

MINUTES

DECEMBER 6, 2011

BOARD OF ADJUSTMENT

LONG HILL TOWNSHIP

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Chairman, Dr. Behr, called the meeting to order at 8:04 P.M.

He then read the following statement:

Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2011.

PLEDGE OF ALLEGIANCE

ROLL CALL

On a call of the roll the following were present:

E. Thomas Behr, Chairman
Christopher Collins, Member
Edwin F. Gerecht, Jr., Member
Maureen Malloy, Member
Felix Ruiz, Member

Michael Pesce, 1st Alternate
Richard Keegan, 2nd Alternate

Barry Hoffman, Bd. Attorney
Thomas Lemanowicz, Bd. Engineer
Kevin O'Brien, Twp. Planner
Dawn Wolfe, Planning & Zoning Administrator

Excused: Sandi Raimer, Vice Chairman
John Fagnoli, Member

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EXECUTIVE SESSION

Dr. Behr announced that there was a need for the Board of Adjustment to meet in executive session to discuss personnel matters.

Mr. Collins made a motion to adjourn to executive session at 8:06 P.M. which was seconded by Mr. Gerecht.

The Board re-entered public session at 8:15 P.M.

APPROVAL OF MINUTES

The minutes of October 4, 2011 were approved as written on motion by Mr. Ruiz and seconded by Mr. Gerecht.

RESOLUTION OF MEMORIALIZATION

RICHARD & SUSAN SCHUMANN

1 Semerad Road
1932 Long Hill Road
Block 12502, L 15 & 16

**#09-08Z
Amendment of a
Condition of Approval
& Extension of Approval**

The Board of Adjustment memorialized the annexed Resolution of approval for Richard & Susan Schumann (App. No. 09-08Z), as written, on motion by Mr. Pesce and seconded by Mr. Ruiz.

A roll call vote was taken. Those in favor: Mrs. Malloy, Mr. Ruiz, Mr. Pesce, Mr. Keegan and Dr. Behr. Those opposed: None.

RESOLUTION OF MEMORIALIZATION
HAMID & MARIE OVEISSI

#11-03Z
Bulk Variances

712 Long Hill Road
Block 14007, Lot 1.05

The Board of Adjustment memorialized the annexed Resolution of approval for Hamid & Marie Oveissi (App. No. 11-03Z), as written, on motion by Mr. Gerecht and seconded by Mr. Ruiz.

A roll call vote was taken. Those in favor: Mr. Collins, Mr. Gerecht, Mrs. Malloy, Mr. Ruiz, and Dr. Behr. Those opposed: None.

RESOLUTION OF MEMORIALIZATION
ROBERT & ALLISON LA HOFF

#11-07Z
Bulk Variance

58 Highland Avenue
Block 11102, Lot 46.01

The Board of Adjustment memorialized the annexed Resolution of approval for Robert & Allison LaHoff (App. No. 11-07Z), as amended, on motion by Mr. Gerecht and seconded by Mr. Ruiz.

A roll call vote was taken. Those in favor: Mr. Gerecht, Mrs. Malloy, Mr. Ruiz, Mr. Pesce and Dr. Behr. Those opposed: None.

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PARTHENON REALTY, LLC

Valley Road
Block 11301, Lot 4

#11-08Z
Prelim./Final Major Site Plan
Use Variance (D-1)
Conditional Use (D-3)
Bulk Variance for Wood Sign
Relief from Sec. 155.8a
Design Waivers

Present: Gordon Gemma, attorney for the applicant
Brian McMorrow, licensed professional engineer
Albert Taus, licensed professional architect
John Harter, traffic expert
Ed Kolling, licensed professional planner

Sharon Palmer, certified shorthand reporter

Proof of service was submitted.

Mr. Gordon Gemma, attorney for the applicant, said that his client is seeking a use variance and preliminary and final major site plan approval to develop an approximate 8 acre site to accommodate an approximate 12,600 S.F. Walgreen's Pharmacy. As a result of certain concerns raised by the Board and its experts as to the creation of unanticipated notices, along with the Affidavit and proofs of notice included with his letter of December 1, 2011 to the Board, he said that he formally amended the application rescinding any request for minor subdivision approval and confirmed that the applicant will *not* seek any relief for height variance approval through a review that may have come up. Rather, the applicant intends to ground lease the property being used for the Walgreen's site in much the same manner that you would ground lease a pad site in a

shopping center, so as not to create a subdivision. He also wanted to be clear that the applicant will conform all plans so as not to require a height variance in any manner. With that modification, he asked Mr. Hoffman and Mrs. Wolfe to confirm receipt of notice and the Affidavit and to rule as to the adequacy of notice and permit the Board to take jurisdiction.

Mr. Hoffman replied that he had not seen the actual accompanying notices or green cards, but the text of the actually utilized hearing notice appeared in order to him subject to the points that Mr. Gemma had just stated on the record.

Mr. O'Brien and Mr. Lemanowicz were sworn.

Mr. Brian McMorrow, licensed professional engineer, was sworn. He reviewed his educational and professional background and was accepted as an expert. He said that he is familiar with the site in question, the ordinance requirements of Long Hill Township, and the plans submitted. He presented two mounted plans/exhibits which were marked as identification as:

A-1 – A drawing entitled “Aerial Exhibit – Existing Conditions”, Sheet 1 of 1, dated 12/5/11 by Bohler Engineering.

A-2 – A drawing entitled “Site Plan”, Sheet 4 of 15, dated 9/1/11, last rev. 11/17/11.

He said that **A-1** was taken from an on-line aerial source. The dotted black line shows wetlands and wetlands buffer and the rectangular shaped area in blue identifies the limits of the property in question. He said that it was prepared under his supervision and control. **A-1** was then entered into the record as an **EXHIBIT**.

In response to Mr. Hoffman, Mr. McMorrow said that the aerial photograph itself was taken at some time before 12/5/11. Although he did not know the precise date, it was within the last two years, noting that the source is updated regularly.

Describing **A-2**, Mr. McMorrow said that it is the same as Sht. 4 that is in the Site Plan set except that he added the landscape that appears elsewhere in the set and he added color to help illustrate what is being proposed. **A-2** was then entered in to the record as an **EXHIBIT**.

Mr. McMorrow confirmed that the property in question contains 8 acres. Referring to **EXHIBIT A-2**, he said that north is to the bottom and south is to the top. The property is located on Valley Rd. directly opposite the Plainfield Rd. intersection which forms a “T” in the front of the property. To the west are medical offices and to the east is a funeral home. Across the street there is a PNC Bank and west of Plainfield Rd. there is a diner, and Learning Express (toy store). He also noted the nearby locations of the Mobil gas station, Bank of America, and the Valley Mall. He said that the wetlands shown on **EXHIBIT A-1** by the dashed blue line were mapped by an environmental consultant retained by the applicant and the L.O.I. was issued by the N.J.D.E.P. about 5-6 years ago. With the L.O.I. that was issued by the N.J.D.E.P., they also approved standard transition areas, or buffers. So, although there are no wetlands on the property itself, there are standard transition areas or buffers that appear and impact the development proposal and are shown as the 150' area between the two blue lines shown on the plan. There are some steep slopes on the property as well. In accordance with the definition that is provided in the Ordinance, he said that the steep slopes are towards the rear of the property and for the most part they occupy portions of the wetland buffer that is to the rear. The balance of the property is not steep or otherwise restricted by environmental constraints. For the most part, the property is vacant with scattered trees and vegetation. There is a garage that houses a landscape business in the western part of the property. The contours contained in the Site Plan submitted with the application suggests that there is a knoll on the eastern edge of the property about 2/3 of the way back. For the most part, he said that stormwater runs off to the east towards Valley Rd. and to the wetlands that are off the property.

In response to Mr. Gemma, Mr. McMorrow acknowledged that the L.O.I. has expired. He said that they are seeking a reissuance of it and it has been submitted to the N.J.D.E.P. within the last month or so together with an application for a Transition Area Waiver for some of the planned

activities that are within the wetlands buffer. He said that there are no known changes or sightings in the area that would signify to him that there is going to be any change in the wetlands delineations. He had a high degree of confidence that the L.O.I. and the limits shown then will be reissued again.

