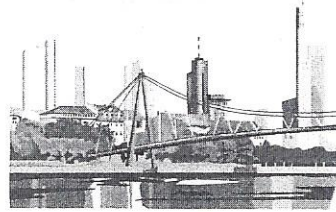




February 24, 2014

Land Use Board Minutes
Beachwood Municipal Complex
1600 Pinewald Road

7:00PM



FLAG SALUTE:

CALL TO ORDER:

Pursuant to the applicable portions of the New Jersey Open Public Meetings Act, adequate notice of this meeting has been given. The schedule for this meeting of the Beachwood Land Use Board is listed in the Municipal Complex Building and delivered to the Asbury Park Press on January 9, 2014

ROLL CALL MEMBERS PRESENT:

William Cairns, Chris knoll, Tom Prince, Cliff Schiel, Paul Swindell

Alternates:

Mayor's Designee Ron Ross, Alt. #1 Tom Abramski Alt #2 Ray DiBernardo

Absent: Councilman LaCrosse, Raimann, Mayor Roma

APPLICATION:

**Quick Chek Corporation
Preliminary/Final Site Plan
Block 4.15 Lots 1, 3 & 5
Rt 9 and Harpoon St.**

This property is located at the northeast corner of N.J. State Highway Route 9 and Harpoon Street. The site also fronts off Capstan Avenue. Approximately one half of the 2.95 acre site lies within the B-1 Zone fronting on Route 9 with the eastern half fronting on Capstan Avenue being in the R-B Zone. The Site contains two (2) commercial buildings with parking facilities fronting on Route 9 and two (2) residential buildings with paved driveway and a masonry garage which fronts on Capstan Avenue. Grass and gravel areas with trees also occupy the site. All of the buildings on site have public sewer facilities from Capstan Avenue.

The site lies within Flood Zone "X" (unshaded) which is an area determined to be outside of the 0.2% annual chance floodplain. In accordance with the Soil Survey of Ocean County, the site appears to be situated on Lakewood Series Soils, which are deep well drained soils with a seasonal high water table expected to be greater than 6 ft. from the surface of the ground. No Fresh water wetlands appear to be present on the site.

The applicant proposed to construct an 8,000 s.f. Quick Chek Convenience Store with a Pharmacy, four 5.5 ft. diameter tables with seating for 4 at each table, eight fuel dispensers, parking facilities for 45 vehicles, public water and sewer and drainage facilities.

It should be noted that the project was bifurcated and that the Board approved the applicant's request to apply the B-1 Zone Standards to the entire tract (Resolution 2013-42). The Board also approved a Conditional Use Variance for the site for allowing a fuel filling station within 500 ft. of St. Pauls Lutheran Church and for being less than 1,200 ft. from an existing Sunoco Service Station.

The applicant requests the following variance relief from the Borough of Beachwood Sign Ordinance:

- Freestanding Sign Area: The applicant proposes a sign area of 130 s.f. whereas the sign area of a freestanding sign shall not exceed an area of 25 s.f. In addition, the freestanding sign is required to be set back 25 feet to a street right-of-way line whereas the proposed freestanding sign is 10 feet to the Route 9 right-of-way and 14.2 feet to the Harpoon Street right-of-way.
- Canopy Signs: The Ordinance does not expressly permit canopy signs and the applicant proposes two (2) canopy signs at the fuel dispensing area.
- Directional Signs: The applicant requests relief to install four (4) proposed illuminated directional signs (enter/exit), three (3) s.f. in area, as the ordinance does not specifically address these types of signs.
- Facade Signs: The applicant has demonstrated that it complies with the ordinances for the proposed two (2) signs on the front of the building and two (2) signs on the side of the property facing Harpoon Street.

The applicant has requested the following variances and/or waivers from the design standards of the Borough Ordinances:

1. Section 17.2.2g - requires concrete curb to be installed along every street frontage within a development, whereas no curbing is provided along Capstan Avenue.
2. Section 17.21.w.4(a) - requires curb to be installed along all property frontages, whereas none is provided along Capstan Avenue.
3. Section 17-21.2.g - Also requires curbs to be 9" x 6" x 20" with an 8" curb face, whereas a 6" x 8" x 18" concrete curb with a 6" curb face is proposed.
4. Section 17-21.w.5 - requires two-way parking lot aisles to be 25 ft. wide, whereas the driveway on the east side of the building is 24 ft. wide.
5. Section 17-21.2.w 7(a) - requires a 2" F.A.B.C. surface course on a 5" bituminous stabilized base course in major interior driveways, whereas 2" finish asphalt, Mix I-5 surface course on a 3" bituminous stabilized base course on 6" of dense graded aggregate or crushed concrete is proposed throughout the parking lot.
6. Section 17-21.2.w.8 - requires areas between the parking area and the building to be landscaped, whereas none is provided.
7. Section 17-21.2.w.11(a) - requires parking spaces to be at least 20 ft. from any building, whereas parking spaces around the building are 8 ft. and 12 ft. from the building.
8. Section 17-21.3.p - requires shade trees to be provided 40 ft. to 60 ft. on center, whereas shade trees are provided in excess of 100 ft. on center along Route 9. No shade trees are provided for 260 ft. on Capstan Avenue north of Harpoon Street, however this is a well-screened area with evergreens 8 ft. in height. The applicant also requests a waiver to eliminate the shade trees proposed along Route 9 frontage.
9. Section 17-21.j.3 - requires fences in the front yard to be at or behind the front building line, whereas the 8 ft. high board on board fence is 5 ft. ± off the Capstan property line. This section also indicates the maximum fence height allowed to be 6 ft. whereas a fence 8 ft. in height is proposed.
10. Section 17-21.2.p - indicates that lighting should average one foot-candle over the entire area, whereas lighting appears to exceed one foot-candle.

