

BOROUGH OF BOUND BROOK  
**PLANNING BOARD**  
JANUARY 22, 2004

**CALL TO ORDER**

The meeting was called to order by Chairman Robert Fazen at 7:30 p.m. in the Council Chambers, 230 Hamilton Street.

**ROLL CALL**

Present were: Mayor Ryan, Mr. Thompson, Mr. Gaglia, Mr. Sabatino, Mr. Fazen, Mr. Shive, Mr. Krauser, Ms. Ackerman and Mrs. Pournaras.

Also present were: Barbara Malone, Recording Secretary; Michael Rodgers, Esq., Board Attorney; Nancy Weaver, Planner and John Cilo, Engineer.

**COMPLIANCE STATEMENT**

This meeting is being held in compliance with the "Open Public Meetings Law." The requirements of the Law have been met. The Meeting Notice has been posted in the Municipal Building, filed with the Municipal Clerk, and forwarded to the Bound Brook Chronicle in January 2004.

**SALUTE TO THE FLAG**

**MINUTES OF PREVIOUS MEETING**

Motion presented by Mr. Shive, seconded by Mr. Krauser, to approve the minutes of the January 8, 2004 meeting. Unanimous.

**ANNOUNCEMENTS**

- Mr. Fazen noted that the meetings are being digitally recorded and copied to CD's..
- He noted Financial Disclosure forms have been distributed and should be completed and returned.
- Compliance Review Board – Mrs. Pournaras will continue to serve.
- Site Plan Review Board – Mr. Krauser, Mr. Gaglia and Mr. Sabatino.
- Updated application forms – Mr. Thompson will work on them and get them on the internet.
- Redevelopment Advisory Committee – Mr. Shive keeps us informed. A public hearing on the draft of the flood plain management plan was held on January 14. He felt they did a super job, and when the work is completed Main Street will be "high and dry."
- Agenda is Efingers Plaza only.

**OPEN TO PUBLIC (NON-AGENDA ITEMS)**

No comments at this time.

### **SWEARING IN OF NEW APPOINTEE**

The oath of office was administered to Mr. Thompson by Mr. Rodgers.

### **PUBLIC HEARINGS**

#### **#16-03, Efingers, site plan (continuation)**

Bob Smith introduced himself and explained that there is no use variance required. He had no objection to the council representatives remaining on the board. Mr. Fazen explained that the application is being continued without a variance and therefore Mayor Ryan and Councilman Jeff Thompson are not disqualified. The applicant waived his right to object. Only a majority is required to approve the application.

Mr. Smith explained that the application has been improved, partially because of input from the board. The ramp and loading docks have been removed and the height reduced, no longer requiring a 'd' variance for excessive height. The second story warehouse was removed for a net reduction of 17,000 square feet. Impervious coverage was also reduced, and the traffic situation has been discussed with the borough resulting in an understanding. The plan is to address the board's concerns. He will first introduce Barry Criss of Eckerds, then Mr. Gary Dean, an additional traffic expert. He will discuss the rationale for the two-lane drive through for the prescription service. Mr. Liotta, professional engineer and planner, will provide new renderings and views and go over changes in some detail. The former traffic expert, Mr. Marshall, will indicate what the impact is of the reduction. Mr. Osborne, architect, will go over the aesthetics. Police and fire reports were received this evening and will be addressed.

Mr., Barry Criss, Eckerd representative, was sworn in by Mr. Rodgers. He explained he is the Regional Construction Manager for the New Jersey/Eastern Pennsylvania area. He has been in the business about 23 years. Hours and days of operation most likely will be 24/7, subject to Operations Department. He said it should be similar to Walgreen's schedule. There should be 6-8 employees at any given time, with a total of about 40. There may be two pharmacists, a tech, and any number of cashiers during premium operation hours. Some of these people will be part-time.

