

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017

Present: Maria Connolly
Philip Duran
Kevin P. Nerwinski, Municipal Manager
David Maffei, Mayor
Stephanie Pangaldi
Diego Samuel
Doris Weisberg
Edward Wiznitzer, Chairperson

Absent: None

Excused Absence: James Kownacki, Councilman
Terrence Leggett, Vice Chairperson
Kim Y. Taylor
Philip Caton, Planning Consultant

Also Present: James F. Parvesse, Municipal Engineer
Brian Slauch, Planning Consultant
James Kockenour, Traffic Consultant
Edwin Schmierer, Planning Board Attorney
Susan Snook, Recording Secretary

Statement of Adequate 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; by filing the agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building and mailing to the Trenton Times and the Trentonian newspapers.

Public Participation (for items not on agenda):

None

Minutes for Approval:

The June 19, 2017 minutes were approved per unanimous vote.

Resolutions:

Resolution No. 19-17 for Major Site Plan – Preliminary & Final Approval with Variance Application No. SP-12/17; **2470 Route 1, LLC**; 2958 & 2470 Brunswick Pike; Tax Map Page 21, Block 2101, Lots 1 and 40.01 was tabled to the August 21, 2017 meeting at the request of the applicant's attorney.

Applications:

Major Site Plan – Preliminary & Final Approval Application No. SP-6/17; **Veena Donuts (Dunkin Donuts)**; 3330 Brunswick Pike; Tax Map Page 42.09, Block 4202.01, Lot 38

Robert Ridolfi, Esquire represented the applicant and stated it is for a 60 sf drive thru service window addition on the north side of the building. It is the existing Dunkin Donuts on Brunswick Pike in the northbound land, which is next Applebee's.

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017
Page 2

Witness #1: AJ Vohra, member of Veena Donuts and is the general manager of seven stores and oversees the Manager's in the different locations. He continued to explain that this Dunkin Donuts opened about a year and half ago and has been under performing well and is a burden to the rest of the network because they are putting in a lot of money to keep it afloat. The drive thru would help stabilize to a breakeven point. The peak hours are between 6:00 a.m. and 9:30 a.m., while hours of operation are 5:00 a.m. to 10:00 p.m. The 5 x 12 bump out service window will match the existing building. There will be a que for eleven cars and is sufficient. There will be an additional employee hired for this operation and currently have three full time employees and three part time. Mr. Vohra stated deliveries are made on a Wednesday at 4:00 a.m., which is an off peak time and generally come in a box truck, which takes about 15 minutes to unload and delivery is made through the front of the store. The donuts arrive somewhere between 3:30 or 4:00 in the morning. Baking is not done on the site it is delivered from the central location. Deliveries are made seven days a week.

The proposed drive thru will not block the Applebee's outdoor refrigerator/freezer because there is no access because it is outside of the building where the entrance is from inside Applebee's. The Board members questioned the freezer on the outside and Mr. Vohra stated both stores have their own separate access. Exhibit A1: Photograph of inside of the court yard that lets all the delivery people know that they have to proceed to the front of the store, it has a door but is not used by either store. A question was asked why is this store is performing so badly. Mr. Vohra stated because it is on the north side of Route 1 and it is a hit or miss and only one time to get in. All of the stores that are successful have a drive thru because it is more of a convenience.

Mr. Kockenour stated that this site gets a weekly delivery, Wednesday at 4:00 a.m., which is an off peak and daily donuts are delivered between 3:30 a.m. to 4:00 a.m., so when the deliveries are made they would actually use the drive thru lane. Mr. Vohra stated they use the front door to enter and park in the parking lot and use a dolly for the supplies and the truck is a box truck. Two other Dunkin Donuts have a drive thru lane and 65 to 70% use the drive thru because they are intersections. Mr. Slauch asked if there was going to be a pre-menu sign as well as a menu sign. Mr. Vohra stated it is not needed at this site and does not serve a purpose.

Witness #2: Laurence Murphy, PE is the applicant's engineer and commented that he reviewed the professional's report and visited the site. He continued that he has been working on this application for three years and the owner did not approve this site for a drive thru. The challenges were working with the landlord to convenience him to have a Dunkin Donuts and he did not want to lose any parking spaces and no angled parking spaces on site. Exhibit A2: Demolition of Existing Conditions which shows the surrounding areas. There are some existing easements on the property for pedestrian access easement and an access easement to the benefit of the Mall. There were some discussions with the applicant to try to get access granted for interconnection and those inquiries were turned down by the Mall. There is a parking lot just east of this property and there a number of visitors that park in that facility and walk across to use Applebee's and Dunkin Donuts.

