

The regular meeting of the Delaware Township Board of Adjustment held on the noted date, was called to order by Chair Cline at 7:35 p.m., in Township Hall, Sergeantsville, New Jersey, as supported by the virtual meeting procedures via ZOOM.

PLEDGE OF ALLEGIANCE

STATEMENT

Chair Cline read a statement noting that the requirements of the Open Public Meetings Act had been met.

ROLL CALL

Present: ~~Emmons~~, Fowler, Gilbreath, Kenyon, Manley, McAuliffe, ~~Szwed~~, Warren, Cline

Absent: shown as strikethroughs

Also present: Board professionals – Attorney Goodell, Engineer O'Brien, Planner Kyle

MINUTES: July 8, 2021

The Board discussed the minutes, noting changes and typographical errors. It was moved by Member Gilbreath to approve said minutes. Member Fowler seconded the motion. Said motion was approved by voice vote, with no abstentions.

MEMORIALIZATIONS - none

Planning Board Update – Liaison Cline

Chair Cline commented about the Planning Board update prior to the start of the application. He noted that the Planning Board continues to work on the reexamination of the Master Plan. He also noted that at the July 12th meeting of the Township Committee there was a discussion about an open space question to be placed on the November ballot. He noted that the wording of the question and the explanation of the question can be found on the Township website and recommended that all interested persons should review this information.

APPLICATIONS

Brant Switzler, Block 55, Lot 2, use variance approval(s) requested for tennis training facility, continued from 04.29.21 special meeting; and regular meetings of June 10, 2021 and July 8, 2021.

Ms. Erica Edwards was present as attorney for the applicant. She noted that the traffic engineer will be testifying, followed by the architect. She noted that if there is sufficient time, there will be information presented by the Civil Engineer, Jim Hill.

Mr. Troutman was sworn in. He introduced himself as the Traffic Engineer for the applicant. He stated that he is a licensed professional engineer in the State of New Jersey. He noted that he has spent 34 years specializing in traffic engineering. He stated that he has appeared before more than 120 boards, Planning and Zoning. He stated that he currently works as a traffic expert for Raritan Township and Flemington borough. Member Gilbreath made a motion to accept Mr. Troutman as an expert. Member Manley seconded the motion that was adopted by voice vote.

Mr. Troutman stated that he completed his traffic impact study on April 16, 2021. He stated that he had done site visits and field investigations. He noted that the site traffic, impact evidence is based on the facility schedule prepared by the applicant. He noted that the traffic circulation and traffic design are based on the finite operating capacity dictated by this schedule.

Mr. Troutman discussed the schedule as prepared by the applicant. He noted that there is a lot of individualized time, for high performance training and for individuals playing singles and doubles. He noted that there are back-to-back junior classes. He noted that the maximum loading situation revolves around the schedule of the

junior classes, with 16 juniors leaving when 16 other juniors are arriving, resulting in a potential of 32 cars in the parking lot that has been designed for 38 cars. He noted that the total traffic impact does not affect adjacent roadways nor does it have an impact on the traffic in the area.

Mr. Troutman stated that the design of the parking lot is for this maximum loading situation, which is a small amount of the overall schedule. He stated that the number of cars at this time does not take into account carpooling, or parents that might stay on site.

Mr. Troutman stated that the traffic resulting from the proposed use would be compatible with the neighborhood. He reiterated that the use dictates the number of parking spaces designed to meet the schedule. He concluded that there is adequate on-site circulation and adequate parking based on the proposed schedule and the proposed design.

Chair Cline asked if the maximum loading schedule takes into consideration friends or relatives that might come and watch the juniors. Mr. Troutman opined that if such visitors were to come, they would probably come with the tennis student.

Chair Cline asked about the original design of 45 parking spaces. Mr. Troutman stated that the original design was developed to have "buffer" spaces. Mr. Troutman noted that when the maximum loading situation was shown to have 32 juniors, the decision was made to cut back to 32 spaces and add a 10% buffer.

