

Lawrence Township Planning Board
Regular Meeting
Monday, November 17, 2014

Present: Christopher Bobbitt
Ian J. Dember
Philip Duran
Richard S. Krawczun, Municipal Manager
James Kownacki, Councilman
Glenn Collins
Kim Y. Taylor, Vice Chair-person
Doris Weisberg

Excused Absence: Terrence Leggett
Stephen Brame, Councilman
Aaron Duff

Absent: None

Also Present: James F. Parvesse, Municipal Engineer
Phil Caton, Planning Consultant
Neil Yoskin, Planning Board Attorney
James Kochenour, Traffic Consultant
Susan Snook, Recording Secretary

1. **Statement of Proper Notice**

Adequate notice of this meeting of the Lawrence Township Planning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, and the Lawrence Ledger newspapers.

2. **Public Participation (for items no on the agenda)**

Chris Lepole asked regarding Costco, if a liquor license will go up for bid. Mr. Krawczun stated the Township is eligible to issue one more D license, whether that will go out for bid has not been determined.

3. **Minutes for Approval**

Monday, October 6, 2014 minutes were unanimously approved.
Monday, October 20, 2014 minutes were unanimously approved.

4. **Applications**

Minor Site Plan Application No. SP-3/14; **Starbucks Coffee Company**, 2673 Main Street; Tax Map Page 57.01, Block 5709, Lot 3.

The applicant was represented by Duncan Prime, Esquire. Mr. Prime gave a brief overview of the application stating it is located at 2673 Main Street and will consist of converting the 2,384 sf bank (Sun National Bank) building with drive lanes into a Star Bucks Coffee Company and there are no changes to the existing setbacks or footprint of the building. The only change will be the Starbucks signage.

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Witness #1: Doug Szabo, Pennoni Associates. Exhibit A1 – Existing Site Conditions: Mr. Szabo stated the bank building was constructed in the 1970's and the square footage is 2,248 sf. There is primary ingress and egress from Gordon Avenue and is equipped with an existing drive thru lanes with a canopy.

Exhibit A2: Aerial Exhibit of Existing Properties which shows the outline of the existing property and labels Old Post Road which is Main Street, Route 206, Gordon Avenue, James Street and Philips Avenue. There are 20 parking spaces on the site and the ADA is located at the northeast parking lot of the building; the existing bicycle rack on Gordon Avenue is to remain as well as the bench on Main Street. There is an existing trash enclosure which straddles the neighboring property at the northwest corner with a chain link fence.

Exhibit A3: Proposed Minor Site Plan. This exhibit shows the exterior improvements which include the drive thru components. The existing drive thru of the bank will be modified with a Starbucks drive thru. It will channelize the vehicles to a pre menu board (display panel and speaker) and then to a five panel ordering panel with the window. Egress from the property is unchanged. There will be two lanes coming out with a bypass lane. The principal ingress and egress will be on Gordon Avenue and will remain unchanged. The parking to the north will be modified for angle parking. The seating is 37 seats interior and 26 seats exterior to the north and east entrance of the building. There is an existing Maple tree near Gordon Avenue that will remain.

There will be no modifications to the buildings. There is an existing crab apple tree located on Main Street which will be removed and a new tree planted. Five (5) parking spaces will be eliminated for the drive lanes and trash enclosure, which is proposed to the northeast of the site.

There is a proposed change to the northern parking area from angle parking to 90°; however, to have the 90° parking trees would have to be removed; therefore, the angle parking will remain to save the trees. There is a 330 sf patio which is porous paving with bollard lighting with a trash receptacle. The trash/recycling will be constructed where the chain link enclosure is for both businesses to share.

A lighting survey was prepared on August 28, 2014 and results show there are dark areas in the north by the profession offices and there are two fixtures that are not illuminated and once in working condition, it would be adequate lighting. Deliveries will be 10:00 p.m. and 12:00 a.m. and will come in from Main Street to Gordon Avenue and will leave via Philips Avenue. The solid waste (6 cy) is a rear loader vehicle and accessible through Gordon Avenue with pickups two to four times a week (early afternoon).

