

THE BOROUGH OF WATCHUNG
Planning Board
Regular Meeting
October 18, 2022

OFFICIAL MINUTES
Adopted 11/15/22

Chairwoman Tracee Schaefer called the Regular Meeting to order at 7:30 pm

ROLL CALL

Ms. Tracee Schaefer, Chairwoman	Mr. Paul Fiorilla (absent)
Mr. Donald Speeney, Vice Chairman	Mr. Troy Sims
Mr. Keith Balla, Mayor	Ms. Yvette Nora
Mr. Pietro Martino, Councilman (absent)	Mr. Francis P. Linnus, Esq.
Ms. Ellen Spingler, Secretary	Mr. Mark Healey, Board Planner
Mr. Al Ellis	Mr. John Jahr, Traffic Engineer
Ms. Karen Pennett	Mr. Richard Calbi, Jr., PE, PP
Mr. Steve Pote	

Chairwoman Schaefer read the statement indicating the meeting was being held in compliance with N.J.S.A. 10:4-6 of the Open Public Meetings Act, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. She also stated that in order to comply with the executive orders signed by the governor, and in an effort to follow best practices recommended by the CDC, the meeting was being held virtually for all board members, board professionals, the applicant, the applicant's professionals, interested parties and members of the public. The Board members identified themselves for the record. She then led the flag salute to the American flag.

MINUTES

On motion by Mr. Ellis, seconded by Ms. Speeney, the regular meeting minutes from September 20, 2022, were accepted and carried on voice vote.

ANNOUNCEMENT

Mr. Linnus announced that Judge Shanahan affirmed the Planning Board's decision on the Bonnie Burn application and dismissed Weldon's complaint with prejudice.

APPLICATION

Case No.: PB 22-01; Shoprite
1701 Rt. 22
Block: 6404 Lots: 2.01, 2.02, 2.03, 2.04
Represented by: Michael P. O'Grodnick, Esq.
HD Zone

Michael P. O’Grodnick, Esq. continued his appearance on behalf of the Applicant, Levin Properties. The Applicant was seeking preliminary and final site plan approval in connection with improvements of the over 420,000 sq. ft. retail space. The primary purpose of the application was to relocate the existing Shoprite and construct two (2) new retail spaces in the old Shoprite location with other such site and grading improvements throughout the Property. Also, part of the application was an extensive re-construction of the loading zone located in the back of the retail center which would allow more efficient truck movement. The aged lighting on the Site would be replaced with LED lighting, and there would be facade improvements on the buildings. The main variance the Applicant was seeking was for parking. The Applicant also required variances for signs and light pole height. In response to the Environmental Commission’s (“EC”) comments, the Applicant made revisions to their plans.

Robert Streker, having a business address of 30 Independence Blvd. was duly sworn, gave his credentials, and was accepted by the Board as an expert architect. Using Exhibit A-2, Colorized Site Plan, Mr. Streker oriented the Board as to where the new landscape island would include a bio-retention basin to slow down the flow of water on the Site in response to the EC comments. The flush mounted curbing would allow water to sheet flow into the area. They would eliminate 12 parking spaces and expand the end caps to allow for a flush mounted curb and install a soil medium mix and plants suitable for the retention of water. The bio-swailes would contain overflow inlets.

Mr. Speeney thanked the Applicant for responding to the EC report and making an effort to add the bio-retention. He then suggested the green area between the restaurant and Rt. 22 be considered for additional water run-off control. In response, Mr. Streker opined that the primary parking field was where they could do some good. The Applicant stipulated to working with the Board professionals to designating areas on the Site that would be the most beneficial to controlling run-off.

The meeting was open to the public. There were no comments from the public.

John Ginocchio, having a business address of 1090 King George Post Road, Edison, was duly sworn, gave his credentials, and was accepted by the Board as an expert architect. Using Exhibit A-6, dated 8/2/22- Concept Elevations, Mr. Ginocchio showed the Board the proposed changes to the façade including a new canopy, rain screen, wood line for signage, and the remodel of the future tenant spaces all having colors congruent with the overall refresh of the Site.

Mr. Ginocchio explained the sign variances the Applicant was seeking with the caveat the signage on the store front would be 600 ft. from Rt. 22.

Sign Description	Maximum Allowed	Proposed
<u>Tenant A</u>		
Height	5 sq. ft.	6.5 sq. ft.
Area	100 sq. ft.	157 sq. ft.
<u>Tenant B</u>		
Height	5 sq. ft.	6.5 sq. ft.
Width	50% of attached wall	52.4%
Area	100 sq. ft.	147 sq. ft.

Shoprite From Home

Height	5 sq. ft.	10 ft.
Area	10% area of wall	78 sq. ft.

Shoprite (Primary Sign)

Height	5 sq. ft.	7 sq. ft.
Width	50%	58.6%
Area	100 sq. ft.	167 sq. ft.

