



Borough of Woodbury Heights Planning/Zoning Board  
500 Elm Avenue Woodbury Heights, New Jersey 08097

### March 7th Regular Meeting Minutes

The meeting was called to order by Chairman Elton at 7:00 pm. He announced that the meeting confirms to the directives of the "Open Public Meetings Act". He asked all present to rise and pledge allegiance to the flag.

Mr. Elton called upon Michael Borelli to perform the oaths of office for Scott Norcross, Michael McCabe, and Erin Carney Frombach. The aforementioned pledged to perform the duties of the Planning Board of the Borough of Woodbury Heights and were sworn in by oath.

Roll call found the following present: Mr. Farrell, Mr. Martino, Mayor Conley, Mr. Deeck, Mr. Hart, Councilman Pye, Mrs. Holmstrom, Mrs. Frombach, Mr. McCabe, Mr. Norcross, Mrs. Sesko, Chairman Elton. Mr. Flynn was absent.

Chairman Elton asked for a motion to approve the minutes from the January 4<sup>th</sup> Reorganization as well as the January 4<sup>th</sup> Regular meeting. A motion was made by Mayor Conley, seconded by Mr. Deeck. Chairman Elton asked if there were any questions or comments pertaining to said minutes. With nothing in question, the minutes were approved by the following roll call: Mr. Farrell, yes, Mr. Martino, yes, Mayor Conley, yes, Mr. Deeck, yes, Mr. Hart, yes, Councilman Pye, yes, Mrs. Holmstrom, yes, Mrs. Frombach, abstain, Mr. McCabe, abstain, Mr. Norcross, abstain, Mrs. Sesko, yes, Chairman Elton, yes.

As there was nothing to report and no questions pertaining to the Solicitor's report, Chairman Elton opened the discussion to American Commercial and Development to address their application for a Site Plan Review Waiver.

Mr. Ragan, owner of College Square Shopping Center was present to represent American Commercial. Mr. Ragan announced to the board, that the Bruster's location has closed. He explained that that this area does not provide opportune sales for a seasonal Ice Cream Business. Starbucks is interested in said location, and is working with American Commercial to bring it to a reality. Mr. Ragan introduced Mr. Andrew, his attorney. Mr. Borelli clarified that there was no public noticed required for this application, however, the members of the board on the 200ft list should not participate. Chairman Elton and Mrs. Frombach, as a result, dismissed themselves from the discussion, and the meeting was handed over to the Vice Chairman Farrell. (9:57)

Mr. Ragan continued with his presentation. To adapt the current location to Starbucks' standards the following alterations would need to be applied to the existing building: 670 ft added to front area, and 329 sq ft to the back. The current building occupied 1700 sq ft, as the new building will occupy 2000 sq ft. Mr. Ragan stated that the request for the waiver is being made because everything is staying within the current curb line. The roads parking lots etc., would not be effective. Also, Starbucks

*Harry W. Elton Jr., Chairman*

would like to start the project in as early as four months, which Mr. Ragan observed, would not be possible if the process of a site plan and applying for permits began again.

Mr. Ragan then addressed two questions that were raised. The first being the square footage and the second being the seating. There are 42 seats in the plan, and he stated that 65% of business is done through the drive-thru. Therefore, Starbucks requires only 15 parking spaces. Mr. Ragan pointed out, there are 15 existing spaces adjacent to the building with an additional 15-30 spaces in the other lot surrounding the area.

Mr. Ragan then described Starbucks' drive-thru model, which claims that it takes 4.5 minutes to serve the first cup of coffee, however, after the first cup it takes about 40 seconds to serve the next cup. This model is used to explain why the signboard will be located five car spaces back in the drive-thru.

Councilman Pye then addressed Mr. Ragan and asked if it was correct to state that because the curb line is unaffected, nothing will change with parking landscaping etc. Mr. Ragan confirmed this observation.

Mr. Ragan then addressed signage. He stated that he has not asked for signage approval in this meeting; Starbucks is interested in taking advantage of the pre-existing Bruster's sign. When a sign package is presented he will readdress the board.

Mr. Borelli was then called upon to clarify the stipulations of a Site Plan Review Waiver. He explained that the standard pertains to site issues and the extent the proposal will impact the site such as parking, landscaping, lighting and signage. If the board determined further professional evaluation was needed a site plan review would be needed. If a waiver is granted it may include conditions including site improvements.

Tiffany CuvIELLO, was called upon as the Planner for her comments. She referred to the report she prepared for the board. She stated that Mr. Ragan addressed her concern about increasing the building area and having to adapt the parking with no need for variances. She was satisfied with his presentation in this regard, with reference to the seating as well as Borough ordinances. Ms. CuvIELLO, also, reaffirmed Starbucks' five car stacking model, as she recently had a professional interaction with the company.

