

**SEPTEMBER 10, 2020
MEETING MINUTES
BYRAM TOWNSHIP
PLANNING BOARD**

CALL TO ORDER

Chairman Shivas called the meeting to order at 7:30 p.m.

ROLL CALL

	Mr. Chozick	Mr. Gallagher	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
HERE	H		H	H	H	H				H	H
ABSENT											
EXCUSED		E					E	E	E		
LATE											

Also present: Attorney Alyse Landano Hubbard, Esq.
 Planner Paul Gleitz, P.P., A.I.C.P.
 Engineer Cory Stoner, P.P., C.M.E.
 Secretary Cheryl White

STATEMENT BY CLERK

OPENING STATEMENT - both the Federal and State governments have declared a state of emergency in response to the outbreak of the Covid-19 Virus, that prohibits all gatherings of more than twenty-five people and requires social distancing. To continue Planning Board business, the regularly scheduled meeting for September 10, 2020 is being held by remote video or audio connection, and live streamed at the Township Municipal Building. This service allows the Board, it's professionals, applicants and members of the public to participate. Access information was posted on the Township's Website under Planning and Zoning, Meeting Agendas.

Adequate notice of this meeting has been published specifying the time and access information in compliance with the provisions of the Open Public Meetings Act. Notice of this meeting has also been electronically sent to the newspapers and uploaded to Byram's website, at not less than 48 hours in advance of the meeting. In addition, a copy of this notice is on file in the office of the Planning Board Secretary.

FLAG SALUTE led by Chairman Shivas

MEETING MINUTES

A motion to approve the August 20, 2020 meeting minutes as written was made by Mr. Kaufhold. The motion was seconded by Mr. Olson. The following vote was taken:

	Mr. Chozick	Mr. Gallagher	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION				√							
SECONDED						√					
AYE	√		√	√	√	√				√	√
NAY											
ABSTAIN											
ABSENT		√					√	√	√		

Motion carried.

NEW BUSINESS (carried from September 3, 2020 to September 10, 2020)

SP2-2020, Byram Route 206 Developers, LLC., Block 34 Lots 14 & 15, 75 – 77 Route 206, V-B Zone

To construct a 5,585 sq. ft. food market with fueling stations, and associated site improvements; parking, lighting, landscaping and utilities.

Mr. Michael Selvaggi, Esq., representing the applicant introduced Mr. Nicholas Verderese, P.E. Traffic Engineer, and Mr. Matthew Sharo, P.P., P.E., Engineer and Planner with Dynamic Engineering and they were sworn in. They provided their education and experience to the Board and the Board accepted them as an expert in their field.

Mr. Sharo said from an operational standpoint the store and fueling stations will be open 24 hours per day, 7 days a week. Between the fueling stations and the store they will employ 40 to 50 people, and there will be about twelve to thirteen employees per shift. Mr. Sharo said Wawa believes this is a perfect location because it is on the Route 206 Corridor, in center of town with an approved CVS store to the north of the site that provides shared access, it is located at a signalized intersection, the lot is mostly surrounded by woods, which creates a good buffer for neighbors, and this location best fits the store design.

Mr. Sharo presented Exhibit A1, *A colorized aerial overlay of the site, including CVS,* and Exhibit A2, *A colorized rendering of the site plan, Sheet 6"*, both dated Sept. 3, 2020, and he reviewed the exhibits with the board.

Mr. Sharo reviewed Mr. Stoner's report dated September 8, 2020 and Mr. Gleitz's report dated July 27, 2020 and offered the following comments:

Access: Mr. Sharo reviewed Exhibit A3, *Intersection Exhibit*.

- Wawa proposes two new access points off the share driveway into the site, one in the center to access the front of the building and the fueling stations, and one in the rear. The two access points will provide a better flow of traffic and directional signs will be added to guide people throughout the site.
- Improvements are proposed to the intersection, to be approved by DOT, which may take 4 to 6 months and include the restriping and widening of the lanes to mimic striping and lane directions on Lackawanna Drive, traffic signal changes and the retiming of the traffic light. Mr. Sharo noted that the exit at the southerly end of the site will remain and he expressed that the need for the large drive isles is for safety and better functionality of the site.

