

PLANNING BOARD OF THE BOROUGH OF FANWOOD
Regular Meeting Minutes
October 28, 2015

The Regular Meeting of the Planning Board, scheduled by the time, place and date of the meeting, prominently posted on the bulletin board at Borough Hall, mailed to the Times and the Courier, filed with the Borough Clerk, and mailed to any person requesting same in accordance with the requirements of the Open Public Meetings Act is called to order at 7:40 PM.

Present: Dale Flowers, Joan Wheeler, Dennis Sherry, Mike Lysicatos, David Blechinger, Laura DeGennaro, Jack Molenaar, Teresa Keeler, Dan Zucker, William Lee, Rob Renaud, Ray Sullivan

Absent: Mayor Mahr, Matthew Juckes, Teresa Seefeldt

7:55 PM arrival: Peter Bondar, Jack Molenaar

Recusal: Jack Molenaar, William Lee recuse from "D-Variance" discussion. Molenaar returns to the Planning Board for CVS hearing.

Minutes

September 16, 2015 minutes were approved by a unanimous vote of eligible voters.

New Business

Block 39, Lot 47, 1 Graybar Terrace, McEvoy

Due to its unusual shape, and out of consideration for a near neighbor, applicant was granted side-yard variance for installation of a gas-powered generator in the side lot.

Block 97, Lot 17 (patio/bulk), 25 Gere Place, Prussman

Applicant was granted a variance for an 11-foot rear yard setback in order to improve the property. Although the work was done in advance of approval; it was agreed that the improvement was a positive for the neighborhood. Comments by Mr. Brennan, a near neighbor of Mr. Prussman, confirmed that the property had deteriorated for many years and the improvements made to the property are very welcome.

Block 106, Lot 5 (deck/bulk) 203 Second Street, Brown

Applicant was denied a request for a 6-inch side setback but granted a 3-foot side yard setback for the construction of a deck on this steeply sloping property.

Block 56, Lot 1, 2 South Avenue, 1st Hartford (CVS) - Discussion of D-variance

In 10-23-15 letter, applicant attorney Craig Gianetti challenged the decision of the Zoning Officer in determining the request for a "drive through" in the former LI zone warranted a "D" variance.

As explained by PB Attorney Renaud, because this application was submit prior to the enactment South Avenue Corridor zoning, which specifically prohibits drive-troughs, the question must be considered under prior zoning. Prior zoning is silent on drive-throughs. Although PB standard is that if an item is “not expressly permitted, it is prohibited”, the board was convinced otherwise by NJ Supreme Court Case Law identifying “drive through” as a settled accessory use...” The Board unanimously supported the applicant request to hear the drive-through as part of a C variance. Thus, the Board of Adjustment was closed and the application was heard by the Planning Board.

Block 56, Lot 1, 2 South Avenue, 1st Hartford (CVS)

Applicant Attorney Craig Gianetti offered Mr. Joe Jaworski as an expert to testify in the area of civil engineering. Mr. Jaworski reviewed site plans and shared an overview of the anticipated structure, the proposed subdivision lot and explains that they were able to build in an overage of parking. Mr. Jaworski also discussed trash and recycling enclosures and removal.

Mr. Robert Behr appeared as the project architect who described the interior flow of the business, uses of the drive through and building materials.

Board comments demonstrated a dissatisfaction with the architectural plans and the placement of the building; expressing the hope that although this application was being heard under the requirements of the LI zone the applicant would adopt the current design guidelines for the zone and treat it as a gateway to the community rather than a cookie-cutter highway CVS. Design suggestions were offered and discussed. Applicant will revise the plans and return to the board.

Hearing will be carried to the December 16, 2015 meeting at 7:30 PM in Council Chambers.

Transcription begins:

Mr. Flowers: For the benefit of the general public there, it is a house rule that we will accept testimony only until 10:30 PM. After 10:30 no new witness will come in and testify. That gives us an opportunity to thoroughly discuss the testimony that has been given and hopefully still get out of here at a reasonable hour. That is our plan for this night.

You're on.

Ms. Hoynes: And we have Mr. Molenaar back.

Mr. Renaud: And Mr. Lee?

Ms. Hoynes: Mr. Lee left.

Mr. Flowers: My count is 9 voting members

Mr. Renaud: Only 8 can vote. Alternate #3 will not be allowed to vote. Teresa. But by the time we get to the end, in all probability we're not going to get to the end tonight anyway and we don't know who will be here at the next meeting, so...

Mr. Flowers: OK, we're ready.

Mr. Janetti: Good evening here on behalf of the First Hartford Realty Corp. This is an application for preliminary and final major site plan approval as well as minor subdivision approval in connection with property located at 23 South Avenue, Block 56, Lot 1 at the corner of South Avenue and Terrill Rd you all know the existing Exxon Gas Station. The applicant is proposing to subdivide the property which is currently located in the LI zone and R-75 zone. The applicant has proposed to retain a portion of the property in the LI zone and develop a CVS Pharmacy Store with a drive through and ___ parking spaces and other associated improvements. And the Lot B will just remain as is, as part of the application.

There are some variances being sought with regards to the application. Most related to signage. There are also some variances with regard to the parking being proposed in the front as well as a driveway setback and some other variances related to loading spaces. We'll have testimony in support of all those =variances. We have here with us tonight Joe Jaworski of Dynamic Engineering. The civil Engineer has appeared before. We also have ___ who is the architect and prepared the architectural plans in connection with the application. Joe Staiger is the traffic engineer and John McDonough, licensed professional planner and landscape architect will be testifying in support of the proposed variances. At this time I would like to call Joe Jaworski.