In response to Mr. Hoffman, Mr. McMorrow said that another firm that was retained by the applicant submitted the application to the N.J.D.E.P. for reissuance of the L.O.I. He said that they walked the line again and, as you are obligated to do, they set the flags again. He said that the N.J.D.E.P. will come out and verify the findings of the environmental consultant that there has been no change in the site conditions.

As Mr. Hoffman understood it, even if the current proposal before the Board happened to be for the identical usage which had previously been granted approval (which he believed was a bank), even if that were the case, just the passage of time alone after 5 years, unless it is utilized or the project has gone forward, there is a need to renew the L.O.I.

Mr. McMorrow felt that was a fair statement because the presence or absence of wetlands is not at all dependent upon any development plan that may have been submitted as part of a permit application. They are completely independent.

Referring to **EXHIBIT A-2**, Mr. McMorrow said that the applicant is proposing a freestanding Walgreen's Pharmacy which is shown as a large rectangular tan building. It is proposed to have a gross floor area of 12,000 S.F. with a drive-thru on the west side of the pharmacy. The front yard setback is 50.1' measured from the R.O.W. of Valley Rd., where 50' is required by code. The side yard is 61.7', where 20' is required. The rear yard is 721', where only 25' is required. He said that, as Mr. Gemma had indicated, the subdivision lines shown on all of the exhibits will go away and, instead, it will formulate a lease line. The proposed height of the building is 27.9'.

Mr. Gemma noted that there was an issue about the peak of the gabled roof and if, in fact, it exceeds 35', it will be reduced to 35'.

Mr. McMorrow agreed that the design professionals between the civil engineering and the architect will either have the slope of the roof altered or some of the grades around the building altered in a way that will comply completely with the height requirements of the Township. He said that the applicant is seeking relief from Sec. 122.7 because a use variance is required, as a pharmacy is not permitted in the Zone. Relief is also needed from Sec. 122.5 (conditional use variance) because a drive-thru component does not meet the conditional use standards as set forth in the Ordinance. Relief is also needed from Sec. 141.1 which requires that a conservation easement 75' in width be provided along Valley Rd. and the applicant is providing 51.8'. Relief is also being sought from Sec. 151.2a which requires a 25' width for a parking aisle and a 22' width along the northern wall that is proposed, therefore a design waiver is requested. He said that Sec. 151.3a requires that a loading space be provided, whereas none has been delineated on the plan, although there is space for loading. He said that that would be a design waiver. Continuing with the design waivers, he said that Sec. 155.8a requires that the signage be of carved wood construction and the proposed signs are not of carved wood. Details of the signage will be provided by the applicant's architect. Sec. 153.1b requires that shade trees be chosen from a list of native species, whereas native trees are not shown. He said that he spoke with the landscape architect today and they believe that they can work with the Township professionals to make sure that they have all native species, therefore he did not believe that a waiver will be needed although plan revisions would be necessary subsequent to this hearing. He said that Sec. 153.2b states that the average lighting levels of a driveway not exceed .6 footcandles, whereas something in excess of that is proposed. Sec. 153.2b also requires that the average lighting of a parking area not exceed .4 footcandles and some relief is needed there as well. Sec. 153.2c specifies that the outdoor lighting be dimmed or shut off completely after 10:00 P.M. or one half hour after closing, whichever is earlier, and he said that relief will be needed. Although it was not mentioned in the professional's reports, he said that the Site Plan calls for a variance on the number of parking spaces. If he applied the number of parking spaces required for retail use at 5 per 1,000, 63 spaces would be required for the pharmacy and the applicant is proposing 60, and so de minimis relief is requested there.

In response to Mr. Gemma, Mr. McMorrow confirmed that the required 75' setback from Valley Rd. is not a front yard setback violation, but rather a buffer variance being sought. He said that that provision of the Ordinance states that no vegetation shall be removed within that area unless the Board thinks that because of a site access, sight triangles, or for any other reason that the Board may approve, it is okay to violate that. He referred to **EXHIBIT A-1** and said that there is not a lot of significant vegetation within the 75' required buffer which doesn't quite go back to the first dashed line where the wetlands buffers are. He said that there are some larger trees that are along side one unpaved driveway, but for the most part there is not a whole lot of vegetation that needs to be removed in the front.

In response to Mr. Gemma, Mr. McMorrow that the wetlands which are off site casts a shadow of a wetlands buffer that begins to creep closer to Valley Rd. which was a factor for them placing the pharmacy where it is shown.

Also in response to Mr. Gemma, Mr. McMorrow agreed that Mr. O'Brien had referenced certain sections of the Master Plan and the intent of the Ordinance to bring things closer to Valley Rd., rather than further away. He said that he did not believe that there will be any adverse impacts from the citing as proposed instead of back 75.

Mr. McMorrow said that the most critical element of site access in this particular case was the alignment of Plainfield Rd. which forms a "T" intersection with Valley Rd. at a location that is not quite the middle but pretty close to the middle of the site frontage. In conversations that were held with the County Engineer and the fact that that is a signalized intersection, he said that access to the site needs to be provided precisely at that point. He said that it was the County's preference too that the alignment of the driveway be essentially a Plainfield Rd. extension, although what will be on the property is going to be a private driveway and not maintained by the County. He confirmed that Valley Rd. is a County road and they have jurisdiction of it. He said that there will be full movement access at the signalized intersection and motor vehicles are going to be permitted to enter the site at that location from any direction. Likewise, vehicles will be permitted to leave the site and proceed in any direction from that location. He said that there is a second curb cut (or driveway access) that will be an exit only access on the far west side of the property. After receiving feedback from the County, he said that vehicles will only be allowed to turn right upon exiting. They will not be permitted to turn left. Once vehicles enter the property, and the only place to do that is opposite Plainfield Rd., they will proceed along the planned driveway in a counterclockwise direction around the pharmacy. The driveway is 2-way until you get to the most northeasterly corner of the pharmacy. At that point it is just 1-way around the rear and left (west) side of the pharmacy. There is 2-way traffic for visitors/customers of the pharmacy to access the parking spaces in the front. He said that 60 parking spaces are proposed, whereas 63 are required by Ordinance. He said that Walgreen's would be very comfortable with about 35 spaces and 30-45 is typically about as much as they need or require. He said that the 24 spaces that are proposed on the east side of the pharmacy, together with the spaces that are immediately behind it *should* provide all of the parking that the pharmacy really needs. He said that a prominent entry feature is proposed at the southeast corner, so it will be very clear to anyone coming to the pharmacy where the entrance is. He expected that those coming to the pharmacy are going to look to fill those spaces along the east side of the pharmacy and that those spaces on the back and west side will remain unused and that that is where staff will be directed to park during the course of business.

In response to Mr. Gemma, Mr. McMorrow said that he has personally been involved in other Walgreen Pharmacy applications in Green Brook, Franklin, Somerset (which is not yet built), and Little Falls. He said that they all have about the same number of parking spaces, although the sizes were varied, and that the range of 35-45 parking spaces is appropriate. He said banking parking spaces is a concept of getting the approval for the right to build additional spaces if needed in the future and he felt that it is appropriate in this instance because of the fact that they are immediately adjacent to wetlands and wetlands buffers, and providing more green space while they can is prudent.

Mr. Hoffman asked Mr. Gemma if a representative from Walgreen's will be testifying as to any operational site issues, number and type of employees, the expected hours of operation, when lighting is requested to be allowed to be put on beyond the permissible time, etc.?

Mr. Gemma replied that he did not have a Walgreen's representative present this evening, but if the Board requires such a witness, he would provide one. However, he said that the applicant's architect, in the context of his testimony, will testify regarding some of the design aspects and the applicant's traffic expert is also familiar with the hours of operations and with Walgreen's and their demands. He said that they may be suggesting the possibility of banking spaces to the Board, if they so desire. To be clear, he said that it is not the *right* to build the spaces, it is the *obligation*. He said that, if the Township's professionals say that they need more parking, you build it and if a new tenant comes in, you build it.

Mr. McMorrow pointed out that there was a point in time before this application was made to the Board when there was another 3 spaces. They were at the most southwesterly corner of the parking lot near the egress driveway but they were situated in a place that was in front of the front of the pharmacy building line extended, so ultimately they were removed.