She then stated she expects to see them back to address the signage plan for the building. She concluded her comments, by reviewing the site plan requirement and stating that she is satisfied. Mark Brunermer, the board engineer, was then asked to comment. Mr. Brunermer confirmed that Ms. CuvIELLO had reviewed the parking and he wanted to address handicapped ramps at the location. He observed with the two existing ramps, the layout provided in the packet makes it difficult to maintain the ramps as is. Therefore, if the cross-walks will be utilized or if changes need to be made will need to be clarified. Mr. Ragan then indicated for the record that he, as a professional architect, would take this into consideration. He also observed that this matter is a requirement. Mr. Brunermer added that Construction Code will require this matter be addressed and as a Federal regulation, it cannot be waived.

Ms. CuvIELLO asked if the current outdoor seating will stay as is. Mr. Ragan indicated there would be outdoor seating, just in a different location. Ms. CuvIELLO requested he elaborate on what will be done with the current location of the outdoor seating. Mr. Ragan described leaving the area impervious for the time being, unless

Starbucks requests it, as these plans are not finalized. It was then observed that the handicapped ramps would then have to adapt to the outdoor seating in the back. Mr. Brunermer indicated modifications can be worked out with the Construction Code Official when the plans are finalized. Mr. Martino then suggested the outdoor seating in the back remain intact if at all possible, in the interest of the handicap accessibility. Mr. Borelli then asked for clarification if the handicap ramp would affect the square footage. As it is existing concrete, Mr. Brunermer emphasized there would be no change in square footage or seating. Mr. Borelli indicated he was concerned about these aspects changing, with the board approval for the waiver being based on the original square footage and seating. Ms. Cuvillo mentioned this outdoor seating would be seasonal, and additional parking is already in existence, and therefore a non-issue.

Upon a request for comments, Mrs. Holmstrom added she had concerns about the cross walks. She stated that she foresees a shift in parking and foot traffic as well as a busier drive-thru, and would like to see a section striped for pedestrians in accordance to these changes. Since the entrance has shifted, and the drive-thru will be busier, she recommended additional striping.

Mr. Farrell asked for any other questions or comments from the board. With nothing further to address, he asked for comments from the public. With nothing further, a request for a motion to approve the Waiver for Site Plan Review for American Commercial. A motion was made by Mayor Conley with an emphasis on the agreement to address the handicap parking and accessibility previously mentioned, with Mr. Brunermer & the code official. The motion was seconded by Mr. Deek, and passed with a full favorable vote of members present.

Chairman Elton and Mrs. Frombach re-enter. As there was nothing to report from the Engineer or Planner, Chairman Elton asked the representative from Casa Dance to address the board. Anne Deputy, from Casa Dance, requested that the landscaping previously required of her by the board be waived at her new location. Ms. Deputy stated that bushes and other landscaping would hinder the view of drivers exiting her property, as the entrance/exit location required by the county. Also, after consulting with a landscaper, she would have to tear up the asphalt, which was previously required of her, by the county, to install. Additionally, the red clay under the asphalt is not desirable for landscaping.

Ms. Deputy presented the board with pictures of the current state of her location, and pointed out how much improvement she has already made to the location. Mr. Martino complimented Ms. Deputy's presentation and states that he sees no flaws in her reasoning. Chairman Elton addressed the professionals. Ms. Cuvillo states that it is up to the board, as she maintains that landscaping is still a possibility and is required by ordinance, but Ms. Deputy's concerns were valid. There was nothing further from the engineer and solicitor.

Mayor Conley addressed the board, to emphasize that the financial burden of the matter should not be considered by the board over the intention of the ordinance in place. He recognized alternative landscaping, but due to the asphalt required by the county, the landscaping may have to be "let go". He did add that usually he would

prefer landscaping. He concluded by stating that the board should not make it a habit to waive required landscaping and that in the future to keep that in mind.

Mr. Brunermer, emphasized that it is up to the board to decide what they want the town to look like. It was also presented that sometimes landscaping can go unmaintained. Chairman Elton, interceded that the property was an eye-sore and has been much improved. However, the board needs just reasoning to grant the waiver, as to not set a precedent for future applications and business owners. He stated that safety is the board's first concern, and with the requirements put forth by the county in respect to the parking lot he recommended the waiver be granted.

Chairman Elton asks for a motion. Mrs. Holmstrom makes the motion to waive the landscaping requirement at the Casa Dance Location, seconded by Mr. Deeck. With nothing in question, the waiver was approved by the following roll call: Mr. Farrell, yes, Mr. Martino, yes, Mayor Conley, yes, Mr. Deeck, yes, Mr. Hart, yes, Councilman Pye, yes, Mrs. Holmstrom, yes, Mrs. Frombach, ayes, Mr. McCabe, yes, Mr. Norcross, yes, Mrs. Sesko, yes, Chairman Elton, yes.

The meeting was opened to the public. Peg Riordan, made a request for more comfortable chairs. Bob Yerka (602 Stratford) wanted to extend a "Thank You" to the Board for granting the Casa Dance waiver. He stated that Ms. Deputy had the opportunity to leave town, and decided to stay.

With nothing more from the public, Chairman Elton asked for a motion to adjourn. The meeting was adjourned at 7:53 pm with a motion by Vice Chairman Farrell, seconded by Mr. Martino.

Shannon Elton, Secretary