Mr. Criss addressed suggestions proposed at the last meeting. He will work with the board on the requests. Renderings will be available at the end of the presentation. Mr. Fazen said the public asks him, incessantly, why the Eckerds will be built so near the Walgreens. Eckerd feels it is a viable location; competition is not unique. Mr. Gaglia asked why they decided not to build where Walgreens is now. Mr. Thompson thought it was due to a reorganization.

Mr. Dean was sworn in by Mr. Rodgers. He explained he is a principal of Gary Dean Associates, a Civil Engineering firm. He described his background since 1986 and qualifications, and the board accepted him as a professional witness. His firm represents Eckerd, CVS, and some Walgreens and Rite Aids. They are

familiar with new pharmacies and have evaluated traffic and parking issues. As to why two drive-through lanes are needed, Mr. Dean explained that they started out having one lane. When a customer comes in to pick up a prescription, a consultation is sometimes required with the pharmacist. It may take a few minutes. Often customers just wanted to drop off a prescription and would have to wait, resulting in poor customer service. All the recent applications have an inner lane that is designated for pick-up and possible consultation with a pharmacist. The other lane is simply for drop-off with a pneumatic tube. There is no queuing or stacking. These drive-throughs are used mostly during inclement weather and right after school. It has become an important operational consideration. Approximately two of every ten customers will use the drop-off lane. There is room to stack 2-3 vehicles before encroaching on the parking area.

Mr. Smith presented a question from the Fire Department. The width of the lane is 12 feet, and the fire department was looking for 17. Mr. Dean explained that 12 feet is standard. The difficulty in allowing 17 feet would be landscaping. Mr. Smith suggested that Mr. Cilo and Eckerds' engineer can sit down with the fire department to discuss concerns. They discussed the meaning of "setback" as mentioned in the letter. Mr. Ruscetta will be directed to Mr. Liotta, and Mr. Shive suggested that a Planning Board member be present at any such meeting. Mr. Fazen was happy to get input from the police and fire departments.

Mrs. Pournaras asked about the impact of parking on Thompson Avenue if it is still permitted. There is a driveway due north of this driveway, and Mr. Dean is not familiar with the ordinance. On-street parking will not affect the design, but it may limit people's ability to see as they leave.

Mr. Cilo explained there was a long discussion of parking on Thompson Avenue. He suggested petitioning the council to prohibit parking along the entire property along Thompson Avenue. Mr. Smith indicated they concur. The board was in agreement, with no objections.

Mr. Reza Marshall had previously been sworn in as a traffic expert. He was introduced to explain the reduction. As Mr. Smith indicated, square footage was reduced by more than 17,000 square feet, reducing the number of vehicles. At the intersection, there will be no deterioration and the two driveways were analyzed with an improved level of service. The driveway on West Union Avenue went from "d or better" to "c or better." On Thompson Avenue and the access drive they are "b or better." With the reduction of square footage, only a minor application is now required by NJDOT.

Mr. Ray Liotta was introduced and reminded that he is under oath. He is a professional engineer and professional planner. Mr. Liotta presented updated drawings as a result of changes after the last meeting. The parking was re-organized in front of the store. It was redesigned to a 90 degree system with no

one-way aisles. They are all standard 24 foot widths and consistent with parking regulations. Exhibit *January A* shows a landscape plan with different elements rendered (building, sidewalk areas and landscape plantings and grass areas).

Changes that were made included making all parking 90 degrees. The parking count on this plan is 134 spaces. Based on a review of the ordinance, 166 are required with the revised square footage. The traffic expert indicated a need of about 94 cars for the combined use, and 134 are provided. This number includes employee parking. The revisions were submitted in writing. E fingers typically uses 45 spaces. A larger landscape island is now provided, and more ornamental trees and shrubs have been added. Types of trees have also been changed.

The loading dock and ramp on the previous submission have been removed; all loading will be at grade with no ramps. There is a loading/receiving area with a sunken floor and a slope at the northwest corner of the building. This will make it a lot simpler for truck drivers to enter and exit.