Mr. Troutman stated that Sandy Ridge Road has a width of 20 feet, with gravel on both sides near the proposed site. He noted that much of the road has no gravel and no ditches on both sides.

Member Manley asked about the size of the building, at 16,000 square feet and how this facility compares with a warehouse of the same size. Mr. Troutman stated that in reviewing the data on this proposal, the closest comparison that he could find uses the standards of a racquet/tennis club. Mr. Troutman reviewed the maximum loading situation that results in a maximum of 32 cars in the parking area. He noted that there would be 16 cars there to pick up students and 16 cars arriving to drop off the next students. He added two vehicles for each instructor, totaling 34 vehicles. He reiterated that a 10% buffer is added, resulting in four more spaces, with a total of 38 spaces. It was noted that the plans have been revised to show this proposed parking.

Member Manley asked about the construction of Sandy Ridge Road. Mr. Troutman stated that it is tar and chip. Member Manley asked if there are any concerns on the road with this added traffic, even on a hot day. It was decided that Board Traffic Engineer Rached should answer this question. Mr. Rached stated that the construction of Sandy Ridge Road is tar and chip from beginning to end with adequate surface drainage. Mr. Rached stated that it is a solid roadway with light to moderate traffic. Mr. Rached stated that he finds the road construction to be acceptable.

Member Kenyon asked about Mr. Troutman's site visits. Mr. Troutman stated that all of his visits have been on Thursdays, the days of the hearings. He noted that he visited the roadway on Thursdays during the late afternoon, after the peak usage of the road.

Member Kenyon noted that there was a discussion about seasonal use. Mr. Troutman stated that the peak use of the facility would be November to March. Member Kenyon stated that the applicant stated that the facility would be used from September to June, with adults using the facility year-round. Mr. Troutman reiterated that there is no outdoor facility proposed at this site. He further noted that his estimate of the seasonal use may be off.

Member Kenyon referenced the chart prepared by the applicant. She noted that Mr. Troutman stated that the peak change-over is at 6 p.m. which will generate the additional traffic on Sandy Ridge Road. Member Kenyon

stated that per the chart, 4 p.m. appears to be the beginning of this “change-over” time. Mr. Troutman stated that the peak time is when the change-over occurs, when the 4:00 class is over and the 6:00 class is about to start. He noted that 6 p.m. is the peak, when one class is leaving and the other is arriving. He noted that this change-over only occurs once per day, at 6 p.m. He noted that at 4 p.m., 16 cars are coming in.

Member Kenyon asked about Saturday classes at 12, 2, 4 p.m.. Mr. Troutman stated that these are non-peak times. He further noted that the maximum potential situation is shown with no carpooling, 16 leaving, 16 arriving.

Member Kenyon asked about the width of Sandy Ridge Road. She asked if Mr. Troutman had driven the entire length of Sandy Ridge Road. Member Kenyon noted that the width of Sandy Ridge Road requires that someone has to pull over for cars to pass. She also noted that Sandy Ridge Road gets considerable pedestrian traffic. Mr. Troutman agreed. He noted that the road is classified as a rural lane and the 20-foot width meets the standard.

Mr. Troutman noted that on one of his visits to Sandy Ridge Road, he in his Honda Pilot met and passed a FORD F150 and neither vehicle had to pull off on the side of the road.

Member Kenyon noted that some parents may drop off and leave. Mr. Troutman agreed but also noted that if parents do not drop and go, then the number of trips go down. Member Kenyon suggested that if parents drop and go, four trips are generated instead of two.

Mr. Troutman stated that he assumed 16 parents show up to come in and have 16 parents leaving the site.

Member Kenyon asked about the number of trips on Sandy Ridge Road. Mr. Troutman discussed two-hour classes and the assumption that these are “drop off and go” situations.