In response to Mr. Gemma, Mr. McMorrow said that the proposed drive-thru is on the west side of the pharmacy and is a little further back than the midpoint. He said that motorists would access from the driveway opposite Plainfield Rd. and proceed around the back and the side to the drive-thru. Motorists can proceed straight and exit that driveway and also come to the stop bar at the southwest corner and make a left and go back to the front if they so choose. In his opinion, the proposed internal circulation is safe and adequate as designed. He acknowledged that there is an obligation on behalf of the applicant to make improvements to the existing signal at the intersection of Valley Rd. and Plainfield Rd. He said that it will be pursuant with a separate development agreement with the County and it was his understanding that the applicant, himself, will be making the improvements. From a design perspective, he felt that ingress and egress to the site is adequate as proposed. He said that there is 1-way circulation on the north and west sides of the pharmacy as indicated and they are proposing 22' of asphalt plus some distance (4'-5') on the concrete pad where a tote and compactor will be stored. On the west side, he said that they have 17' clear of asphalt in the back of the parking spaces to where they have a concrete pad for the drive-thru. He said that the Ordinance requires that 1-way aisles be only 15', so as far as moving vehicles through, they feel it is adequate. He said that when you have 90 degree parking, you want to be able to back all the way out and clear the space on either side of you and then maneuver out. He said that 24' is preferred, which he felt is the standard in the Ordinance. When you consider that the applicant is making an offer to bank any number of spaces, in those areas where it maybe it is a little tight (the spot by the trash compactor or the spot by the drive-thru), if they are going to bank *any* spaces, he felt that those should be the ones to bank. He referred to **EXHIBIT A-2** and said that the "pinch points" are at the trash compactor near the northwest corner of the pharmacy and then at the drive-thru along the west side. He repeated that 60 spaces are proposed and said that the spaces along the west edge in their entirety could be banked and probably half of the spaces along the back side, as well. He said that he wanted to leave between 35-45 spaces.

Mr. Gemma said that the applicant will take the Board's direction as to what it feels is appropriate in that regard.

Mr. McMorrow said that loading is going to occur on the back side of the pharmacy, as well. Although a space is not delineated with striping and dimensions that would comply with the Ordinance, the fact is that there are provisions for loading. He said that there is a door there and a receiving area and, as he said he indicated earlier, there is sufficient width that trucks could come up into that space and still leave enough passing width behind it that any cars that were using that driveway could use it. He felt that they have a loading area, it is simply not striped as such.

Mr. Gemma said that the applicant's architect, Mr. Taus, will testify that he had some conversations with Walgreen's and his experience as an architect and how they load and their

hours of operation for loading. He said that he will also go into why he feels that relief will be appropriate.

Mrs. Malloy said that she was confused about how to get in and out of the site. She referred to Sht. 2 of 15 of the Site Plan, last rev. 11/17/11. She asked, if she was heading east on Valley Rd. and wanted to get into Walgreen's, how would she get into the parking lot?

Mr. McMorrow replied that she would make a left turn at the traffic signal and come into the driveway that is effectively an extension of Plainfield Rd. and then circulate towards the back corner of the pharmacy. He said that the architect's treatment of the building is such that the entrance is going to be clearly indicated and most patrons would make that first left and fill in the parking spaces on the side. To go from Walgreen's to Old Navy (eastbound on Valley Rd.), he said that you would back out of your spot and head to the rear of the site and back out that Plainfield Rd. extension to a signalized intersection and make the left turn when the signal is green.

In response to Mr. Ruiz, Mr. McMorrow said that trucks will enter the same way as cars. He also said that the loading area will be at the rear of the building. If a larger delivery truck is going to back up, he said that they would probably circulate all the way around and then back in.

Mr. Ruiz felt that that is a lot of movement for a truck.

Mr. McMorrow replied that they do it all the time.

Mr. Gemma said that the applicant's architect will get into the issue of loading.

Dr. Behr noted that the Planning Board issued and approved a new Valley Road Business District Element. He asked Mr. O'Brien what the intent of that Element was in terms of the visual appearance of Valley Rd., with particular attention to any kind of nature features such as trees and landscaping?

Mr. O'Brien replied that the Valley Road Business District Element that was approved in November of 2008 called for emphasizing and enhancing the natural environment along Valley Rd. first by emphasizing what exists and second by enhancing what is there. He said that the Master Plan and a follow up study done by the Environmental Commission and Shade Tree Commission proposed a boulevard type of concept for Valley Rd. which called for extensive growth and plantings along both sides and, in some cases, in a median. He confirmed that, at least as a concept plan, it was approved by both the Township Committee and the Planning Board and it was forwarded to the County.

Dr. Behr said that his questions concern a part of the building that is facing Valley Rd. He felt that it was located appropriately in terms of its relation to Plainfield Rd. and the fact that it is at the intersection of Plainfield Rd., he felt makes it in some ways a gateway property. He said that it is the first really new significant development that is taking place here and so there is obviously an opportunity to align what happens here with the goals and intent of the Master Plan. As it is currently proposed, on an angle that is tilted not towards Valley Rd. but towards the entrance road, he asked how much space is available in the front of the building for street trees?

Mr. McMorrow replied that that space varies from about 15' to about 45'. He said that the 15' section would be near the entrance of the pharmacy (southeast corner).

Dr. Behr asked Mr. McMorrow what would be the number of street trees that he felt could effectively be placed across the front façade of the building? He noted that you would have to make an exception, if approved, for the driveway that leads out existing west onto Valley Rd., but if you look at the front of the building, how many mature street trees will that accommodate?

Mr. McMorrow replied that they are proposing 3 street trees right now and they are spaced about 30' apart which is typical for street tree spacing. He said that they are typical of when you are placing streets and trying to create the type of effect that you are looking for. He said that you

want them spaced far enough apart so the canopies can be fully realized and still allow light and air to exist. He said that they think the proposed spacing is appropriate.

Dr. Behr referred to the southeast corner of the building and said that it looked to him like there is a 2-way driveway there that comes quite close to the property line. He asked if a street tree is proposed there?

Mr. McMorrow replied affirmatively.

Dr. Behr asked what consideration had been giving to tilting the building on its northwest corner so that the façade of the building is parallel to Valley Rd.?

Mr. McMorrow replied that there was some consideration given to that, but they felt that given the alignment of the Plainfield Rd. extension (driveway) together with the alignment of the side property lines and the medical office building to the west, it seemed appropriate to place the pharmacy as it was done.

Dr. Behr asked if it would be possible to rotate it so that it would be parallel with Valley Rd.?

Mr. McMorrow replied that there would be some concern over the wetland buffer but he thought that they could probably work around that.

Mr. Gemma asked if that would impede the circulation for the drive-thru on the western side?

Mr. McMorrow replied that it does if they were going to provide all of the parking that is required by code on the land that is available given the wetlands, wetlands constraints, and the property itself. He agreed that the property is long and narrow and so the building itself was created long and narrow.

Dr. Behr referred to Sht. 2, looking at the parking to the northeast of it where it says "Prop. Lot 4.02" and asked if would be possible to put in additional parking there without running into environmental concerns?

Mr. McMorrow replied, "Yes".

Dr. Behr said that, when we consider the appearance of the building, what we do see is that a considerable amount of the front of the building is taken up with macadam because of the major driveway right in front of the building. He asked if any thought was given to try to reduce the amount of macadam in the front of the building in order to make it work a little more consistently with the intent of the Master Plan?

Mr. McMorrow replied that, on the landscape side, they are providing a depth of 15' – 45' to provide some landscaping to screen the view of that from passers-by . The other concern they had was trying to provide complete circulation around the building, not only for customers, but also for emergency service vehicles, which is something that they require. He said that the Ordinance requires driveways to be 25' wide, which is the width being provided. He said that, candidly, he thought that even if it was for emergency services only, you would have to have 20' – so there can't be much of a reduction unless the Board was to be thinking of granting waivers or relief. He said that he would be concerned about the safe passage of vehicles back and forth in anything much less than 25'.

Dr. Behr said that, as he looked at it, you would be going right from the driveway to what appears to be a cement walkway.

Mr. McMorrow said that, at the door, there is going to be a concrete sidewalk which stretches across a portion of the front of the building.