Mr. Flowers: I want the board responses to be noted:

Construction: no objection

PD: You must meet the NJ Barrier Free sub code and ADA Accessibility guidelines for handicapped spaces in parking lot.

DPW: no objection

FD: no objection

Mr. Janetti: At this time I would like to have Joe Jaworski sworn in.

Mr. Renaud administers the oath to Mr. Jaworski

Mr. Janetti: Mr. Jaworski please give the board your professional licenses

Mr. Jaworski: Joseph Jaworski, I'm a licensed professional engineer in the state of NJ as well as 5 other states. 1985 graduate from Rutgers U. with a BS in civil engineering. I have served as municipal engineer, board engineer for various boards throughout the state and have testified over the past 25 years in application for residential, commercial and industrial. I have appeared before this board years back regarding some South Avenue properties.

Motion to accept moved and seconded. Motion carried by unanimous voice vote.

Mr. Janetti: Mr. Jaworski, please give the board some background with you and your firms experience in working with CVS and designing site plans for CVS Pharmacy Solutions.

Mr. Jaworski: Yes, I have been involved personally with CVS for the past 20 years. Our firm is about 10 years old at this point and we've had them for the entire time. Myself

as well as Mr. Staiger and Mr. Mac Donagh have worked on the CVS team collectively for the last 25 years or so.

Mr. Janetti: And did you or someone under your direction prepare the exhibits in connection with this application.

Mr. Jaworski: Yes, I do have several exhibits. I'll start with the first one, an existing conditions exhibit. Basically it is a survey, just existing conditions, we'll mark this as A-1.

Mr. Renaud: Is this the same as or similar to one of the sheets

Mr. Jaworski: It is, it's similar to the demolition plan on the survey. We'll title it Existing Conditions Exhibit. I've marked that as A-1
As many of you probably notice Terrill Rd. is along the bottom of the page and runs right to left. South Road is on the left side, north is to the upper left corner. The site as Mr. Janetti pointed out is currently developed on the northwest side as an Exxon service station with a ___ and canopy along the front on the Terrill Rd. side. The site has access by 4 driveways. Two on South and 2 on Terrill Rd. The site also extends over to LaGrande Ave. southeast side which is the portion which juts out. The total site is about 1.8 acres and as Mr. Janetti pointed out the zone line is basically where the property jogs so the LI zone as you look at it is to the left where the station is and the R-75 zone is to the right. And that actually extends back to LaGrande. The topography of the site as you may know, basically It's a pretty gentle slope, 2-3%, heading towards the intersection, the high point being in the NE corner. And then also on the LaGrande Ave. side we slope to the intersection. The left side is fully developed as a service station. The right side along LaGrande is an undeveloped portion of the site. So for the proposal, our next exhibit is entitled "Site Plan Rendering"

Mr. Renaud: You going to mark that A-2?

Mr. Jaworski: Yes, I'll mark that A-2. This is the site plan that was submitted; basically this is colored with the landscape overlay on it. So it's a combination of the landscape plan and the site plan. I'll mark that as A-2 and that's dated 6-9-15 and its entitled "Site Plan Renderings".

The proposal includes a free-standing CVS Pharmacy with drive through, largely located in the central portion of the site. Rectangular in shape, which is the tan color. Again Terrill Rd. is along the bottom, right to left; South Avenue is along the left side. The SE portion of the site will remain undeveloped at this point and the subdivision line is located pretty close to where the property jogs down a central portion of the site. So the left side where the station is now will be redeveloped, proposing a CVS. The right side will remain undeveloped. The CVS Pharmacy itself has a 12,988 sf footprint. There is a mezzanine inside, basically for some office space. The total square footage is 14,561 sf, which is located in the central portion of the site. Many of you have seen the CVS Pharmacies; the primary entrance is at the corner, kind of a chamfered corner. That would be the main entrance to the store. The site circulation and layout basically includes the gray area which is the pavement parking area. It will include one driveway on Terrill Rd. which is located furthest away from the intersection of the subdivision line. And a second driveway on South Avenue

which is located as far away from the intersection as possible towards the northeast property line. The gray area again constitutes the pavement and circulation around the site. So with the building located in the center, basically what we term as a double-double. Double row of parking with an aisle down the middle, head in parking to the store and head-out parking towards the street around the two frontages. The rear driveway is a one-way driveway counterclockwise. The pharmacy drive-through is basically cater-corner opposite of the entrance. It will be a single drive-through window with a small canopy on it. That is basically where the pharmacy is located. As Robert our architect will go through the actual floor plan, as you know most of the pharmacies as you come into the store at the entrance and then pretty much catty corner to the back or on the back side is where the pharmacy is. So that back corner is where the actual pharmacy department is and thus the drive-through will be in that location as well. Off to the right, which is the yellow striped area and some light tan areas, that is basically the loading area, trash enclosure, compactor area. Again, these are located on the rear of the store along that one-way driveway that circulates around the back. As you will hear from Mr. Staiger and Ms. McDonagh, when we looked at your ordinance and looked at the site and the elements that had to go on, one of our main design features, which we always try to do, is to segregate the loading and drive-through activity from the front of the store. Some sites we can do that, a lot of sites we can't, just because of the nature of the site. This site was conducive to that by allowing that one-way driveway in the back, all of the loading, trash pickup, compacting and drive-through activity occurs around the NE and southeast portion, while the main activity of customers parking and walking into the store are in front. That's just inherently a safe design because you segregate those two elements. The truck does not have to circulate in front of the store. You don't have the garbage pickup; garbage trucks are in the front as well. That's the basic layout. There will be a large concrete sidewalk along the two main frontages for entrance into the front entrance. Also along the front frontages of this site will be sidewalks. We do have one pedestrian access sidewalk, a crosswalk which comes into the spaces, which comes into the front. After reading your professionals' comments we may look at an additional pedestrian entrance off South Ave. A similar access into the site from that end.