The site has a right in right out driveway onto Route 1. There are 94 parking spaces on site and 89 are required. Dunkin Donuts is approximately 1,800 sf; the parking lot is severely under-utilized because the traffic is very low and suitable for a drive thru condition. There is a common trash area utilized for both stores as well a recycling container. Exhibit A3: View of the North Elevation which shows the Dunkin Donuts entrance at the corner and the driveway thru being proposed will be where the downspout gutter is. The door is where the sign is and adjacent to the trash enclosure door. Exhibit A4 shows the inside of the freezer and two bollards. The picture shows an exit door and this is where you can get to the boiler room and fire suppression room. Mr. Murphy spoke with regard to the hours of operation for Applebee's and Dunkin Donuts does all of its business prior to Applebee's opening and why looking at the two operations that they do not peak at the same time. Dunkin Donuts peak when Applebee's is not even open.

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017
Page 3

Mr. Murphy stated, referring to Exhibit A2, what is being proposed is a 60 sf drive thru addition to the east side of the building and drive thru lane that is going to wrap the east side of the building adjacent to Quaker Bridge Mall and the north side of the building between the Dunkin Donuts and PC Richards and Hobby Lobby. In order to accomplish that the parking row needs to be shifted towards the property line to create a drive thru lane. A trash enclosure is also being proposed at the northeast corner and solely to separate the trash of Applebee's and Dunkin Donuts. A comment from our Professional regarding the handicap spot to realign with the pedestrian interconnection between PC Richards and the site; the applicant will comply. There is a proposal to replace the lights on the east side and north side at the corner that will be replaced with 20' high LED; access from Route 1 will be maintained with a right in a right out; circulation will be for a person to make a right and see a directional sign that will direct them to go to the right; painted signs will be on the ground to reinforce that for new customers which will be directed in a counter clock wise orientation and make a right toward the south and make a left to circulate behind the building, where it changes to a one-way drive with a drive thru lane and a 22' lane to serve the parking. There will be a menu sign as you turn the corner and a physical mountable barrier, 4" concrete mountable, to fit into the proper area to place area.

There is a 9' x 18' wide turn around space because there is two-way traffic on the north side of the building. The spaces in front of the building are typically filled and people overflow to the north side and it can be used for deliveries. The drive thru has an 11 car que without it over flowing. The trash is on the inside of the enclosure and is being moved to the northeast corner and will be picked up prior to business hours. They have deliveries on Wednesday at 4:00/4:30 for 15 minutes. The parking is being expanded by two spaces with landscaping to match the existing landscaping between the parking western parking row and Route 1. One comment in the Planner's report dated July 31, 2017, planting two extra trees on Route 1; however, permission is needed from the property owner and if they could be set far to the north or relocate them elsewhere on the site and a bike rack will be added to the site.

They are not proposing sidewalk along Route 1 because the traffic is horrendous. The storm water runoff goes to the detention basin associated with the overall Mall and discharges into a basin and then elsewhere. A variance being requested is for the free standing sign height will be eliminated. A Dunkin Donuts sign is being proposed on the front in the upper left corner for the drive thru area and to let motorists know that there is a drive thru. A variance for a second sign is being proposed for the area and the number in the front. The rear of the site, facing Quaker Bridge Mall, the same two signs are being proposed, which is 91 sf and the drive thru sign will be 51 sf. The reason for the signs in the back because there is a significant amount of traffic in the back of the building from Quaker Bridge Mall, hoping to attract business.

A variance is required for the minimum required setback which is 25' and from the northerly property line will be 19' to 8' and on the easterly property line will be 7' to 1.7', but it appears to be 17' between the two properties. A variance for island width is 7' and should be 8' and no tree is being proposed because there is a light there and a variance for the letter height on the free standing sign.

The Board members had questions for Mr. Murphy. Mr. Slaugh stated that the Quaker Bridge Mall as part of its GD approval in 2010 was required to provide to allow the access to the Mall property from the adjacent retail development. The mechanism exists for there to be a connection, at least a pedestrian connection and make it more formalized and that Simone Property needs to be reminded of this approval. Mr. Ridolfi stated the applicant will agree to approach Simone Property and will report back.