Member Kenyon stated that the conclusions of Mr. Troutman are based on traffic generation standards for a racquet/tennis club classification and may not seem like a lot. She concluded that the nature, size, and condition of the road should be factored in as well.

Mr. Troutman stated that the traffic won’t be noticed until a certain level is reached. He further noted that the higher the volume, the wider the road should be. He noted that the proposed traffic matches a 20-foot roadway.

Member Fowler asked about the type of road to be designed and based on residential traffic for a potential housing development. Mr. Troutman stated that such a design is based on daily traffic count. Member Fowler asked about the extra 32 vehicles during weekend or weekday peak hours. Mr. Troutman stated that this aligns with the intended use of this road, as a residential roadway.

Member Fowler asked about the potential traffic from this piece of property of 30 acres. Mr. Troutman stated that he does not want to get into planning testimony. Mr. Troutman stated that this land will generate some level of traffic. He noted that this proposal is not significantly different than how the land may be developed.

Member Fowler asked about the basis of the traffic study. Mr. Troutman stated that it is based on the changeover represented in the table of classes shown in the appendix. Mr. Troutman stated that the table was produced by the applicant, based on the anticipated use of the facility. The traffic study is based on guidelines for tennis and racquet club standards, Institute of Transportation Engineers (ITE), “Trip Generation” manual, 10th edition under Land Use 491, Racquet/Tennis Club; cited in Mr. Troutman’s report dated 4.16.21.

Member Fowler noted that these national standards were not presented to the Board.

There was a discussion based on the traffic that a 30-acre property could generate.

Member Fowler asked about the industry term for a significant impact. Mr. Troutman stated that the threshold number is 100 vehicles, as an increase.

Member Warren asked about the applicant's table, showing the proposed class schedule. Mr. Troutman noted that the applicant's table is based on a year's experience for the proposed facility. Mr. Troutman further stated that the national standard corroborates the number presented.

Chair Cline asked how the threshold number is ascertained. Mr. Troutman stated that it is based on size; so that if a building is 50% larger there would be 50% more traffic; opposite reduction would also follow suit.

Chair Cline asked about an actual count. Mr. Troutman stated that he did not do one. Chair Cline asked for percent increase, noting that it could be significant; for example, with 10 trips now, adding 32 would be a 300% increase. Mr. Troutman stated that sheer volume is what you look at for capacity.

Member Manley asked about trip generation for a single-family home, to which Mr. Troutman responded that 10 trips per day is the number used for a single-family home.

Member Fowler asked if the national standards include bicycles. Mr. Troutman stated the standards apply to motor vehicle trips.

Member Fowler asked if the numbers for the proposed facility are based on one vehicle per child/participant, and not the possibility of two cars per participant, based on two parents coming to watch their child. Mr. Troutman stated that the numbers are based on the number of participants with direct correlation to the number of vehicles.

Board Traffic Engineer Rached had no questions of Mr. Troutman.

Maurice Rached, Board Traffic Engineer, was sworn in. He gave his background as a traffic engineer for 32 years. He stated that the first half of his career was as an NJ DOT public servant and that the second half has been in the private sector. He stated he has appeared before 175 boards throughout the State of New Jersey and has appeared in court over 15 times. He stated that he teaches transportation subjects at NJIT and TCNJ.

Board Traffic Engineer Rached stated that his testimony includes his experience as a dad whose children took tennis lessons for ten years, 1 to 2 times per week at indoor and outdoor facilities. He stated that he is familiar with the whole operation of tennis training.

Board Traffic Engineer Rached stated that there are three ways to quantify trip generation. He stated that the most common way is to use the National Standards that are based on formulas and algorithms which are based on the size of a facility, number of employees, and other factors. He noted that a second method is to use event analysis of actual events. He stated that the third method is to survey similar facilities. Mr. Rached stated that the applicant's engineer has chosen the second method.