The height of the building was reduced to a roof line of 28 feet. There is a parapet at 31 feet, with an average height of 29.8 feet. This does not exceed 10% above the maximum, negating the necessity of a variance. Warehouse space that was to be on the second floor was reduced. The first floor stayed at 21,001 square feet with 5,486 on the mezzanine level. Administrative office space is 4,851 square feet. A new total of 45,466 square feet is a reduction of about 17,000 square feet. The intensity and impervious coverage are also reduced.

Two exhibits (*January B* "right-of-way dedication exhibit" dated January 22 and *January C*) showed the right of way with and without changes to the roadway. Landscaping was shown in green. There will be 14 feet of landscaping with a three foot strip from the curb to the sidewalk. On Thompson, from the back of the sidewalk to the front of the parking lot is 11.5 feet. The landscape area east of the Eckerd drive-through stayed the same, about 20.5 feet. If the drive-through is widened, it will change. This indicates dedications in place but no widening.

Exhibit *January C* "right of way dedication and future road widening exhibit" shows potential widening when the curb and sidewalk are relocated back toward the site. The existing curb line is shown, as well as the proposed line. When two lanes are provided westbound, seven feet will be left from the back of the sidewalk to the curb line. The widening is seven feet. The widening on Thompson would be only from the center access drive to West Union Avenue. That leaves about 4.5 feet at its shallowest point.

Mr. Cilo asked why they are using 3 feet instead of four. Mr. Liotta said this is what the DOT required; they could use four and it would relocate landscaping.

Bigger plants and more effective plantings can be used behind the sidewalk. Mr. Cilo explained that the basis for his comment is that along Route 28 they have used four feet. It will change requirements for the aprons. Mr. Liotta said it could be changed to four if necessary. Mr. Shive asked if sidewalks on the other side of Union Avenue are four feet of sidewalk and four feet of landscaping; they are. Mr. Smith said there is no problem with the change. Mr. Thompson asked about 18' parking stalls on the Thompson Avenue side; the 19 feet are not needed because of the overhang. Mr. Thompson asked why the warehouse would not be in a basement; the architect does not like the environment of people working underground. Mr. Thompson noted that 17,000 square feet are being lost. They are looking for 20-30,000 square feet of warehousing.

Mr. Cilo asked about the entrance from Route 28, which was moved from 25 to 35 feet. Mr. Liotta said it was a result of the initial reaction of DOT; a longer tangent was needed before getting to the radius of the curb. It now meets DOT standards.

Mr. Shive asked when discussion of the planting plan will take place; Mr. Liotta offered to discuss it. A transformer pad is located on the plan, and they are not lovely looking objects. Mr. Shive wondered what screen planting will be planted. Taller plantings will shield the transformer pad from Route 28. If it is necessary to put taller evergreens there they will comply; they will discuss it with whoever makes such decisions for the borough. Mr. Shive said there is a juniper hedge along the property line but no identification is on the plan south of that. Shrubs will be 4-5 feet in height once established, but substitutions can be made. The transformer would be 4-5 feet tall. Mr. Shive thinks it would take a long time to get the shrubs that tall. He feels an initially taller and denser plant should be substituted. Mr. Liotta suggested red cedar. With regard to a committee to review design changes, Mr. Cilo asked if there will be a committee established. Mr. Smith said his client would defer to the borough engineer on these small issues. Mr. Rodgers asked for articulation of proposed changes; Mr. Shive explained that a juniper hedge on the plan (6 on the south side of the transformer) instead of 10 barberries. Nancy asked if all trees will be the exact same species. Mr. Liotta has no problem with discussing varieties of species to be planted.

Mr. Liotta explained that they chose city trees – honey locust provides good shade with very little litter from leaves. Final landscaping will be subject to the borough engineer's review and approval. Mr. Sabatino suggested getting rid of the barberries; they are very tough plants. They are "unfriendly" for a reason. That problem, also, can be worked out with the engineer. Mr. Shive acknowledged they serve a distinct purpose though they do tend to collect debris. Mr. Greenberg will take care of it; there is a full time custodian. They are strategically planted to discourage people from cutting through the parking lot.