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017
Page 4

Witness #3: Elizabeth Dolan, PE, Special Traffic Engineer stated she is familiar with the site and if access permitting from New Jersey Department of Transportation will be required and 40 additional trips with the drive thru in a one hour period, a Letter of No Interest was submitted. The drive thru lane would make the site more attractive; there is sufficient room for the drive thru; the eleven cars in the que is very generous and it will not block any parking.

Mr. Wiznitzer stated the traffic in this area is crazy, the worst is the hash marks in the left lane, the turning lane or shoulder lane, that have thru traffic that they cannot go through, they have to merge to the left, and can anything be done about it. Mr. Kockenour stated it is standard treatment with New Jersey Department of Transportation and in that case they are trying to keep people out of that area and has nothing to do with the application.

Mr. Slauch spoke about the sidewalk along the frontage on Route 1 and the Board would have to make a decision. Mr. Nerwinski stated that it would be in appropriate to have a sidewalk there, it would be encouraging people to be close to Route 1 traffic and the Board members agreed.

There was no public comment.

The Board took a break from 8:26 p.m. to 8:34 p.m.

Major Site Plan – Preliminary and Final Approval with Variance Application No. SP-4/17; 3509 Wick, LLC (Shake Shack); 3303 Brunswick Pike; Tax Map Page 52.02, Block 5201, Lot 29

Kevin Moore represented the applicant. Mr. Moore gave a brief overview of the proposed application. He stated the property is located on Route 1 which is the patio world property on 1.3 acres in area. The applicant is constructing approximately 3,622 sf 23' tall Shake Shack restaurant. The application also includes landscaping and parking as well as design waivers and bulk variances because of the small size and irregular shape of the property and described the variances.

Witness #1: Richard Moralle, the applicant's professional Engineer, gave an overview of the proposed application using Exhibit A1: General Site Location Map showing the location of the site and surrounding areas. Mr. Moralle referred to Exhibit A2: Landscape Plan, Sheet 6 which explains the site showing the main entrance from Route 1; widening of Route 1; the building is 37.17' from the Route 1 right-of-way with the overhang set at 25'. It is a 3,622 SF restaurant with the main entrance coming in from the west and there will be pedestrian circulation with sidewalk along Route 1. The parking is in the rear which will have 70 parking spaces of which three are proposed for the handicap parking.

The loading zone is located to the rear of the southerly property line which will be 12 x 30. The circulation is from the southbound into the site and allows for two-way circulation. The site is surrounded at the south by Yorkshire Village open space and is wetlands and Mattress World is to the north and Mercer Mall adjacent further north and are limited opportunities for expansion of the property due to the wetlands and open space. The fencing around the site will be removed and there are trees that exist on the site. The trash enclosure will be six-feet in height and the site is providing 70 parking spaces and 121 is required per the ordinance.

The restaurant will be open seven days a week from Sunday thru Thursday from 11:00 a.m. to 10:00 p.m. and Friday and Saturday from 11:00 a.m. to 11:00 p.m. There will be ten employees with two main shifts, two manager with five-hour shifts. The peak hours are 12:00 p.m. and 2:00 p.m. and from 6:00 p.m. to 9:00 p.m. and have 400 patrons per day during the week and 450 patrons on the weekends. There are four deliveries during the week and occur from 7:00 a.m. to 9:00 a.m. which lasts one hour and delivery is from a 40' to a 45' long truck.

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017
Page 5

Exhibit A3, Exhibit A4 and Exhibit A5: Truck Turning Exhibits and shows that a tractor trailer will have some difficulties circulating the site; however, no deliveries will be made by a tractor trailer. Garbage and fire protection can circulate the site and the trash vehicle will circulate from the right lane; however, a meeting was held with New Jersey Department of Transportation and they have required the site to utilize an interconnection with the adjoin properties. So the design will be modified slightly depending on that review and confirmation of access to the adjoining property for the existing easements on the property to the north and will try to modify the design. The driveway will be turned into a one-way in and in that configuration the circulation will work satisfactorily. The applicant will offer the condition that it would provide a second access and switch to the one-way circulation and not providing the secondary access.

Mr. Moralle continued with site lighting will be poles located in the parking aisle and currently are at 25' and the building is 23' high where the ordinance requires that they be mounted at the same height and would like to keep the 25' pole height, which requires an exception. A security lighting plan will be submitted as a condition of approval if this application is granted to be reviewed by the Board's professionals. An application will be made to the Delaware & Raritan Canal Commission for water quality and will be providing a porous pavement in the parking areas with underdrains to drain to the wetlands to the south. The site has no landscaping except a small green area to the south and front and there will be three landscape islands and a perimeter area.