The parking itself, this plan includes 62 parking spaces. Your ordinance by the requirement of 1 space / 300 sf, which is for the LI zone, requires 49 spaces. The CVS prototype size store in this type of a neighborhood typically requires in that 55-65 parking spaces. I'm sure you as I as many of us say, we go to CVS and we rarely see that the lot is full. There are peak times when we do need more spaces, however in this application we were able to reduce the impervious coverage from what is there today based on plan with the 62 spaces. We do have the flexibility to eliminate some of those spaces possibly bank them or just eliminate altogether to provide some additional green areas, maybe some stormwater elements that were mentioned in the professional report as well as a potential to enhance the corner element, which we know is kind of the gateway coming into your community from Plainfield and also Terrill Rd. That again is something that we are concerned to discuss more as we go through the application.

As I stated the loading area is to the Southwest and then the two rectangles are trash enclosure/compactor. They will be enclosed in a masonry 8-foot high wall.

The finish of this wall will match the building. That will be totally screened and again, you'll have the drive through lane in the back which is a single window.

As you probably know, the CVS pharmacy drive-through is for pharmacy only. You can't go through the drive-through to buy any other products in the store. So just for the pharmacy items, prescriptions. Really a convenience. For the towns that we've done over all the years, peak hour as Mr. Janetti stated, 4 – 5 cars in an hour. The drive-through element for the CVS customer, Moms with kids, the elderly person would rather to utilize that drive through. The lighting for the site will be accomplished with a variety of free-standing lights, 15 feet which complies with your ordinance. They will be LND, the new technology, downward lights. We did some models of those lights. We have here professional reports, there are some areas that a 5 foot candle cannot be seen over a property line, some areas we need to refine. As well as the building lights, especially the back. We did talk to our architect about that and we can also refine that so that there's lesser light in the back reflecting where it's adjacent to the residents.

The landscaping as you can see, this is a colored version of the landscape plan overlaid on the site plan. Again, most of the landscaping is in the front part of the area, low shrubs. We have some ornamental trees, shrubs, ground cover, perennials, about 265 total plantings on the site. Mr. MacDonough our planner is also a landscape architect, we work with them on most of these jobs and its great because as we're talking about the planning of it, John is able to encompass that with the landscape architecture as well. The design basically complements ___ and the architecture. Again, this area as well as the right side will reduce the impervious from what it exists today, which leads into the stormwater. The stormwater for the site as I mentioned previously basically flows from the NE to SW corner and drains into an underground system that is in the roadway. We basically continue that same pattern provided additional inlets along the site, as well as the roof drains to pick up that water pipe it underground and then discharge it into the system. Because we are reducing the impervious you'll have a lesser rate of runoff from the site as it is developed. We did see comments from your engineer about potentially including some water quality features, dips and swales and rain gardens. Again, with that flexibility of a couple of parking spaces we can provide some additional features and hopefully implement some of those items into the zone.

As far as the utilities are concerns, the utilities in this area are all available, water, sewer, gas & electric.

Finally the operations of the site, loading is always a question. Loading occurs with the one large tractor trailer once a week. That truck basically pulls into the loading area on the SE corner. That truck will be there approximately 45 minutes once a week off-peak hours and will circulate out in a counterclockwise circuit. The loading is not very intensive. But with a big truck there are several box trucks, UPS type trucks that come several times during the week to deliver product to the store there. The rest of the pharmacy items and the other retail items will come in box trucks. Those are specifically 6-8 deliveries per week.

The employees, there are 25 – 30 full & part time employees, typically there's 6-8 employees in the store at any one time. The shifts are staggered so they're not all leaving and coming at the same time. Trash pickup is typically once per week, off peak hour, and that's really monitored by the store activity – when it's needed. So we have a trash dumpster for regular trash and a compactor for the cardboard, which is really the most intensive with the pharmacy. The cardboard packing. That goes into a compactor that's typically picked up once a month or so, again, depending on the busyness of the store.

Drive through again, Mr. Staiger will point out, peak out 4-5 trips in off peak hours is pretty low usage compared to the use of the store and ___ banks have a much much higher use to their drive-throughs.

Architecturally Robert will go through the elevations and floorplan to show you what the store will look like and I know just based on other applications I've done in Fanwood and your ordinance, we'll have some discussion of how the building actually looks and try to work that with the signage to make it match.

Outside agency approvals – we are on South Ave, Terrill Road and LaGrande, they're actually all County roads. South Ave has a state Route 28, but it's under County jurisdiction. We did submit to DOT, they gave us a letter of no interest, basically deferring it back to the county. We did submit to the county. We did get an approval letter from them, and Soil Conservation District was submitted. That has also been certified as provided.

We received the letters from T&M and Maser for the application. I think Mr. Chairman, I can certainly go through those. There's additional testimony with traffic & planning and architecture so shall we do the letter at the end or run through it as we go along, either way is fine for us.

Mr. Flowers: You are talking about what specifically.

Mr. Janetti: Your review letters from your professionals.

Mr. Flowers: I assume you're going to address the ones that refer to engineering, is that what you're saying.

Mr. Janetti: We always prefer doing it at the end after you hear all of it. If you're used to asking questions as we go along we can do that.

Mr. Flowers: What's the feeling of the professionals, piecemeal or all at once? OK, we'll do it all at once.

Mr. Jaworski: Before I let you go Joe, in the planner review, walking through the variances, part of the application is the justification, but one of the variances is for the loading zone requires 3 loading spaces we're proposing one. We've been designing CVS Pharmacy stores for this size store it's 1 space.