Mr. Shive noted that along the perimeter, along both streets, there is a small leafed hedge. Where parallel parking exists, cars can be scratched by overhanging branches. With perpendicular parking there is an overhang. Room must be left for the vehicle overhang. Mr. Liotta said they can be moved back from the curb line. Mr. Thompson asked, regarding pedestrian traffic, if the only way in is to walk through the driveway. There is a sidewalk northbound on Thompson, and there is a crossing at the first handicapped stall. On Route 28 (westbound), you cross the entrance road and there is a sidewalk in the center of the landscaped area. There is a four foot sidewalk. Mr. Shive continued that there are apartments in the back. There is a fence along the north property line. He wondered how pedestrians would be prevented from entering on the other side. Much of the existing fence will be replaced.

Mr. Cilo noted a fence along the northern property line, but dimensions were not specified. He feels it should be a little more generous. The distance from the face of the wall to the property line is three feet. The retaining wall is about 1.5 feet. The retaining wall is planned to be poured concrete, transitioning down to about a foot tall from five feet on the northwest corner.

Mr. Shive said there is a code requirement of the fence at the top when the differential grade is 16-18 inches. The barrier has to be at least 42 inches in height. Mr. Shive asked the height of the fence; it is six feet throughout the entire property line (on top of the retaining wall). The total will be about 11 feet in the northwest corner, tapering down in both directions. Mr. Cilo noted they chose not to supply certain information. Mr. Fazen suggested reviewing the entire document when the presentation is finished. Mr. Smith offered to do that at this point.

Mr. Thompson asked about the clock. He said it looks out of proportion with the landscaping in. He wondered if it could be squared to the landscaping instead of the corner. Mr. Fazen asked if Mr. Greenberg was aware the borough is placing a clock on Main Street at the roundabout. They will be purchased from the same company.

Mr. Greenberg and his partners have agreed to dedicate the land for the road widening at no cost to the borough, the county or the state. Mr. Fazen felt it should be dedicated to the borough and the borough should take the lead to entice the state and county to widen the roads. He believes that a five year term for the financial and physical aspects of the contribution should be set. If the borough does not accomplish this in five years, the property would revert to the original owner. Mr. Fazen feels the county does not seem inclined to widen Thompson at this time. Mr. Cilo proposes that the dedication be granted so that at some point in time it can be done without condemnation. The applicant proposes to dedicate the land, seven feet on W. Union and eight feet on Thompson, not to be returned. With regard to the cost of the project, an informal discussion was held. Mr. Greenberg would like to be of assistance and will offer

a pro rata share of \$50,000 to be paid in five equal annual installments to the borough's escrow account. It would be accelerated if work is begun. Mr. Greenberg agreed. Mr. Fazen suggested writing to the county and the state indicating that we have been very strict in trying to acquire the rights. The borough feels this is a dangerous intersection, and Mr. Ryan said the county is aware that it is. Ms. Ackerman asked if the applicant would receive interest if the money is returned (Mr. Cilo said it is customarily 1/3 of the interest). Mr. Shive suggested following this recommendation. Mr. Greenberg agreed to let the borough keep any interest in this eventuality.

The following are in response to Mr. Cilo's January 16 memo:

#3 – agreed

#5 – will comply

#7 – Document is a scan of the tax maps, which may be inconsistent with the survey. It is informational.

**General notes:**

#2 – Will provide

#3 – Mr. Liotta sent a letter that, in his professional opinion, there are no wetlands within 150 feet. Mr. Cilo would like a sealed copy. Mr. Liotta will provide one.