Dr. Behr said that it seemed to him as if there is a sidewalk that runs across the entire front of the building.

Mr. McMorrow replied that they are proposing to end the sidewalk about 30' from the corner and the balance of it is going to be landscaped with some foundation plantings.

Dr. Behr asked if there would be space to put some trees in front of the parts of the building that do not have windows? He said that, what that does, is to basically harmonize the natural elements with the actual physical structure of the building itself.

Mr. McMorrow replied that, as it is laid out right now, "No". However, he agreed that there could be a configuration that would still meets the needs of the applicants where that might be done. He said that he could probably realign the driveway to provide a greater width on the pharmacy side and maybe a little less on the street side. He said that the 15' is adequate for the street trees on Valley Rd.

In response to Mr. Hoffman, Mr. McMorrow said that he was not familiar with the existing Walgreen's in Berkeley Heights.

Mr. Hoffman asked Mr. Gemma, if Board members were interested in getting not only a view from plans and hearing testimony but in physically observing what a Walgreen's typical operation and building size, etc. is like, would they be able to get some insight as to what nearby facilities would pretty much resemble the proposed new Long Hill Township site? For example, he said that we know that there is an existing Walgreen's located in Long Hill Township today in the Stirling section of the Township which was inherited from the former Drug Fair entity and is located in a shopping center containing the Shop-Rite. He said that he would assume that that would not be a facility that particularly resembles the proposal because it is part of a strip mall frontage and is a different setup than a freestanding building. So, it would disentitle it from being included in a list of what is a good site to look at to get a first hand feel from observing a Walgreen's that is similar to this one. He asked where we could find such a facility?

Mr. Gemma could not answer the question, however he said that he would solicit from Walgreen's a list of nearby Walgreen's which are similar in size and type.

Mr. Lemanowicz said that Mr. McMorrow went through a list of 11 points of relief (variances & waivers) and only 1 of them applied to the signs. He said that, on the Site Plan, there are 8 variances listed relative to signs.

Mr. McMorrow replied that the applicant's architect will discuss them.

Mr. Lemanowicz said that the Board is being asked to approve a building that is planned to hold a Walgreen's and, hopefully, for a long time. However, the structure is a retail structure and when it comes to parking, the next tenant may need the banked parking and the 17' aisle which essentially negates the 10-11 parking spaces because of the insufficient maneuvering room. To offer to bank them may work for this applicant, but we have to realize that this is a structure that is going to be there. He said that, if we ever do need the banked spaces, for this occupant or a future occupant, they are just not going to be usable. He said that a future occupant may not need the drive-thru and it could be made into a 2-way drive and we are done. But, there are some issues here that this is not guaranteed to be a Walgreen's from now to the end of time.

Mr. Ruiz asked if there is some type of graph that tells how close Walgreen's are to each other?

Mr. Gemma replied that there may be, however he was just not familiar with it. He said that to be fair, he wanted to be sure that they are 12,600 S.F. or thereabouts, freestanding, and have a drive-thru. He said that he would obtain from the applicant a list of similar Walgreen's, set down their specifics, and then the Board would have the option to go and look at them.

Mr. Hoffman asked Mr. Ruiz if what he meant by gauging distances was internally amongst Walgreen's?

Mr. Ruiz replied, "Exactly".

Referring to the Walgreen's in Berkeley Heights, Mr. Hoffman recalled that there had been some criteria that Walgreen's utilized at that point about their hours of operation and whether there were any restrictions that they would impose irrespective of whether the municipality does or does not permit so called "round the clock" operations. He said that it became an issue in Berkeley Heights and was, ultimately, resolved. He said that the Board may be interested in learning whether there are some policies or practices that get followed by new facilities such as the one proposed.

The meeting was opened to the public for questions.

Mr. Don Farnell, Shade Tree Commission Member, landscape architect, and professional planner said that the Shade Tree Commission only received the plans last Monday night which is the reason they did not have a formal response tonight. He said that they do have some issues with the plantings as they relate to deer resistance and along the Valley Rd. corridor. He also said that he wanted to remind the applicant that there is such a thing as the Valley Road Greenway Concept Plan that was prepared and endorsed by the Township Committee. He welcomed the applicant to contact the Shade Tree Commission with Mrs. Wolfe.

Dr. Behr said that that was the plan that he had referred to earlier in the meeting and Mr. O'Brien alluded to.

Mr. Farnell asked Mr. McMorrow if the other Walgreen's applications that he was involved in were similar in character in terms of the circulation, access, and the various components, to the present application.

Mr. McMorrow replied, "Yes".

Mr. Farnell asked if it was fair to say that this application in terms of the building, circulation, parking, and those relationships are essentially a prototype?

Mr. McMorrow replied that it functions like the others, "Yes".

Mr. Farnell asked Mr. McMorrow if he had ever prepared a plan for Walgreen's where instead of 2-way traffic there was 1-way traffic?

Mr. McMorrow replied that the 3 that he has designed did *not* have 1-way traffic in the front.

Mr. Farnell asked Mr. McMorrow if eliminating one of those lanes in the front, essentially making it 1-way out, would compromise the circulation and/or access of the site?

Mr. McMorrow replied that it would. He felt that, for loading, they have to have complete counterclockwise circulation so that runs counter to the egress only movement he was suggesting in the front.

Mr. Farnell said that it is 1-way around the western side of the building adjacent to the proposed drive-thru.

Mr. McMorrow agreed.

Mr. Farnell asked if it was possible that that 1-way circulation could be continued from the southwest corner of the proposed building, from the left going east towards the southeast corner of the building and make that a 1-way lane instead of 1 lane in each direction to get more space in the front because, right now, from that curb line to that R.O.W., it is 13'. He said that, if we can get rid of one lane without compromising circulation or the safety of the property, he could pick up 12' and get a lot more planting in front of the building.

Mr. McMorrow replied that that would then require all customers to exit the site by going to the rear and then around. He said that it is a movement that he guessed could be signed as such, but

he feared that, with human nature, people are going to want to take the shortest distance and there may be some conflicts that that are unintended.

Further discussion of various traffic movements followed.

Mr. McMorrow said that it is clear that this application will not conclude this evening and he would like to consult with the applicant's traffic engineer and Walgreen's, however he heard the concerns of the Board members and its professionals and will take it under advisement.

Mr. Farnell said that, if he was reading the plan correctly, the only thing that tells people where to go now are the painting markings on the pavement.

Mr. McMorrow agreed.

Mr. Farnell asked, if the 1 way traffic that was discussed in front of the building was an issue, could that be solved by putting a "No Entrance" sign at the southeast corner of the building to control that potential movement?

Mr. McMorrow replied, "Yes".

There being no further questions, the meeting was closed to the public.

Mr. Lemanowicz said that he had some circulation questions that he was keeping for the traffic engineer.

Mr. Gemma replied that he would prefer that they be kept for the traffic engineer, because he had a suspicion that the plan may change a bit.

Mr. Lemanowicz said that, based upon what Mr. Farnell just said, he felt that his comments are pertinent, so rather than revising the plan and coming back and revising them again....

Mr. Gemma then requested to listen to Mr. Lemanowicz's comments.

Mr. Lemanowicz said that his report pointed out an issue that, when a person enters this facility, they are most likely going to go to the parking on the east side first. If those parking spaces are full (being the most popular spaces), the choice is either to reverse or somehow do a k-turn in a 24' aisle, which is equally difficult, or be forced to leave the site, go westbound on Valley Rd., make a u-turn, come back, get into the access road, and then check the parking spaces along the north and west side. They could not access all of the parking spaces once they commit to making that left turn to come across those spaces. He said that Mr. Farnell's comment to have the southern driveway to be 1-way to the east will result in a dead-end with traffic coming southward along the eastern face. If those spaces are filled, once the person starts down that aisle, if there is no place to park, that person can't turn around unless they can go across the south face of the building and get out of the site.

Mr. McMorrow said that he read Mr. Lemanowicz's comment and consulted with Mr. Harter, traffic engineer, and they think that the best way to address that is with some sort of signage and to cross hatch the most southeasterly space so that a k-turn could be provided in a more conventional manner.

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Dr. Behr said that he had a request for the Shade Tree Commission and asked if Mr. Farnell was still present. (There was no response).

