turning right onto Route 36. The majority of the traffic goes straight across the intersection.

Mr. Solomano: Asked Mr. Verderese to explain what the DOT application process would be to expand the green signal time.

Mr. Verderese: Explained they have an access application in to them now and could submit supplemental information and request them to look at adjusting the signal timing.

Mr. Otto: Asked Mr. Verderese to clarify the tables in updated traffic study.

Mr. Verderese: Explained that everything in new traffic study supersedes the original traffic impact study.

Mr. Solomano: Referring to a right turn lane, asked how that would affect the site parking and internal circulation.

Mr. Verderese: The building had to be moved around and seven spaces would be lost.

Chairman Tyler called for a five minute break.

Chairman Tyler called the meeting to order at 8:47 pm.

Mr. Otto: Asked Mr. Verderese to summarize his March 2 amended findings.

Mr. Verderese: Page 2 under #6 is the current levels of service. Explained the tables showing the traffic delays with build vs. no build. All delays fall under allowable degradation by the DOT as far as impact from a development project. Clarified what scenario each table represented.

Mr. Otto: Questioned the success rate of DOT changing signal timing.

Mr. Verderese: Has had some success and some failures. DOT looks at how they can keep traffic moving on the highways and secondly, the side streets. In the summer, they add time to the signal on Route 36 which causes backups on the side streets. There is probably a 50/50 chance that they would approve it.

Mr. Gianetti: Asked Mr. Verderese to explain what is involved in submitting a problem statement to DOT.

Mr. Verderese: The town submits the application with the technical data supplied by the traffic engineer. It can be included with the access request or submitted separately. It will take four or five months to get a response from the DOT.

Chairman Tyler opened the floor for public comments.

Attorney Vella swearing in James McGrath, 9 Flintlock Ct. & Mark Lewandowski, 13 Sydney Terrace.

Mr. McGrath: Questioned how many customers would be coming over from the Palmer Avenue location. Talked about hazardous traffic conditions on Liberty Place and introduced a letter from Hazlet Police Department representing traffic counts done in 2009.

Mr. Vella: Accepted the letter with traffic study, marked as exhibit O-1 the letter from Lt. Schmidt of Hazlet PD dated 11/20/09 and O-2 the related traffic count report.

Attorney Vella swearing in Greg Calhoun, 38 Liberty Place.

Mr. Calhoun: Concerned that there are no sidewalks on Liberty Place and would be very dangerous if cars were cutting through the neighborhoods, many kids play in neighborhood. The streets are narrow and cars come through quickly. If Liberty were a one way, that would be a great improvement.

Attorney Vella swearing in Elizabeth Roessner, 55 Liberty Place.

Ms. Roessner: Did not think that the gas station generated much traffic. The driveway on South Laurel was never used as an exit because it was too close to the intersection. The main concern is dangerous conditions created by traffic going down Liberty Place. Traffic from the highway has backed up on Laurel Avenue as far as Scott Drive.

Mr. Gianetti: Questioned if a commercial use was put on just the commercial portion of the property, would most of the traffic cut through Liberty Place because they could not make a left onto South Laurel.

Ms. Roessner: Did not disagree. Believes that CVS will generate a lot more traffic than any business contained on the commercial portion alone.

Attorney Vella swearing in Beth Hand, 430 South Laurel Avenue.

Ms. Hand: Concerned that there are many accidents already at the intersection and in the jughandle. Wanted to know if any safety concerns have been addressed regarding making a left turn across two lanes of traffic from the proposed driveway.

Mr. Verderese: Stated that the driveway is the safest location for access to this property. Any other location would be worse and interfere with jughandle or signal intersection. The lanes have already merged into one by that point and the sight lines are clear.

Attorney Vella swearing in Louis Iskowitz, 128 Munro Avenue.

Mr. Iskowitz: Stated that Keansburg had just sold part of their parking and will be building condo units. Concerned that this would increase traffic to the area. Asked about the setback from the jughandle. Recommended an additional traffic light at jughandle or driveway.

Mr. Verderese: Was not aware of a new residential project in Keansburg. Indicated that he had included additional traffic counts in the study to account for new projects.

Mr. Vella: Indicated it would be unlikely that the county would consider a light there.

Mr. Iskowitz: Noted that there is work scheduled on the bridges in Keansburg which could worsen traffic, which is using Munro as a cut through. It should be addressed.

Attorney Vella swearing in Mary Jane Cody, 27 South Holly Avenue.

Ms. Cody: Traffic cuts through this street instead of using the jughandle. Concerned that with more traffic, more people will try to avoid the light by cutting through.

Attorney Vella swearing in Chuck Boyce, 420 South Laurel Avenue.

Mr. Boyce: Stated he has never had an issue with traffic or accidents, even with backing out of his driveway for 47 years. Traffic can make a left out of the CVS driveway.

Attorney Vella swearing in Charles Giblin, 40 South Holly Avenue.

Mr. Giblin: Asked about the baseline for the traffic study, what data was used for gas station numbers. Questioned whether emergency services data was requested as to number of accidents responded to near the jughandle. Asked how many days surveyors were actually on site to measure the traffic.

Mr. Verderese: Used a national average for gas stations. Surveyors were there for a number of days, gave dates presented in the study representing a week's worth of data.

Mr. Giblin: Talked about the school bus company and its traffic impact, as well as a seasonal business that is hidden back in the woods adjacent to the bus company. There are many large vehicles that are in use during the summer months.

Mr. Verderese: There was a 40% increase taken into account for the summer months. The buses are not in use during the summer months.

Attorney Vella advised Elizabeth Roessner still under oath.

Ms. Roessner: Asked for the dates of the traffic observations mentioned previously.

Mr. Verderese: Reiterated the dates.

Ms. Roessner: Questioned why no traffic survey was taken during the summer months.

Mr. Verderese: We were asked by the board to do more studies after the summer was over. Reiterated that the existing traffic would not change with the addition of the CVS.

Ms. Roessner: Asked who hires the traffic engineer to do the study.

Mr. Verderese: Traffic engineer is hired by the applicant, First Hartford Realty which is a CVS developer.

Ms. Cody: Asked whether South Holly and jughandle studies were done back in 2014.

Mr. Verderese: South Holly was not studied until 2015.

Chairman Tyler closed the citizen portion.

Mr. Verderese: Addressed the suggestions in the 2009 letter from Hazlet PD regarding the traffic on Liberty, Sydney and South Holly especially in the summer. The speeds were recorded as less than 30 mph. which would not be characterized as high speed vehicles.

Mr. Gianetti: Questioned whether traffic travelling to the CVS would have a reason to cut through South Holly.

Mr. Verderese: Indicated that would not make sense to cut through and have to make an illegal left rather than just waiting through the jughandle to get to the CVS.

Attorney Vella advised next hearing would be May 5, 2016 at 7:30 pm. There will be no additional notice. There will be one witness who is represented by counsel and cross examination of four witnesses.

Citizen Hearing:

No one spoke.

Offered By: Vignola

Seconded By: Moore

VOICE VOTE: Yes

Motion to Adjourn:

Offered By: Vignola

Seconded By: Tyler

VOICE VOTE: Yes

Next Meeting: April 7, 2016

Respectfully submitted: Laura McPeck