Mr. Janetti: Absolutely. It's more than necessary and as I stated one traffic trailer per week and then you have the box truck. They're using the same loading zone 'cause they're obviously not there at the same time. Adding additional pavement and

loading zones will just be adding addition impervious and taking green space. It's not needed at all operationally. It works fine with the one loading zone.

Mr. Renaud: I'm not looking at the ordinance. Is that 3-loading zones spaces requirement, is that the LI zone or the GC zone?

Mr. Janetti: I believe that's a general provision. 184-160 (e).

Mr. Jaworski: I think it's general, parking and loading general conditions.

Mr. Flowers: That's it? Anyone have questions they want to pose at this moment? Professionals?

Mr. Bondar: Can you explain what public improvements along the parking will be, in the right of way?

Mr. Janetti: Yes, the right-of-way we'll put all new sidewalks around the front with the ADA accessible ramps. And then going into the site with an ADA sidewalk ramp. And as I said we're talking about the density, putting another pedestrian access on South. And of course the new driveway. As you know there are four driveways, going down to 2, so those areas where we're closing the driveway there will be new curb and pavement restoration and then the new driveway will have the concrete apron.

Mr. Molenaar: What's the width of the sidewalk you are proposing?

Mr. Janetti: The width of the front side is 5 feet.

Mr. Zucker: That's on both Terrill & South?

Mr. Janetti: Yes, on both. South Ave and Terrill, all the way around. The current width is 5 feet and it opens up towards the property.

Mr. Flowers: Any other questions. I'm going to open the meeting to the public. Let me be clear, anyone in the public who would like to ask a question or comment on the testimony you have heard, not about something we don't know about yet.

Mr. Renaud: I think at this point it should be questions not comments because we haven't heard the testimony.

Mr. Flowers: OK.

Mr. Zucker so moves, Ms. DeGennaro seconds. Motion carries.

Mr. Flowers: Seeing no one I'll entertain a motion to close the meeting to the public.

Zucker/ Sherry so move. Motion carries.

Mr. Jaworski: At this time I'd like to call Robert Behr, the architect.

Mr. Renaud administers the oath to Mr. Behr

Mr. Jaworski: Mr. Behr, please share your education, qualifications in connection with the architecture.

Mr. Behr: Master of Architecture from Rutgers U. Licensed in the state of NJ as well as 37 other states. I've been a licensed architect since 1995. I've testified before numerous boards in the state of NJ.

Mr. Jaworski: And in connection with that testimony how many CVS applications roughly would you estimate you've been involved with.

Mr. Behr: I've been designing CVS pharmacies for about 18 years now, so there have been several hundred. I've probably testified before a couple of dozen boards on these.

Mr. Jaworski: I'd like to have Mr. Behr accepted as an expert in the field of architecture

Mr. Flowers: I'll entertain a motion

DeGennaro/Zucker so move. Motion carries

Mr. Jaworski: Mr. Behr will you please describe to the board what the proposed CVS plans include and whether you someone under your direction prepared them.

Mr. Behr: OK. The first exhibit I'd like to speak of is A-3, Sheet L1 called Outline Plan. It should be in your packet dated ___ 29th. An Outline Plan is essentially a fancy name for a floorplan for the CVS pharmacy that we are proposing at this location. The footprint that the CVS has developed works very well for them. You've heard a little bit of their testimony from Mr. Jaworski, they've talked a little bit about how the store is laid out. Let me direct you to the right side of the sheet is going to be South Avenue. And across the top is going to be Terrill Road. So it's oriented a little differently than the site plan. I just want to make sure you are familiar with that. So on this plan the entrance would be on the upper right hand corner of the sheet. So when you come in the entrance, again, as you heard from the Engineer, cater-cornered or diagonal across from the door is where the pharmacy is located and there's a small ___ corner there which is where the drive-through pharmacy is located. And then along the back wall again, you heard testimony from the engineer, we have the compactor, which is the lower, excuse me you have the dumpster which is from the bottom here, and then just above that is a vertical. That is surrounded by a masonry wall about 8 feet 4 inches tall. The rest of the back of the building here is where the ancillary spaces are, that's where the restrooms are located. The manager's office, the employee breaks room, and then there's a small receiving area where the deliveries will come in. The deliveries essentially come in to the rear of the store and they're taken upstairs. So I'm going to move you over here a little bit farther to the left. You'll see a slice of floorplan. That is our upper level, our second floor. We call it a mezzanine, but technically it is a second floor. In the upper left hand corner you'll see a little square that says BRC. That is a vertical reciprocating conveyor. Not an elevator. Someone can't ride in that. It's designed specifically to move product from the first floor to the second floor and back down again,. There is a stairway along that rear wall for the employees to

get up to that second floor. That second floor is only and will only be used for the storage of product. There is no occupancy on that floor, no offices, no activities. That is also where we locate our electrical panels, up on that 2nd floor. So you'll see a hatched area along the back wall, a long rectangular shape. And that is where the electrical panels are. And that's pretty much a CVS pharmacy. On the first floor a large open area that you see is labeled retail is where the fixtures are located in the pharmacy. There will be some coolers located against the wall. But that's where the merchandise takes place. That's the bulk of our store.

Mr. Jaworski: From a business and security standpoint, is there a reason for the single entrance as well as the layout?

Mr. Behr: Yes there is. We only have one entrance into the retail store and I think you'll find most retailers are trying to restrict the number of entrances into a store because of theft concerns. So near the checkout which is up here by the front door on the right side of the vestibule, that's where the customer will check out, and that's where the staff are typically located. There's always someone at the checkout area. So that's why we keep the lone entrance there at the front. You'll see a couple of doors around, going to the outside. These are emergency exits only. On the bottom of your sheet you'll see a door there. That is an emergency exit that is alarmed. And then at the rear of the store you'll see another store that goes out in back of the store and again that is an emergency exit. It is not alarmed, but that's for employees if they need to access the dumpster and compactor.