The variance is for the number of vehicles in the queue where the ordinance requires 12 vehicles and seven are proposed. Exhibit A4 – Revised Site Plan, revision dated November 17, 2014: it was reviewed on how the cars would sit in the drive thru, not bumper to bumper, but to have some space in between each vehicle. The revised plans show the drive lane pushing further to the west, same location; however, the cars will have more room to stack in the drive thru lanes; however, the only change was to the drive thru lane.

Mr. Caton stated there were changes in the outdoor seating area and the sidewalk from Main Street. Mr. Szabo stated the change was to revise the plan to keep the Maple tree for seating. If you are parking in the angled parking spaces you will exit onto Phillips Avenue. There was a discussion between the difference of the angled parking and the 90° parking on exiting. It was recommended that the 90° would serve this site best. However, the problem would be an issue with the buffer screen, the trees and not enough parking; the angle parking is proposed because it functions.

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Mr. Krawczun stated the request to change the 90° parking to the angle parking occur because of the change in the configuration of the drive thru. Mr. Szabo stated it is for a practical matter and to provide a screen between the two properties.

Mr. Kockenour stated the angle vs. the 90° parking and his recommendation would not be the angle parking in this area because of the trees and the buffer area to make things green and sustainable, but giving up some cypress trees is the problem. The benefit is that people who park at a right angle would exit onto Gordon Avenue and access the traffic signal. If you have angle parking as it is now, you force to exit onto Philips Avenue, then they have to drive around the block to James Street, down Gordon Avenue. The interest of convenience and safety, the 90° parking be put into this area. Mr. Caton stated the traffic is to create the best parking circulation.

Mr. Szabo discussed §530.C.2 regarding off-street parking and the cycle times in a queue and the length of transaction times; however, if the placement of the menu and microphone will change with a new drive island it will be a 2 to 3' difference. Starbucks has three cars after the menu board and now there will be four.

Mr. Szabo went over the sign variance requests (façade signs), Exhibit A5: Building Elevation Photograph (modified to what is proposed); Exhibit A6: Photograph of Gordon Avenue (individual letters); Exhibit A7: Minor Site Plan – reuse existing monument sign on Main Street and Gordon Avenue, awning sign, directional signs and menu sign.

Witness #2: Greg Rees, Store Develop Manager and employed by Starbucks. The main reason for this location is because there is no immediate offer to Township residents. Other locations are Mercer Mall, Quaker Bridge Mall and one in Princeton. There are no drive thru locations in the immediate area. This location will be a company operation and owned business, not franchised. The hours will be 5:00 am to 10:00 pm, depending on sales; it will have 20 employees with a mix of full time and part time with a maximum of six employees; deliveries will be daily and after hours (4:00/5:00 am and after 10:00 pm); trash will be as needed or anywhere between 2 – 4 times a week.

Mr. Rees described the parking queue by using Exhibit A4. The Board members had concerns regarding problems with parking and traffic backing up on Gordon Avenue. Mr. Collins stated the residents' concerns might be what type of traffic jam will be at the end of Gordon Avenue with cars waiting in line for Starbucks. Mr. Rees stated 12 cars would have to be waiting in the queue. Mr. Krawczun asked what is the target for service or the average time to fill an order. Mr. Szabo stated it takes 3 – 5 minutes which includes arrival to the actual time they leave the site (30 seconds).

Mr. Kochenour asked Mr. Rees in his experience with the drive thru is it possible that the length of the queue is dependent on where any particular Starbucks is located; the feeling is that where a particular site is located may the determine how much traffic is attracted to that site which could correlate how much traffic that goes through a drive thru. This site will attract pedestrians , bicycle traffic and vehicular traffic and that fact if you go through the drive thru you cannot make a left turn and the recommendation is not to make a left turn out of that site especially during the morning peak could serve as a disincentive to stop at this location.

Mr. Caton stated he would be interested in what the Bordentown, Neshimany and N. Brunswick's queue is and the number of spaces in their queues. Mr. Rees stated he does not know the queues for these particular locations; but in the vicinity are smaller which would be Grant Academy queue is 118'; second location is Huntingdon PA queue is 135', and Doylestown PA queue is 105'.

