

Bound Brook Planning Board
Special Meeting November 20, 1996

The special meeting of the Bound Brook Planning Board was called to order at 7:40 p.m. by Chairman Schindelar in the Bound Brook High School cafeteria, Union Ave., Bound Brook, New Jersey.

Roll call was taken. The following members were present: L. Strain, M. Gupko, B. Auletta, M. Wilk, D. Schindelar, E. Gabrielski, T. Gaglia, and W. Tuck.

Also present were Michael Rodgers, Board Attorney; Scarlett Doyle, Board Planner & John Cilo, Board Engineer.

Mr. Schindelar stated that this meeting is being held in compliance with the Open Public Meetings Law. The requirements of the law have been met. Notice of the date was given at the last meeting. It was published in the newspaper and is posted in the Municipal building. He led those present in a salute to our flag.

The minutes of the previous meeting were not presented for approval tonight. This is a special meeting to continue the appeal of Advance Properties. Nothing else is on the agenda. If anyone is here tonight for anything else, he/she should attend the regular meeting tomorrow evening at 7:30 p.m. in the Municipal Chambers. Also, nothing concerning this Tea St. appeal will be discussed tomorrow.

The dates set for the special meetings were announced again. They are: November 20, 26; December 2, 5, 9, 11.

Mr. Schindelar explained why we are scheduling these meeting in close succession. We are approaching the end of the year. With the reorganization of the Board in 1997, we could lose as many as five members. New members would have to "go back to square one" in reading the transcripts and listening to the tapes. Also, the Board is under a 90 day constraint deadline for making a decision. We are trying to get all the testimony from the applicant as soon as possible, so we have the greatest amount of time to deliberate. We hope this will allow for a greater continuity. Hopefully, this will prevent redundancy in questioning by the public.

Mr. Driver made a statement. He wanted to review briefly the purpose of their being here. This is an appeal for a site plan review. It is not about the rezoning of the property. It was rezoned by the Borough. The standards were considered and adopted by the Planning Board and Council. The studies being requested should have been done before the rezoning. The applicant is being asked to defend the rezoning not just the application. This use requires no variance. It involves a use which was fully discussed with the Planning Board and Council before the plans were prepared or application filed. The public should understand that there are other uses permitted on the site, such as a seven storey building. What is provided in this application is consistent with what was discussed with the municipality.

Mr. Driver continued. It is within the ordinance. The public is entitled to ask questions. However, we have a contract with the town. He is not saying that they won't look at the issues of noise or air quality. But they should not be put in a position of having to defend the zoning. The Board's job is to look at the application to see if it conforms.

MR. Schindelar responded that the zoning is in place. We can't argue the zoning or use. It was approved by the appropriate bodies. The job of the Board is to review the application in relation to the ordinance and come to some conclusion as it pertains to our existing ordinances.

Mr. Driver mentioned that Mr. Kennedy will conclude his portion. He will be followed by the traffic expert, Mr. Fears. At a future time, Mr. Kennedy will testify concerning subsurface soil conditions. (The public will be allowed to question him on this new testimony at that time.) The Board's questioning of Mr. Kennedy will be postponed.

Mr. Chris Lowry of 421 Church St. approached the podium. He asked if it would be impossible or impractical to put a sidewalk on the west side of Tea St. for pedestrian traffic in front of the complex. There is none shown on the plan.

Mr. Kennedy replied that there is sidewalk on the east side. He showed how a pedestrian could get from Shop Rite to the fast food building by walking down the parking lanes.

Mr. Lowry asked about young people on foot who do not have cars.

Mr. Kennedy sees it as a complex. Young people can walk into the complex and walk to their destination.

Mr. Lowry asked about the ponding area by the small building. Have they an agreement with the Army Corp? He was told that they are working with the Corp to coordinate their plans.

Mr. Lowry asked about the building schedule for the three phases. Mr. Kennedy responded that the Shop Rite will be built immediately. The other two buildings will be constructed together. He didn't know if the concrete for all three would be poured at the same time. He felt they might be constructed as a whole. There may be some lag in the opening of the smaller two.

Mr. Slater asked if he could respond to Mr. Driver's opening remarks.