Mr. Jaworski: Can you talk about the elevations of the building.

Mr. Behr: I brought along a colored elevation, this will be A-4. Originally we submitted, back on April 29, we submitted an elevation that was more of the typical CVS Pharmacy look that we try to promote for customer identification, recognition. It has a lot of interest, EEFS, a construction product. After discussing with the council and getting some comments from the town as well we decided to upgrade the exterior on this building to a much more durable material. We did take some cues from the latest ordinance in that area, so the entire building now is all brick. So when you see, you're seeing two different colors here, but that is two different colors of brick. That is a reddish brown on the lower level and then around the top at the sign band there's a beige brick that goes around the top. And I did bring some color samples.

Mr. Jaworski: Mark them A-5.

Mr. Behr: I won't let you have 'em if I can't get 'em back.

Mr. Renaud: We've got to hold them if they're going to be exhibits so why don't you just show them.

Mr. Behr: OK. Here's the red brick and the beige, excuse me the brownish color red and then up at the top you'll see this beige. And the reason why we are using that lighter color at the top is to accent the sign, and it also gives us some contrast and visual interest to the building itself. There is a cornice that goes around the entire roof of the building, and again, part of your ordinance asks for a base, a body and

a cap to the walls. We have a pretty robust corner from the top of this building, it's almost two feet tall. It does project out from the building about 16 inches. That is because of the shape of it, we do cover that with EEFS. It is made out of a foam product, but it is up high in the air where it's not going to be damaged by anyone. That's a slightly different color called raptor-tail and it's just to give a little bit more visual interest to the top of the building.

On the top we call that the front elevation. This is the side that will face South Avenue. You'll see the entrance is on the right. We do have an entrance feature. It's a little bit taller than the entrance to draw the eye there. It's 28 feet from the ground level to the top of that parapet wall and then as you go around the building it steps down to 26 feet and then to 24 feet all the way on the left hand side. So there's a brick water table. It surrounds the base of the building that projects out about 8 inches. We have some pilasters you'll see that go all the way around the building. And then there's a couple of very robust columns at the main entrance, they support this arch. They project out about 4 feet on both sides. There are some windows on the side that faces both South Ave & Terrill Rd. You'll see those little rectangles there. And then really it's the same architecture going all the way around the building. So this is a four sides building in that sense. We didn't put cinderblocks on the back wall. We carried those same durable material all the way around the building.

Mr. Blechinger: Are the windows real windows or false?

Mr. Behr: These are real windows so they will let light in and they will let light out. So yup. On both the street side and at the front entrance, it's a very tall entrance vestibule when you walk in. The main ceiling in the retail area is 12 feet to the ceiling. So it's a pretty tall ceiling, but here in the main entrance it goes almost all the way to the top. So you're talking about 25 feet in the entrance vestibule. So it's very dramatic.

Mr. Flowers: What's the elevation of the bottom of the windows?

Mr. Behr: The bottom sill of that window is at 7'6" at grade. It's done that way because, if I can take a moment and jump back to the outline plan. This big rectangle area here will be filled with fixtures and one of the things that we do is we put fixtures along the entire wall to make sure we get enough product in the store to cover all the needs for the customer. So along all these exterior walls there would be a set of shelves to hold the product. We do hold those windows up a little bit higher so we can get those shelves. These windows are 6 feet tall up above there, almost 6 feet tall.

Mr. Sullivan: What is the height of the red brick vs. the beige brick?

Mr. Behr: I'm going to have to guess but I'm going to say it's probably about 13 feet to the bottom of that brick. These windows are just below the ceiling line which is 12 feet. So it looks like the brick starts at about 13 feet.

Mr. Sullivan: And is this specific design available anywhere in NJ? What you're presenting? Is there somewhere we can visit to see what the structure looks like today with this color scheme.

Mr. Behr: I don't know if this exact color scheme is around. I could get you to someplace probably similar, but this one, the color choices that were made we selected just for this location

Mr. Sullivan: And this is a flat roof structure.

Mr. Behr: Yes

Mr. Sullivan: And as far as any utilities, do you have everything on the top of the roof?

Mr. Behr: Yes

Mr. Sullivan: And would they be masked or would they be visible from passersby?

Mr. Behr: No you won't. I did look in your ordinance. Just to give an idea, at the very front here its 28, it's very simple, then it's 26 then its 24. Again, if you follow the right side. 28, 26, 24, 26. If you do that math all the way around the building...the roof slopes from the high side, which is on the right side, which is on the South Avenue side. The roof is about 22 feet to the roof. So as you see where the CVS Pharmacy sign is, the parapet is 26 feet. You've got 22 feet to the roof, so you're roughly 4 feet of parapet. Then it drops to about 2 feet of parapet and then back up to four feet. Then we also hold those rooftop units back from the edge to try to locate them more in the centerline of this building. The building is approximately 96 feet wide. So we try to hold them back from that roof edge as far as we possibly can; so they're not visible from the street. So when you're standing on the ground looking up you won't see those units. And there's five rooftop units. They're backed in, they're just very clean boxes that sit up on the roof. And that's really the extent of our rooftop equipment. There is a, you can see, it sort of shows up here on the bottom elevation, labeled rear elevation. That's where you can see the compactor and the dumpster enclosure. Again, that's a masonry enclosure. It will be a CMU wall with a brick veneer on the front to match the building and then its capped with a nice pretty cap. It's about 8feet 4 inches tall, and that's enough to screen a dumpster and compactor; so you won't see that from standing on the ground. On the low side of the building, the low side of the roof, is on the left side. That's about 20 feet to the low point of the roof. So again you're 24 feet along this edge so we have about four feet of parapet all the way along this edge here. This is where all your downspouts are located. They're painted to match the brick. They go ___ and they go underground ___ stormwater system and then be taken away. All the way over on the left hand side of the left elevation you can see our drive through window. And that's where it's located., there's a small canopy that overhangs to protect the driver from any sort of precipitation. It projects out about 6 feet, 10 feet long. It's a very clean roof over the top of that pharmacy window.