Board Traffic Engineer Rached stated that the Institute of Transportation Engineers has two land uses to be used for trip generation, one is for tennis courts and one is for racquet/tennis clubs. He noted that the ITE has data published for these types of land uses. Mr. Rached noted that the applicant came up with 16 as a number of participants in a class assuming full occupancy, with no carpooling. He noted that the number of 16 is conservative and occurs if all conditions happen at the same time. Mr. Rached stated that in his personal experience, this type of use has a low traffic impact. He noted that in his experience, most facilities with more tennis courts have hardly any cars in the parking lot.

Board Traffic Engineer Rached stated that the timing of the chart/table of classes offers another factor by providing a peak hour for traffic in the a.m. and a peak hour for traffic in the p.m. Mr. Rached noted that for this road, the peak traffic for the residential homes is between 7 and 9 in the morning and 4 and 6 in the afternoon.

Board Traffic Engineer Rached stated that he has traveled Sandy Ridge Road several times. He stated that he counted the homes and could visually see 30 homes. He noted that this translates to 30 trips in the a.m. peak hours and 30 trips in the p.m. peak hours. He noted that at 10 trips per day, 30 homes would result in 300 trips daily. He stated that evaluating the impact is more accurate by looking at the number as opposed to the percent increase.

Board Traffic Engineer Rached stated that the peak times of the chart do not coincide with daily peak travel times. He noted that the roadway trips are not peaking when the business is peaking. He noted that road peak travel time has more traffic for a longer period, which stretches the peak hour.

Board Traffic Engineer Rached stated that the number of parking spaces is abundant at 38 and may even be more than is needed. He noted that there could be a grassy overflow area, which would be more environmentally friendly.

Board Traffic Engineer Rached summarized by stating that the testimony of Mr. Troutman is conservative using the event analysis. Mr. Troutman stated that based on scientific information and personal experience, the projected numbers are not likely to happen.

Member Kenyon asked if the applicant's engineer could have looked at tennis court usage compared to that of a tennis school. Board Traffic Engineer Rached stated that tennis courts also include school, based on his personal experience and the national standards. He reiterated that the maximum event analysis does not happen every day; that it happens less frequently that all conditions line up. Mr. Rached stated that the national numbers are based on the averages of actual numbers of operations of similar facilities.

Member Kenyon asked about the peak usage of the facility compared to road peak usage. Board Traffic Engineer Rached stated that on the weekdays the tennis peak usage is from about 5:50 to 6 p.m. He noted that most of the street peak would be over by that time. Mr. Rached stated that the conclusion is based on universal data, that is used for all roadways in New Jersey and for national roadways. Member Kenyon stated that Mr. Troutman's report says the maximum traffic impact from the proposed facility could begin at 5:30 p.m. on weekdays.

Member Manley asked how the approval for this facility would impact a person looking for a home with the added traffic on the road, especially if the family has small children. Board Traffic Engineer Rached stated that this is a planning question. He reiterated that 16 trips are statistically insignificant, based on the national criteria. He reiterated that NJ DOT subscribes to that theory. He further noted that if there will be no more than 100 added trips, a study is not required.

Chair Cline questioned the national data on buildings that could be anywhere. Board Traffic Engineer Rached stated that this is how traffic trips are generated. Mr. Rached stated that there could be a difference when mass transit is available. He stated that ITE rejects numbers in close proximity to mass transit. He noted that the projected results are consistent with suburban and/or rural land development.

Mr. Simon began his questions of Mr. Troutman. He stated his objections to Board Traffic Engineer Rached providing his conclusions prior to the public asking questions. He stated that Mr. Rached's opinion should have been given after the public asked questions. Mr. Simon opined that the opinion is prejudicial to the public.

Chair Cline stated that Board Traffic Engineer Rached will give his conclusions at the end of all questions, as well as those given.