Mr. Schindelar felt that it would be appropriate to respond to his remarks when he presents his case. This is the question and answer part.

Mr. John Griguoli of 707 Cedarcrest Drive approached the podium. He asked what factors played a roll in the layout of the parking lot & the way the cars are facing.

Mr. Kennedy said they were thinking about the pedestrians' walking down the rows to the stores.

Mr. Griguoli asked if he considered the fact that the cars would face Tea St. The lights will shine across the street and impact on the apartments close by. You stated that there was no berm and only a couple of trees. He was told that there would be some glare. He asked about the people across the street. Can't you shield them from the glare?

Mr. Kennedy said he could talk to the Board about that. The lighting study is for overhead lights.

Mr. Schindelar remarked that is the type of question they're looking for. He brought up a problem.

Mrs. Donna Wojciechowski of 24 Giles Biondi Court approached the podium. She was told that Mr. Kennedy worked in concert with Shop Rite. He worked with their demographics, their layout specifications. One of their goals was to find a property with the least amount of impact on the surrounding area. She said that actions speak louder than words here. We're talking about 86,000 sq.ft. in a residential zone. Her question involves the redesigning of the building. Couldn't it be smaller so it would have less impact on the neighborhood? What will the traffic flow be?

Mr. Schindelar said those questions were asked before. When she asked a question about traffic, Mr. Driver said the traffic expert is here and is ready to testify.

Mr. Matt Wilk of 702 Tea St. spoke next. He said he looked at the plans. He knows the fire station will be removed. What will be the fire protection? He asked Mr. Kennedy to show the hydrants on the plans. He was told that the 3 or 4 hydrants on Tea St. will remain. The two buildings will have sprinkler systems. He didn't know if the fast food store would have one.

Mr. John Gabory of 705 Cedarcrest spoke about the fire hydrants. He said he is a former Bound Brook fire official. He said they had best look at the fire codes again. The present hydrants are sufficient for what is there now. They are inadequate for what is proposed.

Mr. Schindelar closed the public portion of the meeting.

Mr. Kenneth Fears was sworn in by Mr. Rodgers. He is a licensed professional engineer specializing in traffic. He presented his credentials and gave his background.

Mr Schindelar accepted him as an expert witness.

Mr. Fears stated that he was requested by Advance to prepare a traffic report for the appeal, which is currently before the Board. He did. It is called TEA STREET RE-DEVELOPMENT, BOROUGH OF BOUND BROOK, SOMERSET COUNTY, NEW JERSEY - SEPTEMBER 23, 1996.

Mr. Driver asked what studies were undertaken.

Mr. Fears replied that he re-familiarized himself with the location of the subject application (the neighborhood). He visited the area. He walked the area morning, evening and mid-day Saturday. He reviewed the concept plans, which had been developed. He consulted industry standard references, such as the Institute of Transportation Engineer's Document. It has relevance to this application, because that is where he got his "number of trips" figures. The Institute has studied a number of similar facilities and has measured the actual number of trips and translated them into relative rates per square footage. Therefore, he was able to determine traffic volumes that will be expected for this facility.

At Somerset County, he was able to get air photos of the entire region. He visited the surrounding area to determine conflicting or competing uses. He named a number of shopping centers in the area. Using these competing facilities, he was able to establish an influence area. Using the influence area and air photos, he was able to establish how many homes were included north of Route 22, plus (using the 1990 census) the number of households south of Rt. 22. He allocated those trips on a percentage basis. He established routes which people would follow to and from the site. Those routes will vary due to personal preferences. He got an indication of how much traffic could be expected at what points.

Mr. Fears examined each intersection along Route 28 and established which intersections should be studied. There are seven. He obtained traffic counts for each intersection and added on the site traffic that would be handled by each. He performed a capacity analysis - both for existing conditions and with the site proposal. This was to determine if there was sufficient capacity for the use (& if not, what sort of modifications would be necessary).