Mr. Blechinger: Are you the person ask, I'm looking at the rear elevation. How loud is the compactor and that trash stuff. That's about as close to the two residential that you could get on this lot. Just wondering what kind of noise the two residents will be dealing with.

- Mr. Behr: Well a dumpster is a dumpster. Usually you get the noise when it's emptied as far as the trash truck. The compactor, it has about a 72 decibel level when it is running. It cycles a time of a little less than one minute for an entire cycle. So what they will do is load that with cardboard and then they'll hit the run button and it will run for about 57 seconds. It will compact all the cardboard down into a container at the bottom and then it's ready to be used again. It's not something you put a piece in and its going to run for an extended period of time. The thing with the pharmacy window – we do get some questions about a microphone, it's a sliding window at the pharmacy so that the pharmacist has the option of doing a face-to-face conversation with the driver. But there is a mounted speaker on the drawer, the volume can be adjusted to be in compliance with any type of ordinance.
- Mr. Zucker: The drive through window. Are there any sort of other shields to prevent rain, snow, sleet
- Mr. Behr: Just the overhang. We found that that works pretty well. It's about 9 feet 10 inches clearance, so it's a little bit taller than the average ceiling in a typical garage. So it's close enough to the roof of a motor vehicle that it really does seem to do a good job of keeping the moisture off the customer.
- Mr. Zucker: Are there going to be deadmen or bollards around there to prevent vehicles from, you know some people can't judge.
- Mr. Behr: I think we have some bollards around there. Yeah.
- Mr. Sherry: This design seems somewhat formulaic. Have you done or designed anything with a CVS that looks a little bit more villagey or downtown than this box that we're looking at?
- Mr. Behr: We've done different designs
- Mr. Sherry: Yeah, variations of the roof line, or a little bit more feeling
- Mr. Behr: Well beauty is in the eye of the beholder.
- Mr. Sherry: Have you been involved with a design that had a different roof line that has a more village feel to it
- Mr. Behr: In almost 20 years I've been involved with many different designs
- Mr. Sherry: As relates to CVS specifically.
- Mr. Behr: Yeah, but this is, really customer recognition is an important part of the product for CVS, so we try not to stray too far from that look that they have. So we mixed it up with some materials, we always try, whenever possible, to stay true to the original design as we can.
- Mr. Zucker: Have you ever seen the Dunkin Donuts in downtown Fanwood?
- Mr. Behr: Yeah

- Mr. Zucker: OK. When they came before this board many years ago they presented a building that was kind of like that and after some conversation they came back with what they have now. I think that's something to consider.
- Mr. Behr: And I'm not trying to be difficult, so what I'm saying is we've made some changes already to try to better comply with some of the standards. If there are some other ideas we can certainly listen.
- Mr. Zucker: I would also say that I don't think that this needs to look like the rest of town. It's on the outskirts of town as it were. It's right on our border with Plainfield so. It doesn't need to look like downtown per se but something a little to my eye, you said beauty, something a little prettier?
- Mr. Lysicatos: As someone who lives on the "outskirts" of town on Terrill Road this is really the gateway to the downtown. In essence it is on the edge of the town, this is the first impression that visitors and residents will receive as they enter town. This will be, for all intents and purposes, a long-standing landmark and the first project that will be put into the ground since our new zoning ordinance. I know of many, many examples in NJ and throughout the country that have CVS buildings that look like a downtown. Box windows at pedestrian scale, more defined architectural features. Cornice lines, windows on second floors even if they're faux windows. I didn't bring this up in some of the engineering review but zero setbacks, pedestrian friendly amenities. I think this falls short of many of those things and I know that many of those things are included in other CVS pharmacies in this state of NJ and other states predominantly. And they have everything you're looking for. Same amount of parking, drive through, square footage, layout of interior space. I think that is what you are hearing from the board here. It really should hit the same bar that we are looking for to the downtown. In time this will all be connected. This South Avenue corridor is going to connect directly to the downtown and it really needs to be seamless. I presume it is going to be here for years to come. It's a very successful company, we want you here, but we have to live with what is put in the ground. So that should frame my comments.
- Mr. Flowers: Well said
- Mr. Molenaar: You brought up customer recognition and that just made me think of how different companies come and go nowadays. Years ago the Commerce Bank was the big thing in NJ, they had to have their big "C" and that was their look and they were very helpful to towns saying "you can have everything you want as long as its red brick or white brick". I feel like that is what we are getting here. The only reason they know it's a CVS is because you have a certain look. Now Commerce Bank doesn't exist anymore, it's now all TD Bank. I know that eventually CVS might not be here. But I want to make sure, because I live here, because I'm a planner, I want to make sure that this building can be redeveloped and used for many things. Nothing is worse than a building that is fit just for one use. Then it's really hard to redevelop and it's a real drag on this borough. That's what you're hearing here also. That's what our zoning does, that's what our design standards do. And right now I'm not seeing that on this site from this

design and I'm not seeing how you know what we want in our new code. Even though this came in under the old one, I would think you would be sensitive to what this board wants and what Council adopted. I would think you would want to have the bar much higher than what I'm seeing tonight.