In support of its application, the applicant submitted the Preliminary/Final Site Plan, Boundary & Topographic Survey, Architectural Plan, Stormwater Management Report and Traffic Impact Study, as itemized in the review letter of Ernst, Ernst Lissenden dated February 11, 2014. At the February 24, 2014 hearing the following exhibits were submitted:

- A-1 An aerial photograph of the subject property prepared by Bohler Engineering.
- A-2 A Color Rendering of the Site Plan, Sheet 3 of 13.
- A-3 A Truck Turning Exhibit A prepared by Bohler Engineering showing tractor trailer movements through the site coming from a southbound direction.
- A-4 A Truck Turning Exhibit B prepared by Bohler Engineering showing tractor trailer movements through the site coming from a northbound direction.
- A-5 A Truck Turning Exhibit C showing the condition at the gasoline pumps.
- A-6 A photo taken looking in a northwest direction at Harpoon and Capstan intersection.
- A-7 A photo of the proposed redevelopment overlayed onto Exhibit A-6.
- A-8 A photo of proposed redevelopment looking in a northeast direction.

In approving the applicant's request for C-2 variances from the Design Standards of the Borough Ordinances, as well as the applicant's request for variances from the Borough Sign Ordinance, the Board finds that the purposes of zoning would be advanced by deviation from the zoning requirements and that the benefits will outweigh any detriment to the public good. The Board finds that many of the variance/waivers from the Borough Design Standards are required in order to provide enhanced landscaping at the rear perimeter of the property in order to provide increased buffer and screening to the residential properties on Capstan Avenue. The Board also finds that the sign variances should be approved as they are justified by the operation of the convenience store/pharmacy and fueling station and the need to provide appropriate fuel pricing and to allow the drivers to make safe and appropriate maneuvers to enter the property.

The approvals granted herein are subject to the conditions that the applicant comply with all representations placed on the record and subject to the applicant complying with all provisions of the review letter of Ernst, Ernst Lissenden dated February 11, 2014. The applicant's representatives testified that they would comply with all requirements noted in the letter, with the exception of Item 3h on page 5 of 8 which recommended that Harpoon Street be milled and paved from Route 9 to Capstan Avenue. The applicant agreed to provide an overlay pavement from Route 9 to Capstan Avenue on Harpoon Street. This approval is also conditioned on the applicant posting "No Tractor Trailer Fueling" signs at the diesel gasoline tanks and elsewhere on site, based on the Board Engineer's recommendations, to provide proper notice to tractor-trailers that they may not fuel their tractor-trailers at the site.

This approval is also conditioned on the sidewalk being extended from Route 9 to the driveway entrance on Harpoon.

This approval is also conditioned on the applicant providing a second audible alarm system for the oil/water separator, in the event of a gasoline spillage incident.

This approval is also conditioned on the applicant removing the proposed trees from the Route 9 frontage of the property, as the Board has waived this requirement.

This approval is also conditioned on the applicant paying all application and escrow fees associated with the application and that the applicant comply with all outside agency approvals, including but not limited to those set forth in the review letter of the Board's Engineer, Ernst, Ernst Lissenden dated February 11, 2014.

Open to the Public – Quick Check only

Motion: Knoll Second: Cairns
Approved: All in Favor
Oppose:
Abstain:

Greg Mele, owner of adjoining property located on Route 9, along with his attorney, Richard Murray, Esquire, expressing concerns about the traffic situation on Route 9, the requested variances for the signs and concerns regarding flooding problems in the area.

Fred Wussow of Capstan Avenue, questioned the maintenance of the drainage basin and lighting on site and also expressed a concern about traffic during the summer months.

Close to the Public – Quick Check only

Motion: Cairns Second: Knoll
Approved: All in Favor
Oppose:
Abstain:

RESOLUTION 2014-12 Approve Quick Check; Preliminary/Final Site Plan with all conditions.

Motion: Knoll Second: Cairns
Approved: Cairns, Knoll, Prince, Ross, Schiel, Swindell, Abramski, DiBernardo
Oppose:
Abstain:

RESOLUTION 2014-13 Approve Land Use Board Minutes from January 13, 2014

Motion: Cairns Second: Ross
Approved: All in Favor
Oppose:
Abstain:

RESOLUTION 2014-14 Approve Land Use Board Bills in the amount of \$1791.70

Motion: Cairns Second: Knoll
Approved: All in Favor
Oppose:
Abstain:

Correspondence:

Ocean County Planning Board Minutes dated; December 18, 2013 with one Beachwood Property listed under correspondence and January 15, 2014; No Beachwood Property Listed

Motion - Open to General Public

Motion: Knoll Second: Cairns
Approved: All in Favor
Oppose:
Abstain:

No Public Comment

Motion - Close to the General Public

Motion: Cairns Second: Knoll
Approved: All in Favor
Oppose:
Abstain:

Motion - Adjourn Meeting

Motion: Knoll

Second: Cairns

Approved: All in Favor

Oppose:

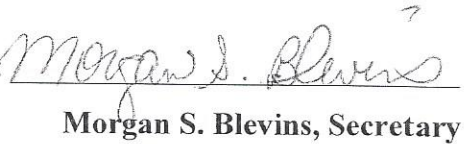
Abstain:

Prepared by: M.S. Blevins



Tom Prince, Chairman

Attested to you by:



Morgan S. Blevins, Secretary

February 24, 2014

TOTAL \$ 1,791.70