Parking:

- 10' X 20' parking spaces are proposed around the building in the high turnover spaces.
- 9' X 18' parking spaces are proposed around the Perimeter of the site. The smaller spaces will help limit the amount of impervious coverage and allow them to keep the number of parking spaces Wawa prefers.

Mr. Sharo said 50 spaces are normal for Wawa locations, 49 are proposed, saying that Wawa wants parking convenient for their customers.

Chairman Shivas believed that the handicap parking areas were not large enough. Mr. Sharo said 8 ft. is standard, but other Board members agreed with Chairman Shivas. Mr. Sharo agreed to look at widening the handicap spaces.

Lighting:

Mr. Sharo said the lighting proposed is foremost for security and safety on the site. He added that under the canopy, where money is exchanged, good lighting is important. The overall site lighting is to ensure pedestrian safety, and that the drive isles are well lit. Mr. Sharo said overall on an average the site lighting is at 3ft candle lumens, which is standard for this type use. All lighting is LED, high efficiency lighting.

Mr. Sharo said for area lighting around the parking lot Wawa normally uses 20 ft. poles, this site proposes 15 ft. poles to meet Byram's ordinance. He added that some lights under the canopy are at a height of 16' to 18' and are recessed into the A framed canopy ceiling which should provide some shielding.

Chairman Shivas, Mr. Gleitz, and Mr. Stoner believe the site is over lit, especially under the canopy saying that the white concrete pavement could cause reflection.

Mr. Sharo said they will revisit the lighting to try to reduce brightness.

Deliveries:

Fuel deliveries:

- Wawa proposed 6 pumps, 12 fueling stations and each pump provides regular and diesel fuel because it limits confusion at the pumps. The nozzles are low flow nozzles which are not designed to accommodate tractor trailers. Chairman Shivas asked if electric charging stations will be provided. Mr. Sharo said he would consult Wawa to consider electric charging stations.
- Fuel trucks will access the site by the signaled intersection and then exit the same way or if going south, they will use the southbound exit. Deliveries are by demand after a low fuel alarm is sent to the supplier, so fuel deliveries times cannot be projected.

Other deliveries:

- Fresh groceries are delivered 4 to 5 times per week
- Dairy is delivered 3 times per week.
- Vendor deliveries (soda, chips, etc.) use a box truck and are delivered as needed.
- Bake goods are delivered in the morning, once per day.
- Food deliveries take place at the loading zone located at the southern end of the building and delivered by a standard tractor trailer and will follow the same route as the fuel deliveries.

Garbage & Recycling:

Mr. Sharo said the trash enclosure is proposed at the southwest corner of the site and includes a 10' X 8' shed used to store snow removal, and lawn maintenance equipment. The enclosure contains a recycling bin and a trash compactor. The trash enclosure is greenish/gray with stone veneer, with two self-closing locking gates, and one-man door. Mr. Sharo reviewed the circulation for trash pickup which is collected 3 times per week and will not occur before 7:00 am. Recycling is collected twice per week. Since the enclosure is always locked, an attendance is notified by the trash collector and the gates are unlocked for admittance.

Mr. Stoner has concerns about noise from the compactor and Mr. Sharo said the noise is 60 – 62 decibels from three feet away. It is located on the site furthest from the residents behind CVS and is highly efficient and quiet and he does not believe noise will be an issue.

Foot Path Circulation:

Mr. Sharo said based on a recommendation from Mr. Gleitz a foot path was added off Route 206 on the north end of the site, parallel to the access drive. Three sides of the building have sidewalks and all sidewalks are ADA compliant. Mr. Gleitz recommended moving the footpath inside the easement, closer to the drive isle and to add some landscaping to give the appearance that it is all one site. He said the foot path should continue across the center access drive to the store. Mr. Gleitz said this site is important to Byram, being across from the Village Center site, and leaving a barren grassy triangle that may be neglected or overlooked and could become unsightly. Mr. Selvaggi said they will reach out to the owner of the CVS to see if they can come to an agreement. Mr. Gleitz also recommended a crosswalk between the CVS and Wawa for connectivity. Mr. Sharo said they will investigate and report on the probability if it can be done.