Mr. Janetti: With that, we did to the initial kind of redesign to address some of the comments that we thought we could with keeping with CVS style and brand. We do hear the comments tonight and we will look into that issue. With that in mind I would like to move on to the signage. Though style might change, signage will likely be very similar to what we've proposed. Signage as well as the variances being requested.

Mr. Blechinger: Before you move on I wanted to follow up on these two guys. I just Googled on my phone, CVS Pharmacies. The images that come up are exactly what you are describing. There is everything from what looks like a baseball field to Camden Yards all the way down to little villagey things.

Ms. Keeler: You don't even have to Google it. Take the train one stop down to Westfield and their CVS looks very different than what you're proposing. Up the road to Scotch Plains it doesn't look anything like it, but yet, people know what is there. I think what we're all saying is that there's a way to integrate the design of the town and those of us who live here will still get that it's a CVS.

Mr. Janetti: Maybe we can walk through the signage we've proposed.

Mr. Behr: We have essentially two building signs because it has two street frontages. One facing South and one facing Terrill. It's the same sign. I believe the square footage is approximately 75 sf and the sign ordinance is at 50 sf. Our concern is from a professional standpoint, we also want the signs to be in appropriate scale to the building. If we go too small then it will look odd or lost. These are not the biggest signs. We always try to put signs on that we feel are appropriate for the architecture and size and scale of the building. We have no other ancillary signs, like "pharmacy drive-through" on the building. We try to keep it very clean from that standpoint.

Mr. Janetti: In addition to the sign area we're also looking for variance for having 2 façade signs as opposed to one.

Mr. Sherry: You are here at a prominent corner. If you were in an in-line kind of retail what would you put on in terms of sign size. Would it be the same?

Mr. Behr: We would want it to be proportional to our space. If the signs are too small they get lost, not really visible or readable. Too large it looks goofy, for lack of a better word. So we try to keep it proportional. We always try to put signs on the street frontage where our customers can see it in time to make the turns they need to make safely.

Mr. Sullivan: Is this rear-lit? These signs?

Mr. Behr: They are internally illuminated.

Mr. Sullivan: Internally illuminated. No goose neck or wood carved.

Mr. Behr: No sir. They are internally illuminated led lights.

Mr. Sullivan: Can I share. This is a photograph of the CVS in Greenville, NJ with a wood-carved sign. I was on vacation and had to go to a CVS. This is an example of something I think would be more in character of where Fanwood would like to go as far as a wall-mounted sign.

Mr. Renaud: We'll call that Bd-1

Mr. Blechinger: And it's externally lit also.

Mr. Molenaar: Can I ask why you are proposing internally illuminated instead of external? Since you're asking for a variance I assume you have testimony as to why you need internal versus external.

Mr. Jannetti: I don't think we need a variance. We do?

Mr. Blechinger: Any sign. Can't be internally lit.

Mr. Molenaar: The TD Bank doesn't have an internally lit sign. The Quick Chek on North Ave next to it, they have a freestanding internally lit sign that was grandfathered, but the sign on the building is externally lit. I can't remember the last time we approved internally lit. We've been fairly consistent on it.

Mr. Behr: Well I can tell you that the internally illuminated signs are more visible so you can get a better read with a slightly smaller sign because of the internally illuminated letters. If we do have to go with an externally illuminated sign it's usually a little bit more difficult because again with the gooseneck lighting it's hard to get a nice smooth run across there so we like to go with a little larger sign – I hate to say that – so it reads a little better to the eye. It's not quite as visible as an internally illuminated sign.

Mr. Lysicatos: This isn't a highway. This is the downtown of a main street in a well-established town. I know you keep talking about brand recognition, but really, your brand recognition is just going to be the way you do business within a locale. People are already familiar with CVS. They don't need to see the shape of a building or see a sign from space to know that it's a CVS. They're going to know there's a CVS in town and it kind of comes with all the trappings of what they expect from your brand already. That comes with the product rather than the size of your sign or lack of fenestration on the building. And in fact a higher quality building and treatments will make people more appreciate for the building and actually attach a higher appreciation to the brand. I think that is what those ordinances get at. It creates a brand within the township and makes it more successful. It has to be a success for the town AND for the businesses that come in. We understand your standards but there's a middle ground.

Mr. Zucker: As an offshoot, Mr. Sullivan was in a completely different state and he needed a CVS and was able to find one without an internally lit sign or a particular style building. So it can be done and as has been said, most of the people who will be

going there will know where it is. For the very few people who don't I don't think you'll suffer from loss of sales.

Mr. Janetti: We definitely hear the input and appreciate it and would like to have the opportunity to take another stab, or Rob to take another stab at the design that incorporates some of the features we've heard tonight to address that.

Mr. Roberts: Just a couple of thoughts. It was good to hear they're actually looking at the new design guidelines. But a couple of questions regarding the fact that it is a corner parcel and special considerations for this parcel. What I was thinking as I was listening to the testimony is that we know how the building is laid out with the chamfered corner entrance. We've all been to these kinds of pharmacies so we know the pharmacy is always in the back, retail is in the front and there's an intent to that layout, which means that you only have windows spanning out from the corner entrance and then you have blank walls the rest of the way around the building. One of the options I was looking at in the new ordinance that might be something to think about is the idea of a tower treatment on the corner. Since it's a gateway the building already has a bit of a higher elevation at the entrance, but the tower treatment also gives you some additional height, almost a whole story to really call attention to that. We see that in some of the designs in Fanwood downtown redevelopment. I'm thinking that maybe, I'm not hearing that signage is part of the building or part of a particular architectural look. I'm also seeing the building is set back a lot farther from the sidewalk than we would have liked in our new ordinance. There's a minimum of ten feet, the existing setback in LI, now there's a maximum of 20 feet. So the building has to be up close to the street, which means your signs are more visible because they are closer to the street, not as far back from the street. You can go with a smaller sign. I'm also thinking in terms of those blank panels that maybe one way to deal with them is to look at things like awnings, where you might even have the ability to route or distance signage on the awnings to kind of supplement your look. So if you're going back to re-think the architecture, and if you're going to make a big statement architecturally on the corner, that we think about a different cap for the tower. There's a number of different options in the ordinance other than the flat roof. That would be almost like a precursor to the turrets and everything you will see as you go down South Avenue getting to the heart of downtown. That would actually really, I think, make this CVS notable. People would be talking about it.