Mr. Gemma said that he could not help but overhear the request the Dr. Behr was making. He said that the applicant will meet with the Shade Tree Commission and try to address any concerns. He said that, if they are going to have a report, it might be after that meeting so as to

incorporate any of the changes that the applicant may make in the context of meeting with the Shade Tree Commission.

Mr. Farnell reappeared and confirmed that he heard Mr. Gemma's comment. He asked that, whatever the Final Site Plan turns out to be, it be resolved first and said that the Shade Tree Commission would then be happy to meet with them.

Mr. Gemma agreed and said that they will meet with the Shade Tree in the context of preparing the Final Site Plan.

Dr. Behr said that Mr. O'Brien has a copy of that portion of the Concept Plan that the Shade Tree Commission created for this part of the property and he said that he would simply scan it and make copies available to the Board members to have a visual record for themselves.

Mr. O'Brien said that he would return it to Chairman Behr next week.

Mr. Gemma requested Mr. O'Brien to also give a copy to Mr. McMorrow so that he has it when he meets with the Shade Tree Commission so that everyone is on the same page.

Mr. McMorrow provided a basic overview of the proposed landscaping and lighting plan. He said that they have proposed shade trees along the Plainfield Rd. extension (private driveway that extends onto the subject property) and around the perimeter of the property. He said that 4 shade trees are proposed along Valley Rd. in the front. Foundation plantings are proposed in the front of the store where the foundation is to be exposed. He referred to the southwest corner of the pharmacy and said that, due to the relationship and grades, they had to lower the driveway and expose a portion of the foundation there. He said that shrubs are proposed along the westerly property line between the subject parking lot and the medical office. He noted that there is a retaining wall along that side and a dense hedge serves as a fall protection (like a natural fence) between the parking lot and the grade change, which is below near the medical office building. He said that they have proposed rhododendrons and junipers along the detention basin perimeter which is detailed on the Landscape Plan submitted.

Dr. Behr said that he assumed that the applicant has heard the Board's concern that the maximum attention be paid to the streetscape in order to see to what extent can this application be brought into line for both the future plan visually, in terms of landscaping for Valley Rd., as well as for the goals of the Master Plan. He referred to the Revised Master Plan for Long Hill Township and the visual document. He said that Valley Rd., as it currently exists, is a curious anomaly in Long Hill Township because you go from tree lined streets on either end of the commercial area of Valley Rd. into kind of a concrete macadam wasteland. He said that it is the clear intention of the Master Plan to encourage everything that can be done to restore over time with each new application the sense of Valley Rd. being a tree lined corridor as it is in the rest of Long Hill Township. He said that the applicant has heard questions and suggestions from the Board in that regard. He said that we also heard Mr. Gemma say that the applicant will be talking to the Shade Tree Commission to find out what can be done here that will be appropriate and consistent.

In response to Mr. Gemma, Mr. McMorrow confirmed that he will have his landscape architect meet with the Shade Tree Commission to try to accommodate the goals and objectives of the Master Plan.

In response to Mr. O'Brien, Mr. McMorrow agreed to let Mr. O'Brien and Mr. Lemanowicz know when that meeting with the Shade Tree Commission is to take place. He noted that his office is located in Warren, or the meeting could take place in Town Hall. Either way, he said that it will be at a mutually agreed time and place.

As to lighting, Mr. McMorrow said that the applicant is proposing to use ornamental fixtures, the details of which are provided on Sht. 8 of the plans submitted. He said that ornamental fixtures are proposed both on the light poles in the parking lot and as part of the wall packs. He said that Walgreen's does use a lighting consultant to help make sure that their lighting plans are consistent across all of their stores. He said that there is some coordination that still has to occur

between the applicant and Walgreen's and even addressing some of the comments from the professionals. He said that the proposed lighting source is metal halide and that the uniformity being provided in the parking lot is consistent with the Walgreen's standards. It was his opinion that the light levels (the average footcandle values that are contained in the Ordinance) is probably well suited for an office building where there is little or no traffic in the off hours, but certainly for a pharmacy that is probably going to have hours until 10:00 P.M. or so and the type of activity and the frequency of people coming in and out. He felt that the proposed lighting plan is appropriate for the particular use. He said that he did not feel that it is so off the charts in the other direction that it is going to cause any light, glare, or reflection into the atmosphere.

In response to Mr. Gemma, Mr. McMorrow said that he did not feel that the proposed lighting will have any adverse impact on any adjacent commercial neighbors. He noted that there are no adjacent residential neighbors. He said that his plan indicates that they have zero footcandles at the property line and they probably have in excess of that at the R.O.W. line where the driveway access points are. He felt that the lighting levels are appropriate given the proposed use.

Mr. Pesce noted that Mr. McMorrow had stated that the proposed lighting exceeds the Ordinance standards. He asked if was a significant amount and if he could provide a sense of scale.

Mr. McMorrow referred to Sht. 8 and said that there is a calculation summary that is provided. He said that they are providing an average footcandle value of 1.6 for the parking lot. He said that there is also a table showing the Township requirements. For the parking area, he said that the average is 0.4 overall and they are proposing 1.6. He said that the average for the south side driveway is 0.6 and they are proposing 1.4. The east side driveway is in compliance with the average being 0.6 and the proposed being 0.5. He said that if you look at the factors, 4 times seems like a lot, however he said that he would come back and provide the professionals with some other projects that he has done that are existing where there are comparable lighting levels so that the Board members or professionals can go visit those sites to get some sense of what 1.6 footcandles looks like.

Mr. McMorrow was requested to provide such figures for the Berkeley Heights Walgreen's.

In response to Mr. Gerecht, Mr. McMorrow agreed that footcandles are being increased on the driveway and parking areas for safety and security reasons. He said that the levels they are providing are common for this type of use in all of the designs that they have. He said that they do provide the ability for folks to pick out facial features and what color clothes people are wearing, not just the presence of another person in a parking lot. He did not know if the lighting levels in the Ordinance would provide that same measure. He said that the proposed lighting levels would not cause a glow in the dark.

Mr. Keegan asked if any consideration had been given to using LED rather than high pressure sodium lighting?

Mr. McMorrow said that there was some consideration, but it is not being mandated right now by Walgreen's. He said that often that leads to more fixtures and lights and he questioned if you would want all of that clutter on the site during the daytime, noting that there is a balance there. He noted that it is metal halide that is being proposed, rather than high pressure sodium.

Dr. Behr noted that Mr. McMorrow had said the proposed lighting design is one that is typical and characteristic for other Walgreen's within their chain. He asked if those stores are basically highway type uses?

Mr. McMorrow replied that he would call them suburban pharmacy sites, not taking into regard for highway or not. He acknowledged that he caught the thrust of Dr. Behr's question.

Dr. Behr said that this is not intended to be a highway use.

Mr. McMorrow confirmed that he felt that the proposed levels are appropriate for a more suburban use.

Dr. Behr asked Mr. McMorrow to help him understand what the pattern of illumination will be for the entire site. For example, he asked what is proposed for the closing hours of the actual retail part of the operation?

Mr. McMorrow replied that he had not been advised by Walgreen's exactly what the proposed hours are.

Dr. Behr noted that Mr. Hoffman had also requested such information. He said that testimony will be needed on that because that might bear on the overall lighting impact of the site should it turn out that there will be times when the store itself will be darker but you would still want the access to the drive-thru to be sufficiently well lit because people are going to continue to use that even though they might not be parking and coming into the store itself.

Mr. McMorrow said that the drive-thru would not be open past the hours of the store operation. Once the store is closed, it is closed.

Mr. Ruiz asked if any lights will be on 24 hours or at 3:00 a.m. or 4:00 a.m. for safety reasons and police presence in that area?

Mr. McMorrow replied that the proposed lighting is pretty typical and that they will probably look to consult with the Police Dept. on what is appropriate.

Mr. Hoffman agreed that it would be helpful to have a spokesperson from Walgreen's present who could respond to operational type issues. He said that it avoids so-called hearsay concerns or objections if we have someone who is knowledgeable within the Walgreen's organization who could testify as to such matters. He asked what would be the maximum height of any lighting fixtures or stanchions would be?