Landscaping:

Mr. Sharo reviewed the site landscaping and noted that in Mr. Stoner and Mr. Gleitz's report they did not believe adequate landscaping is provided. Mr. Gleitz said since you must talk to the adjacent property owner for access and maintenance of the easement, perhaps Wawa can discuss shifting the sidewalk more parallel to the drive isle and added some landscaping, so the site looks more unified. Mr. Selvaggi said there is already an agreement with respect to the use and maintenance of the easement, but they will talk to the owner to see if something can be done. Mr. Sharo said as far as site landscaping, they will meet with Mr. Gleitz and come up with a plan that satisfies Mr. Gleitz and the Board.

Mr. Sharo said the applicant agrees to add some landscape islands but requests a waiver from foundation plantings because typically they die or get destroyed. He added that because of vehicular circulation the trash enclosure area limits landscaping but added that the canopy should block the enclosure. The applicant agreed to add landscaping around the ID Sign. Mr. Stoner had concerns with the size of trees proposed. Mr. Sharo said they will comply with the ordinance.

Site Constraints:

The site sits lower than the adjacent CVS site which presents challenges with site grading. A segmented or concrete block retaining wall, which in some areas will be 8ft high, is proposed at the southern side of the site. Mr. Sharo said they are working with the NJDEP to work in the wetland transition area. A 3 to 1 slope is proposed along the rear to avoid another retaining wall. Mr. Sharo noted the vegetation to the rear of the lot will remain and the area immediate adjacent to the rear parking area will be landscaped. An earthwork summary was done, as Mr. Stoner recommended, but it did not include the tank hole and some of the utilities, saying it will be a fill site of about 3,500 cubic yards.

Stormwater Management:

Mr. Sharo reviewed *Sheet 7, Grading Plan* with the Board and said the site drains to the SE portion of the site. An underground detention system is proposed to supplement increase in stormwater discharge which will be controlled by a manufactured treatment device will be used prior to water going into the detention system. Based on Mr. Stoner's request, a maintenance manual, with a low impact checklist will be prepared and provided to Mr. Stoner. There was a lengthy discussion about stormwater discharge. Mr. Sharo reviewed the proposed treatment system saying the device removes 80% of TSS removal prior to discharge into the system. Mr. Sharo added that rain gardens or swales allow for high pollutants to get into the ground, so they are not proposed. Mr. Stoner said the DEP preforms a stormwater review and he would not be surprised if the DEP will want better water quality from the site. Mr. Morytko said if 80% removal is the standard is there any device that can do better than that? Mr. Sharo said the system is certified for 80% but usually performs better than that. He added that Wawa has gone above and beyond to protect water discharge and added they must meet State and Municipal regulations. Mr. Sharo added that he will work with Mr. Stoner and agreed to his recommendations in his report.

Utilities:

The site will be served by sewer and electric. A new well is proposed. Utilities and communication utilities will be underground. Mr. Sharo said additional EDU's (equivalent dwelling unit) are required for this proposal and the applicant will work with the Township as required.

Building Features:

Mr. Sharo said the applicant met with Byram's Architectural Review Committee and incorporated some elements recommended by the committee into this building. Mr. Sharo reviewed Exhibit A5, "Rendering of Building". The building will have clapboard siding, with stone veneer at the bottom. A metal seam roof with a tower element in the center is proposed. The trim and cornice were enhanced. Floor to ceiling windows, with several windows fake windows for aesthetics were added to the rear of the store, and gooseneck light fixtures to mimic CVS lighting is proposed. The rear of the building has similar elements as the front. Outdoor access

to the roof is provided and the parapet blocks all mechanicals. Building overall height is 22' to parapet, and 33' to the top of the tower element and the building width is 85' and depth 69'.

Signage:

- An ID sign is proposed and that will be 59 sq. ft and 20' high. Mr. Sharo reviewed sheet 17 of the submitted plan and said the sign will be located at the NE corner of the site and will have a stone base. This sign must have good visibility for highway traffic. The Wawa logo on top is static. Mr. Walsh and others had concerns about the size of the sign and Mr. Sharo said since the site sits lower, and when traveling south on Route 206 you pass the access isle before you see the sign, so the height is important. Mr. Morytko said the highway speed limit is 35 mph and believes it is too large and said people will become familiar with the site over time. Mr. Walsh asked for reason the sign is so large. Mr. Sharo said this sign is standard for Wawa and important for sight distance.