He identified mitigations which would be appropriate at three locations. They are the signalized intersections of Route 28 and Vosseller, Thompson & Tea. At each intersection, the applicants: Advance Properties & Borough of Bound Brook would each have a fair share. That means that neither would have a full share of mitigation at each intersection, but each would have a component of that obligation. The preferred procedure, in some circumstances, is to aggregate all the mitigation that has been identified in terms of a dollar value and a fair share percentage, thereby identifying the total dollar obligation for the surrounding road system. The DOT preference is to apply that obligation to an improvement that equals or exceeds the dollar value. In this case, the mitigation that was identified to be done is the improvements to Route 28 and Tea St. With the mitigation proposed, the intersection will function better in the built condition than it does presently.

Mr. Driver asked Mr. Fears to discuss the existing condition at the streets identified.

Mr. Fears discussed Tea St. first. During peak hours, it operates at 113% of capacity. With the mitigation that has been identified, it will operate at about 75% of capacity. At the same time, the other approaches will operate the same as they do now. Concerning Saturday conditions, they operate reasonably well throughout the day. With the exception of the south bound left turn coming out of Tea St., itself, it will continue to operate very well. That left turn is projected to act at its capacity. However, with the improvements, which have been identified, if additional capacity is identified, it can be accommodated by a minor planning revision.

Regarding Thompson Ave.: At present, the intersection has two approaches during the evening peak hours and one approach on a Saturday peak hour that functions in an oversaturated condition. The east bound approach during peak hours operates at 2 1/2 times of its theoretical capacity. The south bound approach operates at approximately 1 1/2 times of its capacity. On Saturday, the east bound approach operates at 1.7 times its capacity. With the mitigation identified, all of those are substantially improved. The south bound approach during the peak hour will operate at 1.1 times capacity instead of 1.5 times capacity. The east bound approach will operate at capacity instead of 2 1/2 times its capacity. The east bound left will operate at 1.6 instead of the 2.5 at which it presently operates.

Regarding Vosseller: During peak hours, Vosseller operates at 1.4 times its capacity under present conditions. With the mitigations identified, it will operate at approximately 72% of capacity.

Mr. Driver asked Mr. Fears to describe the mitigations at the intersection at Vosseller.

At Vosseller, the west bound approach to the intersection is presently one lane in width. With restriping of the intersection and a line shift of the center line of the intersection, two west bound lanes can be achieved. That two lanes does not have to be carried for a long distance.

At Thompson, presently, you have one approach and one departure lane from each direction. He is recommending two approach and one departure lanes. The left approach would be for left turns only. The right would be for through & right turns only. Coupled with this, there would have to be some rewiring of the traffic signals. There would have to be modifications of the striping of the intersections. This can be done on the existing pavement.

In regards to Route 28 & Tea St.: Currently on the east side of the intersection, the roadway is two lanes in width - 40 ft. of pavement. On the west side of the intersection, there are four lanes in width and 48 ft. in pavement. On the north side of the intersection, the roadway is two lanes with 30 ft. of pavement. On the south side, it has three lanes in width and 36 ft. of pavement.

His recommendation is to bring the north side up to match the south side, both in terms of width and linealization. Also the east side should be brought up to match the west side.

Mr. Driver asked if that involved a widening along Route 28 at Tea St. He was told that there will be an eight foot widening necessary along the northerly side of Route 28. It begins somewhere along the Efinger's driveway and continues along to Tea St. itself. There will be widening along Tea St. on the westerly side of the road approximately six feet beginning along the southerly driveway from the site.

Mr. Driver asked if he could describe the traffic movements in and out of the proposed site in terms of circulation.

Me. Fears mentioned that the circulation designed for this facility consists of two access points: one being the parking lot where the utilization shifts from the supermarket to the remainder of the retail uses. Also, approximately fifteen vehicles per day will deliver merchandise for the facility. This is not a significant location for traffic (back of S.R. facility). They anticipate one truck per hour in the loading area.

The design is a conventional one in that pedestrians using this site will be walking along the aisles rather than stepping out between parked cars. This would inhibit the visibility of pedestrians moving along the parking lot. By lining the aisles the way they've been done, they have maximized the interaction between pedestrians and vehicles. (VERBATUM FROM TAPE)

It has been designed for people who will become familiar with the site.