#6 – The contractor

#7 – A stamp goes on all drawings, and they are not to be used without the stamp. They are not to be used for construction before they are stamped. The plans the borough will approve are those that go to the contractor. They are stamped "released for construction." Mr. Cilo's concern is that there could be two different sets of plans.

#8 – will be provided

#9 – Will revise

#11 – Mr. Liotta said the dimensions are taken directly from the plans given to them by the architect. Implemented.

**Sheet 2**

#1 – Mr. Liotta said the plan is to do just that. The architect may be able to answer that. Mr. Cilo said on Route 28 they generally want to bore under the pavement. No longer an issue.

#2 – Mr. Cilo felt this should have been part of the completeness package. He feels it is important for the board to know where the adjacent buildings are. Mr. Liotta felt the buildings were sufficiently off the property line to make it unnecessary. Mr. Liotta said they will do their best to provide them. They could be shown on a cover sheet plan. Mr. Cilo recommended dispensing with it at this point, but it would be a future consideration. Mr. Shive suggested a compromise: a note indicating “closest adjacent building \_\_\_ feet.”

#3 – Mr. Cilo’s concern is for two driveways opposite. Information will be added to the site plan.

#4 – Will provide modified information.

#5 – Note on demolition plan explains that the existing curbs will be removed and all the paving on the site side of the curb will be removed. On Thompson Avenue all the existing sidewalk will be removed and curb installed where necessary. Mr. Cilo would like to see clean, new curbing along Thompson. Mr. Thompson feels it is a waste of effort if the street will be widened within five years.

The sidewalks are in worse shape than the curbing, according to those present. Mr. Greenberg will check it out; the county did not require curbing to be replaced. Cost of curbing is estimated to be \$12/foot and \$3/4 to remove it. There is 323 feet of curbing, for a total cost of about \$6,400. Mr. Krauser suggested replacing the curbing and reducing the contribution to \$45,000 over five years.

#6 – It will be removed.

#7 – The revision indicated that all pavements will be saw-cut removed. Mr. Cilo suggested tearing out the curbing. Mr. Liotta said the curbing on West Union Avenue is in bad shape and it would leave a jagged edge. Mr. Cilo said they don’t need to remove the 8” concrete pavement. Mr. Liotta said they are responding to DOT instructions. Mr. Smith suggested getting rid of the clock and replacing curbs instead.

### Sheet 3

#1 – Elevations are shown on the grading plan. A detailed drawing will be supplied prior to construction.

#2 – Will provide.

#3 – Yes

#4 – To be removed.

#6 – Fence offset from property line is indicated.

#7 – Answered

#8 – Mr. Liotta said a dimension plan shows the geometry of the layout. Mr. Cilo would like the digital information to be shown on the map. The applicant will comply.

#11 – No longer applicable

#17 – No sight triangles were shown on the drawing; they will be added. The county did not ask for them.

#18 – The northwest corner has two dumpsters and truck access is needed. A wide area of pavement is needed for delivery trucks to negotiate a left turn around the building. Mr. Shive expressed concern about cutting the corner too close and clipping the building. Mr. Liotta said bollards can be added. Mr. Cilo suggested the sidewalk being extended around the building to act as a buffer for trucks. Mr. Greenberg said the trucks will be significantly smaller now that the warehouse is smaller. A sidewalk invites people behind the building, and Mr. Smith did not think that would be a good idea. He thought the bollards would be sufficient.

#20 – Answered.

#21 – Mr. Fazen asked why there is a sidewalk on the westerly side of the building. Mr. Liotta said if someone exits at the southwest corner and wants to get to the dumpster area they can walk on the sidewalk. Four feet will be sufficient.

#22 – No longer an issue.

#### **Sheet 4**

#2 – Grades shown on the plan are utilized. Stake-out drawings will be shared with Mr. Cilo prior to construction.

#3 – Not applicable due to fire department request. On the prior plan, the sidewalk was against the curb. Now that the sidewalk is pushed back the hydrant is in the landscaped area.