Mr. Janetti: We don't want that!

Mr. Flowers: In a positive way!

Mr. Zucker: Unique!

Mr. Roberts: I think the board is open to some creativity that might be able to get you some benefits for marketing your building in exchange with something that is kind of a statement. As we still have to deal with where parking is going to go, etc. But at least we should get to a middle ground.

Mr. Molenaar: The parking variances is a big thing for me.

Mr. Roberts: Another thing I noticed with the tower idea is that if we are going to lead them in that direction assuming the board likes that idea. We allow 3 stories to 35 feet in that zone.

Mr. Molenaar: I think we gave a height variance to Dunkin' Donuts.

Mr. Roberts: I don't think they'd need one.

Mr. Flowers: That would be a big statement

Mr. Zucker: You'd see it even before you get to the bridge.

Mr. Roberts: This gives you the opportunity to put your landmark CVS signage.

Mr. Lysicatos: I think you make a good point with the awnings, fenestration and windows. They give you an opportunities, daylight, products, brand and add different types of signage that actually add a lot of visual interest to the building. From the ones I've seen, I know one was recently built in Hoboken a few years ago. You see that. As a person walking on the street, as a person driving down the street and then actually having the building solves a lot of those sight line issues throughout.

Mr. Janetti: A cool location for that.

Mr. Blechinger: That was my question, are you going to give testimony on putting the building closer to the street

Mr. Janetti: There's a slew of testimony. Some from the engineer, some from the planner. That already talked about the operational aspects, deliveries, parking. There are also two residents, parking in the rear has headlights and cars starting and things of that nature. When you have the building upfront you generally have to have two entrances. One right there and one on the parking lot. Again, from an operational/security standpoint they don't like to have two entrances. Especially if you have one right where the pharmacy is, which is a security concern as well. So the ____ in the front of the store is common. They all have a similar model on how the site is planner out. The planner will also get into the GC zone. Again, we're in LI zone but we're permitted use as being in the GD and ____ zone permits parking in all yards. So we have additional testimony to provide that I don't think we're going to get to tonight to support and justify the layout of the building, the parking in front and building in back. But we can take what we've heard here tonight to add some architectural feature that address the style and statement that the board is looking for and hope to alleviate some of what you want from the building up front and keep it generally the same layout.

Mr. Flowers: We'll hear that.

Mr. Behr: I heard windows and I heard Hoboken and natural light. I was involved with both Hoboken stores. There's some things we can do. Now Hoboken, you can't look into the store. Is that something that would be acceptable?

Mr. Lysicatos: I think you borrow from the standards used in other downtown CVSs. Whether its in NJ or other parts of the country I think you have a lot there on that palette to work with.

Mr. Behr: As long as you're OK with that

Mr. Zucker: As far as I'm concerned it doesn't have to be a real window. Although the police would probably love that.

Zucker/Sherry move to open to the public. Motion carries

Mr. Flowers: Seeing no one, I'll entertain a motion to close the meeting to the public.

Zucker/Sherry so move. Motion carries.

Mr. Flowers: Our next meeting is November 11, and I assume there's room on the docket. I don't know if it's timely enough.

Ms. Hoynes: Too soon?

Mr. Janetti: If it has to be ten days prior?

Ms. Hoynes: December 16th?

Mr. Janetti: December 16th.

Mr. Renaud: Don't anyone go anywhere. I'm going to announce now that this hearing will resume on December 16th at 7:30 PM and that's it, there will be no further notice.

Mr. Flowers: Yessir

Mr. Roberts: I know that the __ always testify and we made reference to the Landscape Plan. I'm thinking now that the time between now and the 16th, I just wanted to kid of suggest that given the comment on the architecture that they take another look at the streetscape treatment along South & Terrill with a specific note to street trees. There's only 4 trees of any size on the property in the back corner so I suggest they take a look at that streetscape as well as ____ so that we can consider that on the 16th.

Mr. Janetti: I'd appreciate if maybe we can work with you during that time to make a conceptual Planning Board

Mr. Roberts: That's great.

Mr. Flowers: That's good, that would be a positive, some interaction between you. Thank you.

End of verbatim transcript for CVS Hearing.

Resolutions

Block 55, Lot 1 (cell tower extension), 1 South Avenue, Cingular

The board unanimously approved the resolution granting variances for improvement an extension of stay on the temporary cell tower at the above-referenced location.

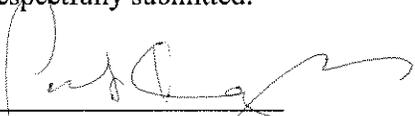
Other Discussion

Congratulations to Teresa Keeler for success in Planning Board member class.

Adjournment

Mr. Zucker moves to adjourn at 10:45 PM. Motion seconded & carried.

Respectfully submitted:


A handwritten signature in black ink, appearing to read 'Pat Hoynes', is written over a horizontal line.

Pat Hoynes, Planning Board Secretary