Mr. Fears discussed entrances to the facility. The area in front of the supermarket has the greatest intensity of pedestrian activity. Once you have returned to your car from the supermarket, your ultimate destination is likely to be the signalized intersection. Most people intuitively want to travel in the direction of their ultimate destination, rather than traveling away from it and come back. (VERBATUM FROM TAPES)

The most likely departure driveway is the southerly driveway on to Tea St. Some will go straight across and the majority turning left.

Mr. Driver mentioned that a member of the public asked about a cross walk at the intersection of Route 28 & Tea, so access could be obtained to the fast food store by pedestrians.

Mr. Fears thought it is a good idea.

Mr. Driver asked Mr. Fears to comment on the suggestion to move the traffic light from the Tea St. intersection down to the ingress/egress (by the fast food building) on Route 28.

Mr. Fears said the state would not permit it. State requirements call for a certain separation between traffic signals as well as a

certain distance from interchanges of the state highway system. The system is just west of the bridge. The signal is already in violation of the spacing standard. The signal, at its present location, serves multiple purposes. It serves a number of residential homes on the east side of Tea, south of Route 28. A shift in that signal would serve fewer entities.

Mr. Fears was asked to comment on the number of trips and traffic movements. He said his projections are based on a shopping center classification. This means that there are several facilities present with the Shop Rite as the anchor or primary facility. During the morning peak hours, he estimated 170 trips per hour (including employees). Each trip involves either an entry or exit. During evening peak hours, there would be a relative balanced flow of entering and exiting vehicles. Approximately 343 vehicles or 686 trips.

Mid-day Saturday is the most dense with 465 vehicles served or 930 trips.

Mr. Gupko was told that those figures are based on per hour not day.

He was told that morning peak hours were between 7 & 9 a.m. Evening peak hours are between 4 & 6 p.m. Saturday peak hours are between 11:00 a.m. & 3:00 p.m. These represent the maximum sixty minute volumes.

Mr. Fears was asked to describe the improvements planned for the intersection of Tea & Route 28 in terms of capacity. He did. Going west bound toward Tea the pavement is 20 ft. in width. It is striped for one lane and operates inefficiently. The proposal is to add 8 ft. of pavement to the north side of Route 28 so that two full lanes can be achieved in the west bound direction. The right hand lane is underutilized. The 8 ft. add on is to allow them to achieve two lanes east bound on the receiving side of the intersection as well. Therefore, full utilization of that intersection can be achieved. This is not reflected in the capacity analysis.

Concerning Tea St., presently there is one lane in each direction. They propose widening along the site frontage so that two lanes south bound can be achieved. The center lane would be for left turn lane. The right lane would be for through traffic. That would be a mirror image of what exits on the south side of the intersection presently.

Mr. Driver had no further questions for Mr. Fears.

Mr. Schindelar opened the meeting to the public.

Mrs Roseanne Short of 169 Cherry St. asked if they will have to give up parking spaces on Union Ave. The answer was yes. She commented about the lack of a sidewalk from Efinger's to the Shop Rite. She asked if anyone actually sat at the site and counted cars. The answer was yes, he did. Also, they used machine counts.

She asked about accidents and traffic tie-ups.

Mr. Fears understood the question. However, it is not in his analysis nor is it appropriate to be in it. He told her that the most efficient way to get into the fast food location would be to make a right off Route 28.

Mrs. Short asked why they do not have a pedestrian walk to the fast food entrance. She was told that sidewalks could be added.

Mrs. Phyllis Pournaras of 570 Winsor St. asked if they could get the DOT to put a "stop" sign rather than the present "yield" sign on the exit ramp of Route 287 onto Route 28.

Mr. Fears responded that it is outside their jurisdiction.

Next, she asked if there was enough room for a tractor trailer to get into the back of the Shop Rite for unloading. She was told that there is enough room. There is sufficient room to turn around. There will be no need for them to back out. She was told that the trucks will probably come from Route 287.

She asked if there was any thought of the 60 ft. easement to go back to Route 22, so tractor trailers could come off Route 22.

Mr. Fears said that there are a number of problems concerning crossing that stream. The application before the Board is limited to Tea St. access.