Mr. Simon asked if Mr. Troutman had done traffic and parking evaluations for this type of facility. Mr. Troutman stated that he modeled the specific operational data on recreational facilities. Mr. Troutman stated that he had never done an analysis on this specific type of facility. Mr. Troutman stated that he has done a traffic study for an indoor soccer facility in Aberdeen, New Jersey and a similar recreational facility in Wall Township, NJ. Mr. Troutman noted that neither facility has a driveway access similar to this. Mr. Troutman stated that the Wall Township facility is accessed via Route 38, a state roadway.

Mr. Simon asked if Mr. Troutman could concur with Board Traffic Engineer Rached's count of approximately 30 residential home driveways on Sandy Ridge Road; to which Mr. Troutman agreed. Mr. Troutman stated that he did not notice the widths of the driveways off of Sandy Ridge Road.

Mr. Simon asked about the parking spaces and the pedestrian activity to and from those spaces to the proposed building. Mr. Troutman stated that he did do the traffic circulation. Mr. Troutman stated he assumes that a child would be escorted to the front door. Mr. Troutman stated that he is not aware that a sign will be posted warning of pedestrian activity. Mr. Troutman stated that the pedestrians would walk perpendicularly to the building, crossing the driveway.

Mr. Simon asked about fire vehicle access. Mr. Troutman stated that the site engineer provided that information. Mr. Simon asked about garbage trucks entering and leaving the proposed site. Mr. Troutman stated that he did not have an evaluation for that. Mr. Troutman stated that there are two ADA compliant spots, which is determined by the total number of parking spaces, one per 25 spaces.

Mr. Simon asked what would prevent a car from idling in the 24-foot wide driveway. There was a discussion about various circumstances involving the pick up and drop off of student/players. Mr. Troutman stated that he was consulted for the traffic design and set up a pattern for angled spots and counter clockwise circulation. When asked Mr. Troutman stated that he had not done any observations for any tennis facilities, nor did he add waiting time into the analysis.

Mr. Simon asked about the sight distance evaluation. Mr. Troutman stated that the dimensions are based on the State Highway ASHTO requirements. There was a discussion about the stopping analysis and the sight distance back from the stop bar, and how this may be impacted by existing vegetation in the area. It was noted that any vegetation within the applicant's property can be removed to improve this sight distance. It was further noted that it does not appear as though any trees need to be removed. Mr. Troutman stated that he did not do any intersection sight distance analyses.

Mr. Simon asked about the maximum loading peak traffic and how many additional parents, grandparents, or visitors have been considered. Mr. Troutman stated that he counted for 32 parents and two instructors. Mr. Troutman noted that if others come, the average should be one parked car per child.

Mr. Simon asked if Mr. Troutman had done a study of an existing tennis facility, to which Mr. Troutman responded negatively. Mr. Troutman stated that he has no information about how long a parent would stay; nor does he know the capacity of the weight room.

Mr. Simon asked about using the facility for pickle ball courts, which could house as many as four pickle ball courts. Mr. Troutman stated that he based his analysis on the applicant's testimony.

Mr. Simon asked about the residential use. Mr. Troutman stated that the applicant will be the resident as well as being one of the proposed facility's instructors. Mr. Troutman stated that he is not aware that the residence has a second bedroom.

Mr. Simon asked about the impact conclusions if the schedule changes. Mr. Troutman stated that the applicant could stipulate a condition about the schedule. Mr. Simon asked about enforcement. Mr. Troutman stated that typically the Zoning Officer responds to such issues as a result of complaints.

Mr. Simon asked about tennis parties or non-tennis events. Mr. Troutman stated that the applicant testified that there would be no tennis parties or non-tennis events.

Mr. Simon asked about parking or traffic counts for any commercial or similar facility in the area, including the Sandy Ridge Church and the Dilts Park. Mr. Troutman stated that he had not done any such counts, nor any traffic evaluations for either site.