#### **Sheet 5**

#1 – The design changed with the parking reorganization. A concrete encasement will be put around one pipe to protect it from the other.

### Sheet 6

#1 – Ms. Weaver suggested shortening parking spaces to 16.5 feet, creating an overhang and leaving a five foot planting strip. Diamonds can also be put in; Mr. Krauser suggested using diamonds and leaving the 19 foot parking spaces. A few more shade trees could be planted. There would be five obvious locations. Mr. Greenberg objects to the trees because of sap and the danger of running into them, as well as blocking the view of the store. Ms. Weaver feels more landscaping enhances the store and trees provide shade. Mr. Shive noted the species of tree can make a difference. Mr. Smith asked the board to be flexible since Mr. Greenberg has been so accommodating. The trees are not necessary.

#3 – No longer applicable.

#4 – Variety will be provided.

#5 – Sidewalk access is provided to avoid having to cross the parking lot.

### Sheet 7

#1 – Mr. Liotta reported that the lighting levels were felt to be adequate at the entrances. There is also lighting on the street that supplements. They don't like to spill a lot of light on the roadway for safety reasons. Mr. Cilo feels the entrances should be better lighted. Mr. Cilo is assuming all existing roadway lighting is included in the design; Mr. Liotta said it is not. Mounting standards are 22 feet high. Mr. Cilo recommends bringing the lighting down from 22 feet to 16 feet so it will not intrude on surrounding residential areas. Mr. Liotta said there is virtually no light spillage off the property. A fixture could be added at each entrance to enhance lighting, or existing lights can be brightened. Mr. Liotta said the height mimicked Walgreens.

#2 – Answered.

#3 – The light source will not be visible, hidden by the box structure.

#4 – Mr. Liotta reiterated there is no light spillage onto Thompson Avenue. Mr. Cilo disagreed, since there are residences nearby.

#5 – Mr. Liotta said it is a box style fixture, but Mr. Cilo is concerned with the wattage. Mr. Thompson said if it is like Walgreens it does spill over. Mr. Osborne pointed out the lights at Walgreens. You can see the lens of the fixture projecting forward. The Eckerd lights are directed down onto the pavement, so you will not see the glare from the bulb. You will only see a hot spot on the

building. Mr. Thompson asked about the canopy lights. Mr. Shive said they are well recessed according to the drawing. Mrs. Pournaras suggested reducing wattage below 200 or lights being turned off at certain times. Mr. Smith pointed out there are garages between the lights and the apartments. Mr. Osborne said there is also a solid six foot fence.

#6 – Will provide.

#7 – Hours of operation are planned for 24/7. Lighting will have to be coordinated. Ms. Weaver asked if one of the GW1 lights could be eliminated. There are canopy lights – the applicant agreed. Mr. Shive disagreed; he said the wattage could be reduced to 175 instead. Mr. Gaglia pointed out that the lighting will be substantially less than it is now.

Mr. Shive asked what lighting is needed at 2 a.m. when E fingers is closed. For security and safety, there is an automated energy management system that can be programmed to turn lights off when closed. Lights will be on around the perimeter at all times for security.

ATF requires certain lighting, Mr. Greenberg pointed out. Mr. Smith reminded the board that the lighting will be greatly reduced from the current situation. Mr. Liotta said the lighting at the periphery of the property is essentially zero. Fixtures will be identified (every other) that will turn off after closing.

### Sheet 8

#1 – Mr. Liotta reported they made a few minor adjustments to the plan and it was resubmitted.

#2 – Mr. Liotta agreed. Soil erosion requires that it be shown on the plan.

### Sheet 10

#1 – Mr. Liotta said the section shows 5.5" thick bituminous and 4" gravel. Walgreens showed 2" top, 3" base and 6" gravel. His client agreed to match the pavement approved for Walgreens.

#2 – Same issue. Revision makes all the same with truck traffic reduced.