There will be a single 15' pylon sign, illuminated, Exhibit A7: Exterior Rendering from Route 1 which shows the pylon sign which shows a sandwich pick. It is 50 sf in total and is 3'4" wide and will have a mix of plantings at the base. There will be a stop sign at the access drive at Route 1 but will utilize the driveway to the north to provide exiting.

A question about the sidewalk being eight-feet and not five-feet. Mr. Parvesse stated New Jersey Department of Transportation is doing the sidewalk, which out of the control of the applicant and is not sure if expanding to eight-feet. Mr. Slauch referred his report, Page 6, it shows how to align with the two parking lot. It was asked if at the New Jersey Department of Transportation meeting and they want modification to the access drive and whether they would like the entrance of the driveway to be 12'. Mr. Moralle stated they did bring that up and stated the applicant does have room to slide the building further south and accommodate that and the realignment; however, they were going to ask for a waiver. This would also help the outdoor seating area. New Jersey Department of transportation is also making improvements for this section of Route 1 and they will be widening to add an additional, Exhibit A1, and providing some drainage and sidewalk circulation that takes them into the mall.

Witness #2: Michael Davis is the applicant's architect. Mr. Davis stated the building is a one-story steel frame pad site that is 3,413 sf usable and is 22 x 9 from the parapit. Exhibit A8: Rendering Facing Parking Lot that describes the canopy. There will be 92 seats inside, 62 seats in the patio area. Another feature is a planting trellis with have earth below it and plant ivy that will climb up and hide that wall. The 15' pylon sign is illuminated and painted aluminum structure and the letters and burger are internal lite. The signage on the canopy has been removed from the application. The street address is over the door and will be on the pylon sign. There is also an interior burger sign on the northern side of the building that you will be able to see from the street. On the edge of the canopy there was a burger and the letters Shake Shack and was advised that they had to be removed. Mr. Parvesse stated there is no façade sign proposed just the pylon sign.

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, August 7, 2017
Page 6

Witness #3: Randall Voinier is the applicant's traffic engineer. Mr. Voinier stated there was an assessment study submitted on February 28, 2017 for review and marked as Exhibit A9. Mr. Kline who prepared the study and the study is based on square footage using 3,200 sf and shows the trip generation for this type of restaurant. There will be morning hour operations so there will be no traffic. During the afternoon there will be a 192 trips, while Saturday will be larger and the new trips will be 53. There will not be an impact that is going to be made because the significant amount of traffic because of all the amount of traffic on Route 1 will not be visible. So it was not warranted to perform any impact analysis or level of service analysis because you will probably not see any kind of dedegration of the levels of service. There are a lot of retail services along that area.

Mr. Voinier referred to the parking and stated this is the best way to utilize the parking area for 70 spaces, referring to Exhibit A2, compared to other Shake Shack locations. The side setback that the State sets is usually a standard and if the driveway can be moved over to meet New Jersey Department of Transportation standard of 12' they will have to move the driveway and/or the building. NJDOT making Shake Shack a one-way in driveway, it would take away of the maneuvering it would give the ability to move that 12' a lot easier.

Witness #4: Donna Miller is the applicant's Professional Planner and she went over the variances for lot front and lot width; there are no additional lands to be acquired in order to increase the size of the lot; a variance for insufficient parking spaces where the ordinance requires 121 spaces and only 70 spaces are being proposed and which may be reduced in total to accommodate the proposed access way to the north; the free standing sign is required to be 35' and no signage is being proposed on the building. There is no detriment to the public good or surrounding property owners.

Ms. Miller went over the waivers for street trees; screening in the north side of the parking area is insufficient; insufficient tree density; free standing sign and the proposed roof of the building will have a pitch of 4"; main entrance be from Route 1 and light poles will be permitted to be 25' which is higher than the building. Ms. Miller discussed the design waivers.

Public:


Linda Benedetto asked about the guests coming from trade area to the north of the site, travelling Route 1 south, when they exit the property, how much additional traffic is going to be going on that fly over to turn back around and go back north. Mr. Voinier stated it is a 50/50 split along Route 1. In the afternoon the primary trips that will be used will be 6 or 7 on that fly over. Saturday might be more like 53 news (25 in each direction).

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 10:03 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,


Susan J. Snook
Recording Secretary

Minutes approved: November 20, 2017