Mr. Evan Carzis asked if the eight foot widening of Route 28 involved the condemnation of property, or would it be done in the present right of way. If condemnation is anticipated, what will be the compensation?

Mr. Fears said he is not certain of where the right of way line is. Also, he has not been involved with financial considerations.

Mr. Driver stated that the proposed improvements are within the right of way.

Mr. Joe Russo of 746 Cedarcrest Drive was told that there will 7373 trips on weekdays and 9543 trips on Saturdays - generated by the site.

He mentioned that there is a sign on Cedarcrest Drive stating which prohibits right turns between 6 & 9 a.m. Your traffic report did not consider Cedarcrest Drive. The sign is not effective now. He asked how they propose to keep motorists from accessing Cedarcrest. Mr. Fears mentioned that the Borough & residents of Cedarcrest might consider expanding the time of restriction to a 24 hour restriction. He felt that some may want to get to the site from Cedarcrest. However, the majority would not.

Mr. Russo was told that the traffic report did not address Thompson or Cedarcrest. He mentioned all of the main streets. Each time Mr. Fears said that they were not included in the study. He asked if a study could be done of these intersections. He was told that they could be. However, they did only the most sensitive streets. He felt that the lesser intersections could accommodate the impact.

Mr. Russo asked it were possible to get an analysis of a fully built condition with the three Phases, so Bound Brook would

understand what the full impact will be.

Mr. Fears responded that it is possible. However, they are only concepts. The only things we have here tonight are the specific facts about the specific proposal.

Mr. Russo asked Mr. Driver if he was aware of a "no turn on red 7 a.m. to 7 p.m." sign posted on Thompson Ave. He was. But he had no direct recollection of a "no turn on red" sign on Route 28 west bound on Thompson Ave. When he performed the capacity analysis, Mr. Fears assumed zero turns on red.

Discussion followed.

Mr. Russo mentioned that Thompson Ave. is a designated school crossing as well as official crossing to Codrington Park.

Mr. Fears responded that it is heavily impacted. However, with the mitigating improvements provided, the conditions will improve dramatically.

Mr. Russo stated that the bus schedule was not mentioned in the study. However, buses stop at the intersection of Route 28 & Tea St. in each direction at 4, 5, 6 p.m. On Saturday, they stop at each hour from 6:00 a.m. to 11.00 p.m.

Mr. Fears responded that no matter what, it was only one bus each hour. There was no additional impact.

Mr. Fears didn't have specific figures for traffic from South Bound Brook. He mentioned that people in FINDERNE would more likely stay in their town.

Discussion followed.

Mr. Shapiro joined the meeting at this point: 9:15 p.m.

Mr. Russo mentioned the limited visibility at the intersections of Vosseller Ave, Thompson Ave & Maple Ave. from the north. The increased traffic will jeopardize the safety of the children. Why hasn't this been addressed?

Mr. Fears responded that any increase in traffic will affect safety. The key is if you can effect pedestrian traffic safely. He explained. They are increasing the volume. However, they feel that they are not endangering the children.

Mr. Schindelar called for a ten minute recess at 9:35 p.m.
He called the meeting to order at 9:45 p.m.

Mr. Kirk Slater of 701 Cedarcrest read from page 5 of the Traffic report concerning the potential development of a parcel of land with approximately 700,000 sq.ft. of retail. If this were to occur, "...it would virtually eliminate any traffic to and from the west along Route 28 relative to the site." Mr. Slater wondered, if this projection could be made, why couldn't he make a projection about all three Phases of this development.

Mr. Fears said the next sentence explains. "This provides further substantiation and validation for the utilization of the trip distribution that has been provided..."

Mr. George Bageley of 516 Winsor asked if they proposed to block off a section of Middle Brook Road, where it meets Tea St., and make it a right turn only. Will there be signs prohibiting turns? He was told there will be a stop sign and a "no left turn". On the back of the stop sign and on the opposite side of the road will be a "do not enter" sign. It will be a one way.

Mr. Bageley reminded Mr. Fears that he had said that, because of the number of apartments, one access off of Route 28 would be unsafe.

Mr. Fears responded that the general recommendation is for 25 single family homes or the equivalent in terms of other residential land uses (anything above that) you should have a second means of access at least for emergency vehicles. He said a fire truck can get in there.