Mr. Simon asked about the ITE Trip Generation Manual, Land Use Category 491, as referenced in Mr. Troutman's report. Mr. Simon stated that per his research, these sites were surveyed in British Columbia and that no site evaluation in has been done in the last twenty years and no evaluations in NJ. Mr. Simon noted that the category references the neighborhood and quantifies it as general urban, suburban, or rural.

Mr. Simon noted that this category refers to a 16,000 square foot building, using a time use of 1 to 6 p.m., resulting in 5.49 parking spaces. Mr. Troutman stated that he used different standards.

Mr. Simon asked about adjacent Lot 2.03, to the south of the subject property. Mr. Simon asked if there had been a traffic evaluation of this property done. Mr. Troutman stated that this is beyond the scope of his testimony.

There was a discussion about pick up and drop off and the desire of drivers to park as close to the door as possible. Mr. Troutman stated that he assumes that if the prime spots are taken, a driver will circle around again to spaces further away. He further noted that much is dependent on the observation of spots by the drivers. Mr. Troutman stated that all spaces measure 10 by 20 feet. Mr. Troutman stated that he did not know what types of deliveries would be made through the loading door.

There was a discussion about the geo pavers. Mr. Troutman stated that he has no opinion on the appropriateness of these pavers for the parking area.

Mr. Simon asked about the striped trucking space. Mr. Troutman replied that this is required for a loading space, per the ordinance. Mr. Troutman opined that the deliveries would be coming when the parking lot is fairly empty.

Mr. Simon asked if there was an evaluation of the roadway concerning pedestrians and bikers. Mr. Troutman stated that he had made observations of Sandy Ridge Road east of 605. Mr. Troutman stated that he had made three visits on Thursdays, at about the same time for each visit.

Mr. Troutman stated that he had done no traffic studies involving riding ring facilities.

Mr. Simon asked about the threshold of 100 trips used to signal that a proposal could have significant traffic impact. Mr. Troutman stated this is a quantitative threshold; he noted that a site impact study could be based on local needs. Mr. Troutman further noted that the threshold may vary. He noted that judgement should enter into any traffic study for localized safety or out of traffic necessity. It was noted that a threshold could be reached if there is significant operational impact; or sensitivity of neighboring areas; or other driveways and intersections.

There was a discussion about neighboring residences. Mr. Troutman stated that he thinks the closest residential driveway is to the east of the existing Switzler driveway. He stated that he is not certain of the house numbers of the homes across the street from the proposed facility. He noted that he did not take into account these driveways and the distances of the homes across the street.

Mr. Simon stated that he feels that a traffic study should be done that includes the following: the ability of the adjacent roadway to carry the additional traffic; and bicycle and pedestrian safety. Mr. Troutman stated that the ITE edition that he referenced matches the event analysis study. Mr. Troutman stated that he does not have his book with him.

Mr. Simon questioned if improvements are needed to Sandy Ridge Road to accommodate the intersection of the proposed facility driveway with Sandy Ridge Road. Mr. Troutman stated that per the RSIS standards, Sandy Ridge Road is classified as a rural lane or falls in the residential access category. Mr. Troutman said that per the RSIS standards, Sandy Ridge Road meets the standards of either classification, noting the cartway width of 20 feet. He noted that the RSIS requires no curbing on a rural street. Mr. Troutman gave his opinion that Sandy Ridge Road is fully compliant.

When questioned, Mr. Troutman stated that he has no opinion about lighting along the driveway of the proposed facility.

When questioned, Mr. Troutman stated that he did not consider any other access locations for the proposed facility.

When questioned, Mr. Troutman stated that he did not do any zoning evaluations.

Mr. Troutman reiterated that he has not done any traffic studies on any riding ring facilities. He stated that the qualification of the facility as a school is based on how the facility is operated. Mr. Troutman stated that ITE data may not consider the school aspect, but that most tennis courts include a school.