#3 – Mr. Osborne said two feet is fine (below finished grade). Mr. Shive said a foundation wall has a different settlement characteristic than the grade; pavement will crack. *All existing foundation walls will be removed*, according to Mr. Osborne.

#5 – Will comply with borough standards.

#9 – Mr. Liotta does not know the actual width, but it will be provided prior to construction.

#10 – Provided by Mr. Osborne on exhibit.

### **Sheet 11**

#4 – Okay

### **Survey**

#1 – Refers to the location and is approximate.

#2 – Mr. Liotta said it is usually done in the case of subdivision. Mr. Greenberg signed a waiver of property corners, and they don't consider it necessary. Mr. Cilo feels it defines the property, once and for all. It is not required by ordinance.

#3 – They are deed bearings.

### **Sheet 2**

#2 – Mr. Greenberg provided that language.

#3 – Survey documents were updated, and the most recent survey is current.

### **Architectural Plans** (Mr. Osborne answered the following)

Mr. Osborne said they went to downtown Bound Brook and looked at historically significant buildings. They wanted to make a pedestrian scale building, creating a rhythm as walking down a streetscape. Materials divided the building into sections. E fingers and Eckerd were coordinated (brick with masonry base on Eckerd's and fake stucco trim. A streetscape was created so the E fingers building will be brick, masonry block and columns coming down through. Canvas awnings are not continuous, and there are windows on the second floor.

The windows on the back bring light into the office area. *January Exhibit D* and *January Exhibit E* were shown. In response to some other issues, *January Exhibit F* showed sight lines. Looking from west to east, the sight lines are such that the parapets hide mechanical equipment on the top of the building. On the back of the building, an equipment screen will hide the equipment as well as keeping the noise down. Lights go across the back of the building, aimed straight down. There is a green metal canopy over the front entrance.

Regarding signage, the Eckerd sign is 30" high and the other signs are 12" high. The Walgreens sign's W is 34" high and the rest of the letters are 24". The

Efingers sign is 6' tall. Both Efingers and Eckerds are 12" high on the 24x14 sign.

Mr. Shive asked if the free standing sign complies with the zoning ordinance; to the best of his knowledge, Mr. Osborne said it does. There is an electronic sign with letters that change periodically (probably once a week). When asked how frequently the lettering changes on the Eckerd sign, Mr. Criss did not know. Mr. Fazen suggested that it should not change more than daily. With regard to lighting of the signs: Eckerd is internally illuminated with neon. The Efingers sign will be face lit as opposed to internally lit.

Mr. Shive objects to the "copper" color of the Eckerd roof. The material is baked aluminum. Mr. Criss will make a good faith effort to change the color to green, but there is no guarantee Eckerd will allow it.

Mrs. Pournaras asked if we will be the only planning board in the country to object to Eckerd's color. Mr. Shive asked when a response could be expected. Mr. Fazen asked, if their answer is no, if we could try harder to convince them. Mr. Criss said there is a corporate architectural staff, and it is their decision. Mr. Fazen asked if they would speak with our architects if they don't agree.

Mr. Sabatino noted that there is illuminated signage on the inside of a window. This is not permitted in our code. Mr. Criss explained that about 20 feet inside the door and 12 feet off the floor is a sign that says "welcome to Eckerds." It appeared closer to the window.

#### **Sheet A1.0**

They are shown.

#### **Sheet A1.0A**

If not provided, they will be

#### **Sheet A1.1**

They are

#### **Sheet A4.0**

Will be supplemented as construction documents are developed.

#### **General Comments**

First bullet – Mr. Osborne pointed out a cross section would show floor elevations three feet different between the buildings, referring to Exhibit F.

Second bullet – Has been provided.

### **Safety**

Mr. Liotta addressed the fire official's letter. There was some confusion, and it was noted that he was reviewing the earlier site plan. They affirmed that a fire truck could get anywhere on the site.

#1 – See above

#2 – OK

#3 – Every other column in the front.