Mr. Dember asked Mr. Caton why our ordinance has 12 and Starbucks is requesting seven. The reason is 12 is the standards for a convenience store and Starbucks is a borderline convenience store category; it is not typical 7-11 or Quick Chek. Mr. Krawczun asked if Starbucks would agree that the pick-up occur after 10:00 pm before 6:00 am because of noise for the residents in the area.

Witness #3: Rob Hoffman, Traffic Planning & Design. A Traffic Engineering Assessment dated October 30, 2014 and reviewed the letter from the Planning Board's Traffic Consultant dated November 10, 2014.

Mr. Hoffman summarized his report stating they did an existing traffic count at the intersection of Route 206 and Gordon Avenue. Traffic generation associated with Starbucks and 230 morning trips and 120 afternoon trips, see attached traffic report.

Mr. Kochenour asked Mr. Hoffman on why a Letter of No Interest from New Jersey Department of Transportation would be appropriate or applicable or a need to get a new access permit. Mr. Hoffman stated New Jersey Department of Transportation will accept certification from a licensed Engineer for a Letter of No Interest and it was looked at primarily and they have trip thresholds and comparing with the bank and the proposed use and looking at those differences and volumes and applying them accordingly. A full analysis has not been done and this is the basis of his opinion and does not foresee an issue.

Mr. Krawczun asked for Mr. Hoffman to share with the members if the number of vehicles in the queue were higher than seven. Mr. Hoffman stated there were and other stores were less. Mr. Krawczun wanted to know how many over the seven and it was 11 and occurred once. Mr. Krawczun would like to see this study. Vice Chairperson Taylor's concern is will the traffic be trapped from Gordon Avenue to Route 206 because everything depends upon the timing of the lights. Mr. Kochenour stated from Mr. Hoffman's study, the number of vehicles will be 100 and that is a single lane approach and the morning traffic should not constitute a problem.

Chairperson Weisberg asked what a Letter of No Interest is. Mr. Kochenour stated a "Letter of No Interest" provides a developer along a State highway, whether it is a new project or retrofit, you can write a letter to New Jersey Department of Transportation and provide to them whatever information is appropriate and if there is not a significant increase in traffic, which is the big criteria, if you do not meet that increase in traffic, the letter will say you do not have to come back to us for anything else.

There was a 15 minute break from 8:50 pm to 9:05 pm. Chairperson Weisberg stated to the public that there will not be a vote tonight and this application is being carried to the next available meeting.

Witness #4: Norman Dotti, Acoustical Engineer.

Mr. Dotti explained the acoustics using Exhibit A4, the sound level at the closest residential use cannot be above 50 and is achieved by having its level set, once set it cannot be changed it has an automatic level control. It also takes in consideration the back ground noises; see report dated May 24, 2010. Exhibit A8: Poster of three photographs that Mr. Dotti took of the area and explained the photographs in relation to the drive thru menu board and measurement of the sounds to the residents.

OPEN PUBLIC PARTICIPATION:

James Sap: noise level of the delivery truck at 10:00 pm and 5:00 am. What types of deliveries are being made and the noise impact of that vehicle.

Chairperson Weisberg stated there was a representative from the Lawrenceville School. Mr. Yoskin stated for the public that this is for questions only and the board will not be voting on this application at tonight's meeting and the next meeting we will have testimony.

Sandy Galacio, Jr., representing Lawrenceville School. His questions are:

1. If the Board received a letter from New Jersey Department of Transportation asking for compliance with DOT regulations. Mr. Yoskin stated no because the applicant has not applied. Mr. Parvesse confirmed that we did not receive a letter from New Jersey Department of Transportation.
2. How much frontage does this property have on Route 206. Mr. Hoffman stated roughly 100'.
3. In the trip generator data, in Mr. Hoffman's report, what Land Use category did you use to generate that data: Mr. Hoffman stated coffee shop.
4. Is there a separate category for convenience stores and why not convenience store. Mr. Hoffman stated because it is a coffee shop and not a convenience store. Mr. Galacio stated the Board is considering this a convenience store and a convenience store is what is permitted in this zone.
5. Based on your experience, would the data that you generated in your report change based upon the use of a convenience store. Mr. Hoffman stated per a trip generation, yes.
6. No traffic counts were performed during evening rush hour, why. Mr. Hoffman stated not before 6:00 because the scope was to capture the school peak (school release) and between 4:00 and 6:00 is not a peak period, which is not a peak period for Starbucks.
7. Were any other schools contacted in the area like the Lawrenceville School when their peak pick-up and drop-off is. Mr. Hoffman stated no and assumed it was between 2:00 and 4:00.
8. The data in the report about the number of cars that can queue are based only on the Chicago study numbers and was not based on actual examination of this site. Mr. Hoffman stated no additional studies were performed and relied on the Chicago study. The study states that the trip generation in the morning for the peak hours is 120 vehicles arriving at the site. Based on what Mr. Rees testified that the amount of time that seven cars queue would take to process through, would that result in enough time to process that 120 cars through the drive thru with the amount of parking spaces on the site. Mr. Hoffman stated he did not look at that.

Mr. Galacio stated, however, you could look at that at what Mr. Rees testified.
9. There is no report on how long it would take if someone parked and went in the building and received their food.
10. The front of the lot immediately to the south of the subject lot is. Mr. Hoffmann stated it is Chambers Walk restaurant and it is 48'.

11. If Mr. Hoffman is familiar with the New Jersey Department of Transportation lot conformance. Mr. Hoffman stated yes and explained his understanding and no calculations were performed and would be a part of their submission letter.
12. If the left turn was restricted for a left turning movement out of the drive thru, would that create a change in the current permit that would require New Jersey Department of Transportation approval. Mr. Hoffman stated it may but would be determined as part of their New Jersey Department of Transportation approval and whether they require a permit or not.

Mr. Sap returned for his question. Mr. Rees stated the deliveries can be restricted and could shut down the unit on the truck; average delivery times are 15 – 20 minutes. Mr. Yoskin stated that if and when the Board approves this application, a condition that the refrigeration would be turned off while it is parked.

Harold Cohen, 7 Gordon Avenue. Mr. Cohen stated he is mostly impacted because of being surrounded by the front and sides and had the following questions:

1. Hours of Operation: Mr. Prime stated 5:00 am to 10:00 pm.
2. The split rail fence will be replaced or will this type of fence remain (Exhibit A9: Photograph facing east standing at the northwest corner). Mr. Szabo stated what is proposed is some ground cover and some mulch and the trees will come out by the split rail fence and trees will be replaced.
3. Not opposed, it is a high intensity use and the traffic concerns and there are five parking spots on his property and people will cut through the alley to Gordon Avenue; what is proposed for that area. Mr. Szabo stated nothing is proposed.

Elana Broch, Springwood Drive. Here questions are:

1. Concerned about the omission of the 4 to 6 pm rush hour and thinks it is beneficial to look at that time because of the kids coming out of the high school.
2. Where do the employees park.
3. People who will go and spend the day using the Wi-Fi, where will they park.

Mr. Rees stated the employees are to park at the spaces further away from the building.

Mr. Collins suggested that a sign be posted for the Lawrenceville School and making no left hand turns from a certain time during rush hours for the safety of the pedestrians and vehicle traffic.

Mr. Kochenour stated that 65% of the sales are from the drive thru area; the uniqueness of the site, you might have a higher percentage of walk-in traffic then in some other locations, is there a way to come up with an estimate based on other sites when you have a similar set of circumstances where you can compare the percentage of walk-in traffic with your vehicular traffic. (park and go inside) and it is beneficial to get some queue data from other locations. Mr. Prime agreed and will use the Doylestown location.

Lawrenceville School had a test performed and will submit the report to the Township and Mr. Prime requested a copy to review.

Mr. Prime agreed to the December 15, 2014 meeting with no additional notices.

6. **Old Business / New Business / Correspondence**

2015 – 2016 Meeting Schedule was unanimously approved with one change to remove July 6, 2015 meeting date.

Mr. Yoskin gave a brief description of the memorandum from Sokol, Behot & Fiorenzo regarding E & J Equities and electronic billboards, dated November 17, 2014, copy attached.

7. **Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 9:57 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes Approved: 

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