Public questions of Mr. Troutman – concerning traffic testimony

Mr. Steve Walker of Sandy Ridge Road was present. He noted that there is a berm on the west side of Route 523, near the intersection of Cemetery Road and Route 523 and suggested that one could be implemented for this proposal. He questioned property values. Mr. Troutman stated that this is not his expertise.

Ms. Toni Gentry of Sandy Ridge Road was present and stated that she has been a resident on Sandy Ridge Road for 36 years. She noted that Mr. Troutman stated that he, in his Honda Pilot, met and passed a Ford F150, without either pulling over. She asked what would have happened had there been a pedestrian or bicyclist on the road at the same time. She also noted that, as a runner, there will be no place to run if two vehicles can barely pass on the roadway; she added the 100% increase in traffic will compound that issue and the quality of life.

Mr. Troutman stated that with runners and pedestrians on the road, vehicular traffic in the same traffic direction makes way for such movement, including bicyclists, then the vehicle passes. When questioned, Mr. Troutman reiterated that the full maximum situation at peak time does not present a statistical change.

Mr. Troutman reiterated that the 24-foot driveway access to the proposed facility is standard. He noted that the driveway width could be less, but has been designed to meet the standards.

Mr. Harold Lopshire of Sandy Ridge Road was present. He asked if Mr. Troutman had actually measured the roadway, to which Mr. Troutman responded negatively. Mr. Lopshire questioned the number of people going to

the facility each day, to which Mr. Troutman did not give an exact answer, noting that the number can be calculated using the schedule table.

Mr. Lopshire asked about the number of driveways along the width of the frontage. Mr. Troutman noted that the plan shows seven existing driveways and the proposed access driveway, from the corner of Sandy Ridge Road and Cemetery Road to the western edge of Lot 2. Mr. Troutman stated that when drivers access a property using GPS, there is usually an indication of which side of the road one needs to be on. He noted that the neighbors have a concern about visitors making a wrong choice, with their driveways being used for corrections. Mr. Troutman noted that once the participants become familiar with the facility, this will be less of an issue. Mr. Lopshire stated that there is a potential for new people all of the time, at the proposed facility.

Mr. Simon followed up with a question about a peak hour count on Sandy Ridge Road. Mr. Troutman stated that he did a count for 15 minutes and extrapolated that count to 40 per hour. Mr. Troutman stated that he did no count on a Saturday.

Ms. Dahlia Hoffman of 25 Sandy Ridge Road was present. She stated that she lives directly across the street. She noted that with the pandemic, these could be lower numbers. She questioned what is being done to lessen the impact of the traffic for the people who live on the road. She also noted a concern about headlights, light pollution, and light shining into homes when there are no leaves on trees. Mr. Troutman noted that the driveway was sighted so outgoing traffic does not shine directly into anyone's home.

Ms. Hoffman asked about the large body of water that accumulates at the edge of Sandy Ridge Road. She questioned if anything will be done to ameliorate that.

Member Fowler questioned Mr. Troutman's statement that the pandemic is over. Mr. Troutman stated that he did not mean to minimize the pandemic impact but noted that traffic levels have returned to pre-pandemic levels. Mr. Troutman stated that he based his opinion on his travels around the state.

Board Traffic Engineer Rached had no further questions or comments.

There was a discussion about a potential traffic engineer presentation by any member of the public. Mr. Simon indicated that he plans to present a traffic engineer. Board Traffic Engineer Rached stated that he would comment on that testimony.

Ms. Edwards noted that it is time to cease any presentations for the evening.

Chair Cline reminded members of the public that there will be ample time for public comment on this application, once the application is complete. Mr. Steve Wilbur of 142 Sandy Ridge Road was present and questioned why the public comment time period has been delayed. Mr. Wilbur stated that he has zoning issues. Attorney Goodell noted that the applicant has a right to make his case and the Board has an obligation to take the testimony. Attorney Goodell noted that while the application is pending, the public can question the witnesses; and that once the applicant has presented all evidence, the time for public comment is open.