#4 – Mr. Smith suggested that the fire official meet with the engineer and one board member. The applicant will agree to be bound by the decisions made. Mr. Shive did not like the idea of putting signs on columns.

Mr. Liotta addressed the fencing issue. They would like to install a stockade fence that matches Walgreens fence. Double faced board on board was suggested. Mr. Smith suggested good fences make good neighbors. Board on board fencing was agreed upon, from the northeastern corner to the western corner along the property line, south to the front end of the building.

### **Traffic**

#1 and 2 – have been discussed.

#3 – Police Department letter.

1 – Mr. Greenberg does not allow overnight parking on the site; signs have been erected and police are allowed to ticket unmarked cars that are on the lot overnight.

2 – The borough will include them.

3 – The DOT requires a traffic control plan, which has been submitted.

4 – Same answer.

### **Storm Water Management**

First bullet – Changes will be made.

Second bullet – Same

Third bullet – Drainage calculations have been done consistent with DOT; they are reviewing the drainage report. Mr. Cilo noted there is flooding in moderate storms. If the DOT requires detention, they will have to put it in (underground in the parking lot). They will be bound by NJDOT requirements.

Coordination – Mr. Liotta said it is handled with the applicant and can be incorporated into the agreement. The issues are agreed to. Mr. Fazen needs a contact person on site; he needs a cell phone number for immediate access to this manager.

#15 – Coordination. Mr. Smith noted they are dealing with “dark forces.” Mr. Cilo understands and sympathizes, but they can’t start construction until they get DOT approval. There is no disagreement with that, but with the arbitrary time limits. Mr. Smith does not want to see time limits mandated, and Mr. Liotta does not see a need for the limits. Mr. Smith said they have to meet the terms of the resolution to get a building permit. Mr. Fazen explained that in the past when the board has not set a time limit they have regretted it. Mr. Fazen said they can strike #15.

Mr. Smith noted the issues to be resolved. Mr. Cilo suggested that all changes be made before the pre-construction meeting. Revise #15 to indicate this.

Curbing – the board would like to see new curbing on Thompson Avenue. Mr. Greenberg agreed to new curbs and would like to trade them for the copper roof. The board is adamant, though they realize they may lose the argument.

Mr. Fazen announced he will dispense with the reading of the resolution items. Linda Brnicevic of Bound Brook commented on the façade changes of chain stores. She brought a picture of a building that was changed to complement adjacent buildings. Bound Brook is trying to enhance their image, and she would like to see Eckerd be flexible with the design of the building. Her pictures show that it can be done.

Ms. Brnicevic also took pictures of buildings in Warren (strip mall type buildings). She noticed that the architectural elements that are not too costly do a lot to enhance the building. The Lackland office building in Warren has some nice architectural elements. She noted improvements in the application since the last meeting. She feels there are other solutions to the copper roof dilemma.

Mr. Fazen invited the board to comment before taking a vote. Mr. Thompson said the planning board and Efingers should be commended on making the project work for the town. Mrs. Pournaras had no comment. Mr. Gaglia feels the development will enhance that end of town. Mr. Ryan thanked everyone for their cooperation. Ms. Ackerman complimented everyone on the progress that has been made. Mr. Shive mirrored Mr. Thompson’s comments. He feels they are,

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and will be, good neighbors and good citizens, sans the gold roof. Mr. Sabatino said it is a welcome addition to that end of town and complimented Mr. Greenberg. He wishes him lots of luck. Mr. Krauser said he's 100% behind them. Mr. Fazen complimented our engineer and thanked him for the thorough inspection that resulted in his being comfortable with the results.

*Motion by Mr. Gaglia to approve the application, seconded by Mr. Sabatino.  
Unanimous.*

#### **ADJOURNMENT**

Motion presented by Mr. Gaglia, seconded by Mr. Krauser, to adjourn the meeting at 11:35 p.m. Unanimous.

Respectfully submitted,

Barbara A. Malone  
Recording Secretary