Mr. O'Brien replied, "15 feet" and Mr. McMorrow agreed and noted that it also meets the standards of the Ordinance.

In response to Mr. Hoffman, Mr. McMorrow said that there would be zero footcandles of illumination at the property line with the exception of the Valley Rd. R.O.W.

Mr. Hoffman asked if the lighting levels that they will be having will be achieved by placement and orientation of the fixtures, their height, direction, and wattage/illumination, or will it require the inclusion of shielding or similar devices to achieve those levels?

Mr. McMorrow replied that they do not need the house side shields in their design and it is not being contemplated.

Mr. O'Brien said that Long Hill Township takes its lighting standards very seriously. In past applications before the Planning Board and Board of Adjustment, the light standards have been applied quite rigorously. He said that, if you take a look at Valley Rd. now, there are several places that conform to the lighting ordinance and several that do not. For instance, the entire parking lot of the existing Shop-Rite does conform to the 0.4 footcandles. He noted that it was built after the standards were put in. Valley Mall, however, does not. He said that the P.N.C. Bank (across the street from the proposed development) and the Sovereign Bank *do* conform to the standards. As you go up and down Valley Rd., he said that you see that there are some places that are islands of light and are very bright and then there are others that are rather muted and don't stand out so much. Amongst the purposes of lighting, are to give safety/security and to show people where they are going. He said that most of the retail operations that exist today over light their places for a sense of safety and security. Also, by creating a light island, it draws your attention and thereby serves as an advertisement for the actual location so you really can't miss it. He suggested that the Board members keep those things in mind as they go up and down Valley Rd. over the next few evenings as to what stands out and what doesn't and what type of lighting they think is most appropriate for this location.

Mr. Gerecht noted that, from Long Hill Rd., Pathmark sticks out like a beacon.

Mr. O'Brien replied that the Shop-Rite lighting conforms and yet some people feel it looks dark in there. But when you get there and get out of your car and look around, nobody really has a complaint.

Dr. Behr said that the sense of darkness is in relation to the sense of excessive brightness at the Pathmark.

Mr. Gemma asked the Board to keep in mind, when they are looking at the retail uses up and down Valley Rd., the *types* of uses that exist. He noted that the proposed use is a pharmacy and people going to a pharmacy may have different needs than people going to a bank. He said that people may be coming for medicine, may be more infirm, may be sick or elderly and there may be a need in some instances for more lighting. He said that the use itself may also dictate lighting patterns and lighting intensity.

Mr. O'Brien pointed out that Walgreen's has been working under the Ordinance ever since it was established at the former Drug Fair location in the Shop-Rite parking lot.

Mr. Lemanowicz said that Mr. McMorrow had indicated that the lighting fixtures will conform to the Ordinance. He noted a detail on Sht. 14 that shows 5 poles with lighting on them and *none* of them conform to the Ordinance. He said that 15' from the *top of the fixture* is permitted. Although it does not indicate which of the 5 poles will be used, none of them are 15' to the top of the fixture.

Mr. McMorrow replied that they will be adjusted and that their intent is to make them comply to permitted height in the Ordinance.

Mr. Gemma agreed that the plans will be revised accordingly.

In response to Mr. O'Brien, Mr. McMorrow agreed to choose 1 of the 5 poles so that the Board will know which is actually the pole proposed for the subject location.

In response to Mr. Gerecht, Mr. Lemanowicz said that the Ordinance permits a height of 15' to the top of the fixture. He said that there is one pole there that looks like it is 15' to the light source.

Mr. McMorrow explained that lighting designers often assume height to the mounting height which is the light source and he was sure that that is what his staff did.

Mr. Lemanowicz agreed and said that usually it is to the source because that is what all the patterns are based on.

Mr. Gemma said that the applicant will conform.

The meeting was opened to the public for questions. There being none, the meeting was closed to the public.

With regard to grading, Mr. McMorrow said that, for the most part, the parking lot around the pharmacy is level with slight grades. He said that, obviously, they have to meet A.D.A. requirements which require that parking lots are essentially flat and just graded enough to provide appropriate drainage. He said that they have a 6% driveway grade out on Valley Rd. which is why they needed to expose part of the southwest foundation. He said that the site is not appreciably higher or lower than Valley Rd. and so there are not any significant cuts or fills proposed. For the most part, the pad sits in a cut and the ground does rise up. He noted a knoll and said that the property rises as you look at it from Valley Rd. and so they will be cutting some of that off so that the relative difference between the pharmacy pad elevation and Valley Rd. should not be viewed as disconcerting. He said that the parking lot is graded in such a way that it provides appropriate drainage and there will be catch basins throughout and pipes in which water is collected and routed to a stormwater detention basin which is the darker green area to the rear of the site. He said that it collects the water and discharges to those wetland areas that are

adjacent to the property, so it is without question that their design is intended to comply with all of the published N.J.D.E.P. requirements. He said that Mr. Lemanowicz had picked upon the fact that a runoff coefficient that they used under existing conditions might mottle the existing peak rate to be a little higher than was anticipated and so they are going to work through that and make sure that the basin will work as promised. He said that the sizing of the basin design is designed in such a way that it would accommodate the development that as anticipated in the past so that once the basin is built, stabilized, and functions, if the applicant were to come back and seek approval to develop the balance of the property, there should be adequate volume there so that it would work for that. But at this point, he said that they are just seeking approval for the runoff from this part of the property into the basin and they will work through the comments that Mr. Lemanowicz has made on some of the design details.

Mr. Gemma said that it is the intent and the applicant will meet the design details and runoff coefficients so as to conform to the standards of the municipality and N.J.D.E.P. for stormwater quality and quantity.

Mr. McMorrow said that he agreed absolutely.

In response to Mr. Pesce, Mr. McMorrow said that, once it goes into the basin, runoff will ultimately be discharged to the west which is the adjacent wetland area. He said that they are maintaining the hydrology that the wetlands require now and, accounting for the fact that they are adding some impervious surface, they are offsetting that additional runoff. He said that the basin will be a dry basin and will not have standing water in it and will have a low flow channel. It will hold water for a time after heavy rainfall events but there will not be a permanent pool of water in the back.

Dr. Behr said that if he understood correctly, post development this site would meet the no net increase standard.

Mr. McMorrow replied, "Yes, absolutely".

Mr. Gemma said that, not only will there be no net increase, it will actually be retaining *more* than currently coming off the property now under the new standards.

Mr. McMorrow agreed and said that there are rate reductions imposed. He agreed that the net effect of post development is an improvement on the stormwater retention of this particular site, in terms of volume. Other than an L.O.I., he said that a Transition Area Waiver will be required because some of the parking lot is in the standard buffer of the wetlands, as well as the retention basin itself, which is partially located in that buffer and so those activities require a permit from the State. He said that the proposal is modifying the shape of the buffer by reducing it in parts and compensating it and will ultimately have to deed restrict all of the wetland buffers that remain.

Mr. Hoffman asked if any other N.J.D.E.P. permits or approvals are needed such as flood hazard and control.

Mr. McMorrow replied that there are no other permits that they will need from the land use group, so the L.O.I. reissuance and the Transition Area Waiver application that is pending is all they need from that group. He said that they are going to rely upon the N.J.D.E.P. sewer extension that was previously granted. He said that as long as they can demonstrate that the flow will remain the same or less than what was previously approved, they should be adequate there. He said that no other N.J.D.E.P. permits are needed.

Mr. Hoffman asked if it was true that when the stormwater facilities that were identified (the basin, piping, series of catch basins, etc.) were all designed, it was at a time when a fundamental assumption in connection with the project was that there would be a subdivision, so that the Walgreen's and its parking and ancillary facilities would be on its own distinct lot.

Mr. Gemma and Mr. McMorrow replied that that was not true. Mr. McMorrow said that the basin itself was designed in anticipation of even development beyond which is anticipated here.

Mr. Hoffman asked Mr. McMorrow, since we will now not be having separate lots, but all (at least for the time being) one larger distinct parcel, what is likely, feasible, or doable in the balance of the tract in way of development, if any. He asked if, in his engineering expertise, if it was probably that the stormwater facilities should be able to handle, not only the “Walgreen’s lot”, but the remainder of the tract as well?