Ms. Edwards decided to present the architect's testimony. Chair Cline asked Mr. Simon to wait until the next meeting to cross examine the architect.

Mr. Adel Rifaat was sworn in as the applicant's architect. He stated that he is a NJ licensed architect and has been in private practice for 31 years. He stated that he has designed residential and commercial projects. He noted that he also works as a general contractor. Mr. Rifaat stated that he has done no project like this in a rural setting. He stated that he has appeared before the Flemington Planning Board.

Member Gilbreath made a motion to accept Mr. Rifaat as an expert witness. Member Fowler seconded the motion that was adopted by voice vote.

Mr. Rifaat stated that the building shown in the plans is a pre-engineered building with a long span. He noted that it has two courts, a gym area, residence, and waiting area, as shown.

Mr. Rifaat stated that the applicant requested a design that would evoke the feel of an agricultural building. He noted that the building is 35 feet in height, with two stories. He noted that it is a steel building, with corrugated metal walls, steel purlins, and steel beams, with most of the metal being stainless steel. Mr. Rifaat stated that there is one entrance and three emergency exits.

There was a question about lighting, to which Mr. Rifaat deferred to the engineer. Mr. Rifaat stated that there would be no additional exterior lighting than has been shown on the plans.

Member Gilbreath asked about the two-story portion of the building. Mr. Rifaat noted that there is an open mezzanine area that is the waiting area on the second floor. He noted that the apartment has a guest bedroom and a master bedroom and a total space of 2,230 square feet on both floors. He noted that the residence has its own stairs.

Mr. Rifaat noted that the loading area has an overhead door that goes up.

Member McAuliffe asked about the heating. Mr. Rifaat stated that this decision will be made during the construction phase.

The following members had no questions at this time, of the architect: Fowler, Manley, Warren, Kenyon.

Attorney Goodell questioned the design. Mr. Rifaat stated that it was a decision to keep the building more fitting in a rural area, like a red barn. He noted that the stone veneer was proposed to provide some scale for the entrance.

There were no other questions from the Board professionals.

The hearing was closed. It was noted that the August meeting has been set for two other applications

All professionals and Board members discussed having a special meeting on the fourth Thursday of August, which is the 26th. Most responded positively. Ms. Edwards for the applicant, stated that the cross-examination of the architect should occur then as well as a review of the engineering revisions. Ms. Edwards stated that at the September 9, the application should be “wrapped up” with the planning testimony.

It was noted that the appropriate time extension has been provided by the applicant.

Correspondence

August 12 regular meeting –

Block 51, Lot 5.05, Tilch, use variance requested for two houses on one property of less than 30 acres.

Block 36, Lot 24, Sergeantsville Volunteer Fire Company (SVFC), bulk variances for oversized accessory building.

Bill List

Bill List: Attorney Services – Parker McCay P.A.

General Zoning Board Matters

Through June 30, 2021, #3133141	\$306.00
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Member Gilbreath made a motion to approve payment of this voucher. Member McAuliffe seconded the motion.

Roll Call Vote

Aye: Fowler, Gilbreath, Kenyon, Manley, McAuliffe, Warren, Cline

Nay: None

Absent: Emmons, Szwed

Bill List: Attorney Services – Parker McCay P.A.

Escrow Charges

17/33.04, Ross, #3133139	\$578.00
55/2, Switzler, #3133140	\$544.00

Bill List: Engineering Services – Van Cleef Engineering Associates

Escrow Charges

55/2, Switzler, #3935008-6	\$1,212.75
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Member Gilbreath made a motion to approve payment of these vouchers from their respective escrow accounts. Member Fowler seconded the motion that was approved by voice vote.

ADJOURNMENT: 10:15 p.m.

It was moved, seconded, and unanimously carried to adjourn at the noted time.

Respectfully submitted,

Kathleen E. Klink,
Administrative Officer, Secretary