Concerning the west bound intersection of Route 28 & Tea, the road is considered one lane in each direction, because it is striped that way. However, Mr. Fears has seen many cars side by side in the westerly lane.

Mr. Bageley mentioned the sign which says "Thru vehicles stay to the right". This must mean it is legal for the two vehicles to be side by side.

He was told that there will be approximately 15 trucks per day delivering goods. Some will use the back loading area. Some will go to the smaller loading area on the southwest corner of the site. The number was gotten from Shop Rite. He wanted to know if Shop Rite gave him the correct information. There are six bays in back. Why are so many needed?

Mr. Fears said the number 15 was high. He expected 8 to 10. There would be one dairy, & general delivery up to 10 or 12 per day. There could be up to 4 per day for fish, produce & grocery. He said not all the bays will be used for loading. One will be used for a compactor. A trailer may be unloaded & left overnight. This is not a warehouse facility.

Mr. Pat Fowler asked for a percentage break down of traffic going into and out of the site. He was told that the majority would use the Route 28 entrance - about 170 per hour during evening peak hours. Approximately 70 will make a right turn on to Tea. The majority (40 or 50) of these will go to the access by Giles Biondi. The others will make the first left into the first driveway. Probably 20% will leave by the front driveway. About 60% will leave by the southerly driveway. Ten percent will go out by Route 28 eastbound, and 10% will use Cedarcrest.

Mr. Brian La Manna of 721 Cedarcrest asked if motorists would use Middlebrook Road, to avoid the light, to get into the facility. Discussion of traffic flow followed. He was told that, with the improvements, the capacity of movement on Route 28 & Tea would be approximately 120 to 150 cars per hour with no turns on red.

Mr. La Manna asked if anyone checks his numbers for accuracy. Mr. Fears said the SDOT will pour over his numbers. Hopefully, they will agree with him.

Mrs. Joanne Mc Dermott asked about his projections concerning the east bound traffic on Route 28. Presently, it functions at 76.9% of capacity. After mitigation, it will function at 74.6% of capacity. She asked about his September, 1996 letter in which he wrote, "I find that the eastbound left turn from Route 28 into Tea St. would be projected to be substantially beyond capacity and could not be effectively mitigated."

Mr. Fears said that letter was written in response to a request for clarification about pass by trips. When you include pass by trips in a DOT study, the DOT personnel are not familiar with the details of the area at the commencement of the study. There are normal means of allocating pass by trips. It is to assign them uniformly to the surrounding growth system. He was trying to point out to them that this is not appropriate at this location. One reason is the difficulty of left turns. Another is that pass by trips will not get off Route 287 - shop - and get back on Route 287. He was trying to indicate to DOT that it would be inappropriate to use the uniform distribution that they normally do.

Mrs. Mc Dermott said Mr. Kennedy testified that most traffic would come into the site off Tea St. Earlier Mr. Fears said it would be off Route 28. Which is it? He believes Route 28 will carry the majority of traffic. Westbound, it is the easiest.

Mr. Bill Cody of 722 Cedarcrest asked Mr. Fears for his professional opinion. Prior to doing the study, did he think that this area - Route 28 - Tea St. - Cedarcrest Drive, with what there is now is heavily travelled.

Mr. Fears said Tea St. & Cedarcrest are not. The volumes are very light. Route 28 is heavily travelled.

Mr. Cody wanted to know, in his opinion, what will be the impact on this little Borough.

Mr. Fears can justify his figures, because he used machine counts. He felt there would be a significant impact on the Borough of Bound Brook. He identified what the impacts would be on Route 28 and how they could be addressed.

Mrs. Short asked when will the traffic signals be put in? She was told within three months, they can approve the plan. It can be done within one year.

It was past 11:00 p.m. Mr. Schindelar closed the meeting to the public. He asked how many people still had questions. Ten people gave their names & addresses.

Mr. Wilk made a motion to adjourn, seconded by Mr. Gupko. All were in favor, so moved. The meeting was adjourned at 11:10 p.m.

Respectfully submitted, Kathleen M. Lynch, Recording Secretary