Mr. McMorrow replied, “Yes”. He added that a certain intensity of development that is consistent with prior applications would obviously be incumbent upon him, or any other engineer who would pick this project up, to verify that anything that does happen in the future still works with the basin, as designed. However, he said that they have designed it again with an eye towards more development than just the Walgreen’s.

In response to Mr. Hoffman, Mr. Lemanowicz said that this project does *not* require a flood plain Development Permit under the Township Ordinances, because it is not in a flood plain.

Mr. Lemanowicz said that there appears to be pieces of the bank application in the drainage report for the Walgreen’s application. He said that he made comments as he felt he could and there were some portions of the report that, once he realized it was the wrong report, he just set them aside. He said that there are a lot of drainage comments and a lot of things to address here but, before going into detail, he said that he had a pretty significant difference with one item that Mr. McMorrow referenced regarding a roughness coefficient (which determines how fast the water runs off the property) and that will change a lot of the design. So, he did not think at this point it is worth going into the details of the drainage until he and Mr. McMorrow can get together and get all their items and parameters together and make sure that they have the design we are looking at and then get into more detailed drainage comments. With respect to the amount of grading on the property, he said that the retaining walls in the vicinity of the northeast corner of the detention basin are up to 11.5’ showing a pretty significant cut to the back of the property and it would seem that some landscaping would probably screen that. Aside from that, getting into the design of the berm – is it a dam or not a dam – we really need to get the drainage report before getting into details.

Mr. Gemma said that, hopefully prior to the next meeting, Mr. McMorrow and Mr. Lemanowicz will meet so that they can come to some agreement as to what the design should be.

Mr. Hoffman said that, for purposes of consideration of the application, the Board should have one entire plot or tract of land (8 acres) that would include, at least temporarily, the existing garages and accessory type structures and buildings. He asked if the Board could have a representation by counsel for the applicant, if that is the intention, that these structures are going to be removed at some point early on in the construction phase or, alternatively, some testimony as to what is there and how it may be affecting other criteria by way of development, etc.

Mr. McMorrow referred to Sht. 2 of **EXHIBIT A-1** (turned upside down) and said that the existing garages are in the location where the detention basin is planned to be constructed. He said that the garages will be demolished.

In response to Mr. Gemma, Mr. McMorrow indicated where the refuse facilities will be on the site and how they will be screened. He referred to referred to **EXHIBIT A-2** and said that there is a tote enclosure in the northeast corner of the building and trash compactors on the northwest corner of the building. He said that Walgreen’s has made it part of their prototypical operation to have those collection facilities right up against the building, as opposed to having staff drag things across the parking lot and having them remote. He said that it is very efficient and they are screened with what he believed to be a block wall for the totes and screened walls of some sort for the compactors. He said that those details are shown on the architectural plan. He said that trash is collected by a private hauler.

Mr. Gemma said that normally it is his practice to have his expert go through the Board's professional's reports but, given the fact that he had a suspicion that his expert will be returning, he asked to defer doing that and, instead, introduce the applicant's architect.

Mr. Farnell referred to Sht. 4 of the Site Plan and said that, at the Valley Rd. R.O.W. and at the intersection of the proposed intersection, there appears to be a bench proposed and 150' or so to the west there is a proposed monument sign. He asked if they should be reversed?

Mr. McMorrow replied that he would like to see them reversed. He added that he would like to see the sign up on the corner. He felt that the reason it was not put there initially was some concern over the sight triangle there. But given that fact that it is an exit only driveway, he felt that Mr. Farnell's question is one that should be taken into consideration.

Mr. Farnell said that he felt it would be better for people looking for the entrance.

Mr. McMorrow agreed.

Mr. Farnell said that there is, in fact, a sight line triangle line drawn on the plan that goes through the bench. He said that, if the sign were moved to that location, does that mean that the monument sign is within the sight triangle?

Mr. McMorrow replied that that is something he would have to work out and that is why it wasn't put that close to begin with. However, he felt that they could find a spot, especially if we are going to look at realigning the orientation of the driveway and that they could accommodate everybody's objectives the next time.

Mr. Farnell said that, along the proposed entrance driveway into the site, there is a curb cut on the Valley Rd. edge coming from the south side of Valley Rd. from the bank corner and there is a sidewalk that runs up and there are 2 curb cuts. On the east side of the entrance road, he said that there is another curb cut in the sidewalk that runs from there to essentially the eastern property line of the site. On the extreme west end of the property at the proposed exit, there is a curb cut and a curb cut. He said that there doesn't appear to be a sidewalk between the western side of the one closest to Plainfield Rd. and the exit. He asked if it was possible to connect those and have a sidewalk between them, in light of what we are trying to do on the Valley Rd. corridor?

Mr. McMorrow replied, "Yes" and said that he felt that that was the intention.

Mr. Albert Taus, licensed professional architect with a specialty in pharmacies, was sworn. He reviewed his educational and professional background. He noted that his firm had the opportunity several years ago to design 150-200 Eckerd Drug Stores. He said that between 8-10 years ago, the firm started doing Walgreen's stores and has done about 30 thus far. He said that when you are looking for a pharmacy, you are looking for it to stand out, so the signage is very critical for the store for passersby to find them easily.

In response to Mr. Gemma, Mr. Taus said that different chains have a definite philosophy of what works best for their stores. As you enter the store there is always the point of sale closest to the door to regulate the flow of traffic coming in and out. He said that, typically, you try to draw your customers through the store by having the pharmacy on the opposite end of the store so that something else might strike the consumer's fancy so that they purchase those products.

Mr. Taus was accepted as an expert architect with a specialty in pharmacies. He said that he was familiar with the site in question and the Township Ordinance requirements as they pertain to architectural issues. He said that the architectural plans submitted in connection with this application were prepared under his supervision and control. He said that he prepared and mounted some exhibits that he intended to rely upon in the testimony he was about to present. They described them and they were marked for identification as follows:

- **EXHIBIT A-3** – Colored rendering entitled “Proposed Walgreens store, 1050-1058 Valley Road, Township of Long Hill, Morris County, NJ”, Revision #4, dated 11/14/11, by Albert Taus & Associates.
- **EXHIBIT A-4** – Colored elevation plan entitled “Walgreens Store #12823”, Drawing No. A-210, by Albert Taus & Associates, dated 9/29/11.
- **EXHIBIT A-5** – Floor plan entitled “Walgreens Store #12823”, Drawing No. A-111, by Albert Taus & Associates, dated 9/29/11, last rev. 11/14/11.
- **EXHIBIT A-6** – Black & white elevation plan entitled “Walgreens Store #12823”, Drawing No. A-210, by Albert Taus & Associates, dated 9/29/11, last rev. 11/14/11.

Mr. Taus distributed 8 ½” x 11” colored copies of **EXHIBIT A-3** to be utilized for the information and possible aid to the Board members. He said that it shows a proposed Walgreen’s store that is 97’ wide by 130’ long. He said that the store is proposed to be 12,610 S.F. He said that he would like to classify the building as a Neo-Colonial Classic structure. He said that, after driving through the neighborhood, area, and the Township, his firm saw what the typical architecture was in the Township, including the municipal building. He said that they took the liberty of using those architectural elements in the proposed Walgreen’s building. He said that, as you can see in the front of the building there is a tower, which he felt to be the focal point of the building. He said that they used a double gabled roof tower on all 4 sides of the tower and created almost a “monument” at the corner of the site.

Mr. Gemma asked Mr. Taus if the proposed tower is the area where it may exceed the height?

Mr. Taus replied, “That is correct”.

Mr. Gemma said that, if it does exceed the height, they will diminish the size of the gabled roof such that it does not exceed the height. He confirmed that they are not seeking variances.