Mr. Stoner recommended a Site Line Visibility Exhibit be provided to justify the size of the ID sign. Mr. Sharo will provide. It is noted that YK Realty, owner of CVS, has requested a sign panel on the proposed Wawa ID sign. Mr. Selvaggi said he does not believe that request can be accommodated.

- The store will have a Wawa logo on the front and rear above the entrances.
- A spanner is proposed and is a signature of Wawa's canopies and is above each pumping station. The columns around the canopy are wrapped in stone veneer to match the building.
- A 9 ft. canopy sign is proposed with the Wawa goose which is not shown on the site rendering.

Mr. Sharo noted that a fire safety pack will be provided by the pumps, a fire extinguisher, cleaning kits for spills and the pumps have pump shear valves.

Fueling Canopy:

Mr. Sharo presented *Exhibit A6, "Canopy Rendering"* and said an "A" frame canopy is proposed which helps with light glare. The height at peak is 20'8" and 14' at the lowest point. Mr. Gleitz has some concerns about the fuel LED signs and asked if the applicant reviewed 240-46.2 e. and f. and he talked about illumination. Mr. Gleitz asked if the applicant would review Byram's ordinances noted above and report back at the next meeting. Mr. Sharo agreed.

Fire Suppression

A letter was received from Cuhaci & Perterson, Architects, dated March 3, 2020 stating that per the 2018 International Building Code, New Jersey Edition states that the proposed Wawa in Byram Township, NJ does require sprinkler protection.

Propane Sales & Ice cooler:

A propane kiosk is proposed for new or exchanges of canisters by credit card. No filling of propane will occur, and the cage will be protected by bollards.

Mr. Olson believes there may be a setback requirement for the propane storage area. Mr. Sharo will investigate.

The ice chest in the rear of the store is for store use only, not for sale.

No other displays will be outside the store, including car vacuums.

Mr. Gleitz asked about snow removal collection. Mr. Sharo said Wawa typically uses a parking space, but he will investigate that.

Chairman Shivas opened to the public.

Mr. James Stabile, owner of adjacent Lot, Block 34 Lot 16, asked about the insufficient side yard setback. He said the notice was not specific. Mr. Sharo said the north sideline is insufficient, requiring a variance. Mr. Sharo also explained to Mr. Stabile why relief from a front yard setback was needed.

Ms. Donna Griff, 71 Brookwood Road, was sworn in and said she objects to this project, saying gas stations are not a need in Byram and are prohibited in the VB zone. She also has concerns about excessive lighting and inadequate landscaping.

Annelise DeMagistris, Business owner, said Route 206 is a commercial corridor and we should welcome the businesses to our town which can provide employment opportunities, reduce taxes and entice visitors, and she hopes this application is approved.

Earl Riley, 5 Louis Drive, said he is a resident within 200' of the project and has concerns about noise during trash collection and asked when it would be collected. Mr. Sharo said during off peak hours, probably between 5:30 – 6:00 am. After discussion, Mr. Sharo said they will ensure trash is not collected before 7:00 am.

Mr. Riley also asked about the project needing additional sewer EDU's. Mr. Sharo said they will be working with Byram to obtain additional gallons. Mr. Riley suggested they start that process right away

because it could delay the project.

Mr. Riley also has concerns about lighting. Mr. Sharo said the LED lighting is energy efficient and he does not believe it will present a problem to residents in the rear.

Kathleen Parrish, 5 Ross Road, has concerns about the environment. She believes electric charging stations should be included in this development. She has concerns about water run-off, water quality and believes this development threatens the future environment, especially because it sits close to Lubber’s Run, a C1 stream and wetlands. She also would like to see solar energy incorporated into the development. She said she supports the Wawa store but would like to see fueling stations eliminated.