Mr. Ginocchio testified that the entrance would be a height of 40 feet to shield the roof mounting equipment. He opined the 40-foot height in the HD Zone was compliant as the code allowed an excess of 35 ft. for a parapet. He then addressed the proposed plaza and Retail C. The space would be created to provide a meeting place for the center and would pay tribute to the arm forces through a series of pictures telling the story behind the Blue Star name. Retail C was expected to have signage compliant with the zone. The refresh entrance features wood rain screens which will also act as an organizational tool for signage for the future tenants. Exhibit A-7 showed the detail of the neutral piers along with stone veneer panels.

On questioning of Board Member Speeney concerning the Plaza, Mr. Ginocchio explained the existing retail building would be modified to create the new space. The Plaza relief wall would host sculptures that talked about the Blue Star Highway. The back wall would be green. Using Exhibit A-8, dated 8/1/22- Plaza, Retail C would be set back behind the Plaza with 12 ft. of windows on either side of the green wall. On questioning of Chairwoman Schaefer, Mr. Ginocchio explained the seating in the Plaza would be seasonal and removed during the colder weather to allow for snow removal. As to the maintenance of the green space, the Applicant stipulated to maintaining the plants on the green wall and removing seating in the Plaza for snow removal. Further, the Applicant stipulated to working with Board Professionals to determine a selection of plant species for the green wall.

On question of Board Member Speeney concerning the public space in the Plaza area, Mr. O'Grodnick responded that the public space would be on private property. Further, the Applicant stipulated to enter into a developer's agreement as to a security plan. Mr. O'Grodnick explained that the Applicant would stipulate to memorializing the existing security agreement for off-duty police officers to patrol the Property.

Mr. Healey requested the Applicant provide the final number of parking spaces that would be provided on the Site. He also raised a concern about the Shoprite tower being proposed at 40 ft. as not being covered on under the Ordinance. He opined the Ordinance allows for an increased height for architectural reasons but not for hiding mechanicals. The Applicant agreed to lower the parapet into compliance to avoid a jurisdictional issue with the height.

The meeting was open to the public. There were no comments from the public.

Mr. Streker gave the final number of parking spaces the Applicant was proposing which includes the counts for the mezzanine area and the allowance for the EV stations proposed on the Site. The building area was 424,600 sq. ft., existing on the Site were 1,654 parking spaces, whereas, 1,911 spaces were required. The Applicant proposed to remove 12 spaces for the inclusion of

the bio-retention basins. With the inclusion of the 32 banked spaces, there would be 1,669 spaces. Credit for the EV stations revised the count to 1,736 parking space, creating a deficit of 175 spaces.

The Applicant stipulated to working with the Board Engineer to relocate the clothing bins to a more appropriate location.

Paul Gleitz, PP, having a business address of 805 Newman Spring Road Lincroft, NJ, was duly sworn, gave his credentials, and was accepted by the Board as an expert planner. He testified the proposed activity on the Site was permitted in the HD Zone. The Applicant would relocate the Shoprite and incorporate additional retail spaces along with a plaza. The surrounding land uses were residential and retail. The Applicant was seeking the following twelve (12) variances:

- Building Height of 38.5 ft., whereas, 35 ft. was allowed
- Three (3) wall sign height variances
- Two (2) wall sign width variances
- Three (3) wall sign area variances
- Parking deficiency of 175 spaces
- Site lighting
- Foot candles

Mr. Gleitz testified the 2020 Master Plan Section 3 encouraged retail to find market tends to effect viability and improve the economy. The Applicant was seeking bulk variance relief under the c(2) criteria outlined in the MLUL. Mr. Gleitz opined the application furthered provision (g) providing sufficient space in an appropriate location, (i) creates a desirable visual environment, (j) promotes the conservation of historic sites, (m) encourages the coordination of various public and private procedures and activities. He opined the sign variances could be granted because they were properly designed in scale with the building. The parking on site has functioned for years. The retention of the current anchor tenant was a conservation of resources. He opined the benefits of the proposed changes on the Site substantially outweigh the detriments.

The meeting was opened to the public. There were no comments from the public.

Mr. O'Grodnick gave his summation.

On motion of Ms. Spingler, seconded by Mr. Speeney, the Board approved the application with conditions based on the following roll call vote:

ROLL CALL:

Ayes:	Ms. Spingler, Mr. Ellis, Ms. Pennett, Mr. Speeney, Mr. Pote, Mr. Sims, Ms. Nora, and Madam Chair
Nays:	
Not Eligible:	
Absent:	Mr. Fiorilla

*Mayor Balla and Councilman Martino recused themselves from the application.

The meeting was opened to the public. There were no comments from the public.

ADJOURN

The Board unanimously voted to adjourn the meeting.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Theresa Snyder', is written above the printed name.

Theresa Snyder
Board Clerk