Mr. Taus agreed and said that they can comply. He also agreed that the reason he had done a double gable was to try to create the impression of looking like the front of the building both facing Plainfield Rd. and Valley Rd. He said that they also did not ignore the back of the building either in case there is some development there later on. Referring to the south side elevation (facing Valley Rd.), he said that they almost addressed that as a front of the building also because it does face Valley Rd. He pointed out this the proposal is a custom building (the first of its kind) and not a proto-type, although the dimensions of the building are proto-typical. Referring to the east elevation, he said that it is almost a mirror image but longer. It has the tower and clear story over the entrance. There is also a lower hip roof running parallel with Plainfield Rd. and 6 windows with vertical and horizontal mullions to try to create the look of Colonial double-hung windows. He said that there are lintels above the windows and keystones on all the elevations, continuously all the way around the building, with red face brick. There are also dentil cornices and architectural dimensional asphalt shingles as the finished material on the hip roof. He referred to the northern elevation (to the rear of the site) and said that it has the tote enclosure. He said that the totes are the plastic boxes that the trucks deliver all the products in. He said that the delivery door and trash compactors are also located there, one being for cardboard and one being for trash. He said that the proposed drive-thru is located on the westerly elevation. He said that the drive-thru canopy was designed to mimic the rest of the building in its Colonial design (dentils and dimensional architectural asphalt shingles).

In response to Mr. Gemma, Mr. Taus agreed that he had recognized some of the concerns as raised by Mr. O’Brien in his report about the Master Plan, which is why he designed the proposed building as he did. He also believed that it is consistent with the overall design of other similar buildings along Valley Rd. He said that he took the opportunity to travel up and down Valley Rd. and took 4 photos along Valley Rd. on 4/18/11. He made 8 ½”x11” colored copies of the photos which he described and were marked into evidence as follows:

- **EXHIBIT A-7a** – Photo of the Township Municipal Building;

- **EXHIBIT A-7b** – Photo of the Valley Memorial Funeral Home;
- **EXHIBIT A-7c** – Photo of the Gillette School;
- **EXHIBIT A-7d** - Photo of the Bank of America.

Due to the lateness of the hour, it was decided to hold off on discussion of the proposed interior of the Walgreen's and its proposed signage and to focus the remainder of the meeting on the exterior architectural design of the building.

In response to Mr. Pesce, Mr. Taus explained that the tote area is behind the building and is enclosed with face brick to match the rest of the building. He said that it is almost a little extension onto the end of the building where they store plastic boxes that contain all of the Walgreen's product when they get delivered to the store. When they are done emptying them, the boxes come outside and are stored in the tote enclosure.

Dr. Behr said that there are parts of Long Hill Township along Valley Rd. that are not in this area. He noted the two residential areas that approach the Valley Rd. business district that create the visual context for it. He said that what we have here, while it is attractive, is a mass of brick. He said that, if you take a look at the parts of the building where there are no windows and where the mass of the brick is the greatest, particularly facing Valley Rd. and the Plainfield Rd. entrance, if it were possible to put trees against those brick facades, would that increase the visual appeal?

Mr. Taus replied that he felt that, if it was strategically located, it would work.

Dr. Behr asked, if you think about the largely residential houses on either side of the Valley Rd. commercial corridor, would it be fair to say that it is characteristic of many of those houses to have trees in close relation, visually?

Mr. Taus replied, "Yes".

Dr. Behr asked Mr. Taus if he was familiar with the bike shop at the corner of Main St. and Valley Rd.?

Mr. Taus replied, "No".

Dr. Behr felt that Mr. Taus had answered the thrust of his question, that if there were trees in front of those expanses of brick where there are no windows, that that would have the effect of increasing the visual appeal of the proposal and making it a little more consistent with the rest of the Township.

Mr. Hoffman asked Mr. Taus of the 4 photographs he had presented each depict elements that he felt were desirable and which he in turn incorporated into the proposed new Walgreens building?

Mr. Taus replied that he did. He said that all of those buildings have shingled roofs which he is incorporating here. He said that they all had frieze boards and some dentils. He said that the municipal building had a louvered vent or portal in its front gable and some keystones. He said that they are all the Colonial style or Classic American Style of building, which he felt is what he created in this instance.

Mr. Hoffman said that he was not sure how the applicant will be able to proceed with the earlier request and willingness that was expressed to furnish examples of other area Walgreen's that are typical of what is proposed here in light of the fact that Mr. Taus had just testified that this is a single custom designed structure and not a prototype.

Mr. Gemma replied that he indicated when he said that he would provide indices of similarly sized stand-alone Walgreen's. He said that he did not mention anything about the architectural styling. He felt that the concerns of the Board were how does it operate and what does it look like? He felt that the architectural styling stands for itself.

Mr. Hoffman agreed, when he posed that question.

Mr. Gerecht said, “And the lighting too”.

Mr. Gemma agreed with Mr. Gerecht’s comment. However, he had no idea what other architectural styles may be at other Walgreen’s locations.

Mr. Hoffman said that he can’t produce one if he doesn’t know of any and so that would be a qualification to the response.

Dr. Behr noted that we have heard that this is a custom designed building for this particular community.

Mr. Gemma said that he would provide the locations of nearby Walgreen’s that are similarly sized and stand-alone with a drive-thru.

Mr. O’Brien said that, even the cookie-cutter Walgreen’s that are out there have different changes depending upon the location. He said that, in his planning report, he discussed the Township architectural standards and noted that this plan does violate them in terms of large blank expanses of walls. He said that he will be looking for the applicant’s comments about that when this meeting continues. He also said that he heard the discussion about the trash compactors and the tote area, but this is a building that is going to be utilized on all 4 sides. It is not a building that has a back that fronts to nothing or goes out into open fields, rather there are parking lots there, there is traffic, and there is activity *all around* this building. He said that there is also a possibility that land around this building may also be developed in other ways, such as the remainder of the property to the east. As the Board deliberates and as the architect comes back to us, he felt that we should be discussing if it possible to move those appurtenances from the back of the building to someplace else and open up the back of the building so that it is not just that blank wall – that industrial looking garbage area but rather something that is attractive for people who go around it. In addition to that, he said that consideration should be given to opening up that blank wall with either windows or trees or some other type of interest.

Mr. Gemma said that they understood the comment and will address it.

Mr. Pesce made a motion to extend the meeting an additional 5 minutes which was seconded by Mr. Ruiz. All were in favor.

The meeting was opened to the public for questions.

Mr. Farnell asked if all of the Walgreen’s stores (or the Walgreen company) require the same brick to be used in all of their buildings in terms of size, dimension, color and finish?

Mr. Taus replied, “No”.

Mr. Farnell asked, if the Board members visited the Walgreen’s in Berkeley Heights and looked at that building, would they get an idea of the range of color that is proposed in this instance?

Mr. Taus could not answer the question. He said that the proposed building is custom and they chose a red face brick. He said that the 2012 prototypical stores are quite different from the proposed building. He offered to bring an example of the 2012 prototypical Walgreen’s store so that the Board could see just how custom the proposed Walgreen’s is. He said that it is custom to what he designed prior to the new 2012 prototype.

Dr. Behr asked how the proposed brick compares to the brick on other buildings currently on Valley Rd.?

Mr. Taus replied that they tried to select a color red that he saw when he was driving up and down Valley Rd. He agreed that the goal was harmonize with what is already here. He noted that the previous prototypes called for a more orange brick when brick was used.

Mr. Farnell recommended that the Board members look at the Berkeley Heights Walgreen's. He said that it has a lot of brick and a lot of wall. He did not know how accurately the rendering presented this evening represents the color of the final building, but he said that it will be important when push comes to shove for everybody to understand what the recommendation is.

Mr. Gemma replied that Berkeley Heights was simply an example of another Walgreen's. He said that he had no idea of the proposal is going to look like Berkeley Heights. He asked the Board to please not go down there and say that it will look the same way. He said that it will not – it will look like this.

Dr. Behr said that we have heard very specific testimony about the color of the brick proposed for this building. He said that, if we want to see what the proposed brick is, according to the testimony we would look at the Gillette School and the Town Hall.

Mr. Gemma replied that that is exactly right – not another Walgreen's. He requested a future meeting date and said that he would extend the time for decision without the need for further notice to that new date.

After discussion, it was agreed and announced that this application is carried to January 17, 2012 with no further notice.

Mr. Gemma confirmed that all revised plans will be submitted at least 10 days prior to the next meeting.

Mr. O'Brien requested that they be submitted 14 days prior to the meeting.

Mr. Gemma replied that, given the holidays and time schedule, he could not *commit* to 14 days ahead, but he would endeavor to do so.

The meeting adjourned at 11:10 P.M.

DAWN V. WOLFE
Planning & Zoning Administrator