Mr. James Stabile, owner of adjacent Lot, Block 34 Lot 16, Mr. Stabile also has concerns about his access to his lot saying that D.O.T. has provided him with a 20 ft. R.O.W. located by the pumping station on Rt. 206 and he is concerned the access to this development will inhibit his access point. Mr. Sharo said by D.O.T. standards there must be a 24ft. distance and the southern exit from the Wawa site is 90 ft. so Mr. Sharo does not believe this is a problem.

Steve Wszolek, 19 Manor Drive, asked if there are any plans for developing to the rear of this lot. Mr. Selvaggi said no, the site is limited and there is no contemplation of expanding the drive isle to the rear. He said this area is in the Highlands preservation area and is unlikely to be developed. Mr. Wszolek also has concerns about water quality and the possible contamination to a C1 waterway which could impact other towns, not only Byram.

Ms. Donna Griff, 71 Brookwood Road, asked if the testimony given by Mr. Sharo regarding the treatment system that will eliminate 80% of pollutants into the ground water can be improved with a better treatment system. Mr. Sharo said they will meet all DEP and DOT standards, which are stringent, and will ensure measures are in place to prevent any issues.

Earl Riley, 5 Louis Drive commented on Ms. Parrish’s statement about this use and the proximity to Lubber’s Run. He said this property is not adjacent to Lubbers Run and more pollutants come off vehicles traveling on Route 206 than what may come from this project.

Kathleen Parrish, 5 Ross Road responded to Mr. Riley’s comment saying that it is near a C1 tributary. She added that gas stations are prohibited in Byram.

No one else from the public came forward. Chairman Shivas closed to the public. It is noted for the record that Exhibit A4 was not presented.

The applicant requested if the Board calendar is full, that they consider another special meeting. The Board agreed.

Mr. Olson asked Mr. Sharo to check on the a C1 stream is located near this property and to review the Environmental Commission comments and to consider electric charging stations.

A motion was made to carry this meeting to a special meeting date of Oct. 29, 2020 was made by Mr. Olson. The motion was seconded by Mr. Morytko. The following vote was taken:

	Mr. Chozick	Mr. Gallagher	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED					√						
AYE	√		√	√	√	√				√	√
NAY											
ABSTAIN											
ABSENT											

Motion carried.

RESOLUTION

Z05-2020, Jacqueline Markferding, 107 Stonehedge Lane, Block 337.05 Lot 1, R-3

To erect a 5ft. fence in the front yard. This property has two front yards.

A motion to approve the resolution as presented was made by Mr. Olson. The motion was Mr. Morytko. The following vote was taken:

	Mr. Chozick	Mr. Gallagher	Mr. Gonzalez	Mr. Kaufhold	Mr. Morytko	Mr. Olson	Ms. Raffay	Mayor Rubenstein	Ms. Shimamoto	Mr. Walsh	Chairman Shivas
MOTION						√					
SECONDED					√						
AYE	√			√	√	√				√	√
NAY											
ABSTAIN											
ABSENT		√						√	√		

Motion carried.

REPORTS FROM COMMITTEES

Architectural Review Committee – No meeting was held.

Board of Health – The meeting is next week.

Building Committee Environmental – No representative was present.

Open Space – No news.

Township Council –Mr. Olson said that the Council had a joint meeting with the Recreation Committee, and the Open Space Committee to review capital projects that were identified in the 2020 Update to the OSRP, adding that improvements to C.O. Johnson park topped the list.

BILLS

Law Office of Larry Wiener (2 bills) \$1,230.00 A motion to approve Ms. Hubbard’s bills were made by Mr. Walsh. The motion was seconded by Mr. Olson. All were in favor. Motion carried.

CP Engineers (1 bill) \$72.50 A motion to approve CP Engineers bill was made by Mr. Walsh. The motion was seconded by Mr. Olson. All were in favor. Motion carried.

OPEN TO THE PUBLIC

Chairman Shivas opened to the public. No one from the public came forward. Chairman Shivas closed to the public.

ADJOURNMENT

At 10:40 pm. a motion to adjourn the meeting was made by Mr. Kaufhold. The motion was seconded by Mr. Olson. All were in favor. Meeting was adjourned.

Respectfully submitted,
Cheryl White