

January 25, 2007

Mr. Bischoff called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Mazza, Mrs. Nargi, Mr. Martin, Mr. Brandt, Mr. Lukasik,  
Mr. Kirkpatrick, Mr. Walchuk, Mr. Taibi, Mr. Scott, Mr. Bischoff

Members Absent: None

Others Present: Atty. William Sutphen, Rick Roseberry, Carl Hintz, Stephen Souza,  
Vincent Uhl, Maurice Rasched, Atty. Michael Gross, Joseph Staigar,  
James McDonough, Atty. Douglas Janacek, Atty. George Dilts,  
David Hay, John Corcoran, Glenn Roth, Matt Mulhall, Kirk Derwood,  
Debbie Hirt, Aleta Lambert, Michele McBride, Arthur Nevins,  
Karen Wisnosky, Joe Bubalis

**Perryville Group, LLC: Block 22, Lot 4, 37 Route 173 East: (Extension)** Atty. Dilts was present, as was applicant David Hay. The application had been deemed complete at the January 9, 2007 Board meeting. A concern was raised about the request and Atty. Sutphen was asked to provide a legal opinion at tonight's meeting. Mr. Sutphen said applicant was entitled to one more extension. Once the time period of the original approval and any extensions granted by the Board have terminated, the application would be void. Atty. Sutphen said he was sure that both the applicant and his attorney were aware of that fact. Atty. Dilts and Mr. Hay said they understood. Mr. Bischoff asked for questions from Board members and/or Professionals. There were none. Mr. Bischoff asked for a motion.

Mrs. Nargi made a motion to grant the extension until November 14, 2007. Mr. Mazza seconded the motion.

Vote: Ayes: Mrs. Nargi, Mr. Mazza, Mr. Martin, Mr. Brandt, Mr. Lukasik,  
Mr. Kirkpatrick, Mr. Taibi, Mr. Scott, Mr. Bischoff

Abstain: Mr. Walchuk

**Toll Bros/Lookout Pointe: Block 11, Lot 8, Rupell Road & Bank Street:** Atty. Sutphen gave a brief overview of the matter. He said that as part of the Preliminary and Final Major Subdivision approval, there was a requirement to restore the Farmhouse and reconstruct the Barn. The Construction Office will not issue any more building permits or CO's until the Planning Board determines that the restoration of the Farmhouse is acceptable. The exterior of the Farmhouse is complete. The Historic Preservation Committee (HPC) was also required to approve the restoration. Atty. Sutphen had contacted the Township Engineer. Mr. Sutphen said the Engineer told him there was nothing for him to review. Atty. Sutphen had spoken with Township Historian Joseph Martin who indicated the HPC finds the restoration acceptable and well done.

Mr. Sutphen asked the Board authorize the secretary to send a letter to Construction Official John Leonard stating that the Board supports the HPC position. Mr. Bischoff asked for questions from the Board. Mrs. Nargi had a question about the interior. Atty. Sutphen understood the interior would not have any construction until it was determined who would occupy the Farmhouse. Mr. Brandt said the Barn was a contentious part of the Lookout Point Hearings. He asked how the construction of the Barn played into the approval for Toll to continue to go ahead. Atty. Sutphen said Toll submitted a bond in the amount appropriate for the completion of the Barn. There were no further questions. Mr. Bischoff asked for a motion.

Mr. Scott made a motion to accept the recommendation of the Historic Preservation Committee that the restoration of the Farmhouse is consistent with their requirements and that the Board secretary issue a letter to Construction Official John Leonard stating that the Board endorses the HPC recommendation. Mrs. Nargi seconded the motion.

Vote: Ayes: Mr. Scott, Mrs. Nargi, Mr. Mazza, Mr. Martin, Mr. Brandt, Mr. Lukasik, Mr. Taibi, Mr. Bischoff

Abstain: Mr. Kirkpatrick, Mr. Walchuk

**Pilot Travel Centers: Block 11, Lot 24.03, 68 Route 173:** Mr. Bischoff told Atty. Gross that in the interest of continuity he would turn the meeting over to Vice-Chairman Scott. Mr. Gross did not object. Mayor Mazza and Committeewoman Nargi recused themselves prior to the commencement of the Hearing. Atty. Gross said he had some housekeeping matters. He asked about Mr. Bogart. Mr. Scott said Mr. Bogart retired and Rick Roseberry from Maser was present. Maurice Rasched, also from Maser, is the Township's new Traffic Consultant. Mr. Gross noted for the record that he did not feel it was appropriate to bill his client to catch up with the status of the project and the Law would support that. Mr. Scott said he understood. Mr. Roseberry said he is familiar with the requirements of the Land Use Law. Atty. Gross noted there were several new Board members and asked about their intention to read the transcripts. Mr. Kirkpatrick said he had read the transcript. Mr. Scott said he understands there will be a full Board that will be able to cast a vote. Mr. Gross requested the scheduling of special meetings. Mr. Bischoff said that could wait until the end of the meeting.

Mr. Scott turned the floor over to Atty. Janacek who would be cross-examining Pilot's Traffic Engineer Joseph Staigar. Mr. Janacek had questions about Mr. Staigar's report dated April 7, 2005, specifically his reference to I.T.E. Mr. Staigar said ITE is an acronym for Institute of Transportation Engineers (ITE). The ITE publishes a manual that traffic engineers use. Projected volumes of traffic could be set forth in the manual. Trip generation data for a stand alone convenience store would be listed in the manual; however, there wouldn't be trip generation data for a Subway. The convenience store proposed by Pilot is within a building; therefore, the ITE data would not apply.

ITE trip generation data is a collection of information provided by traffic engineers throughout the country. Atty. Janacek asked Mr. Staigar about trip generation numbers for a Pilot Travel Center in connection with a Highway Access Permit. Mr. Staigar said the NJDOT had asked for numbers when an access permit was applied for at the Bordentown site. He had obtained an undocumented, unsigned report that was done in Nebraska. Mr. Janacek asked the number of Pilot Travel Centers in existence in the early nineties. Mr. Staigar said there were probably fewer than 50. He also said he did not know how many Pilot Centers exist today. The NJDOT has been provided with information on Traffic counts at the Bloomsbury site. Atty. Janacek asked numerous questions about the Bloomsbury site. Mr. Staigar said the site consists of over three acres. There are six sets of pumps for each diesel fueling position and 8 cars can be serviced with gasoline at the same time. A minimum of 12 trucks could stack on site. There is parking for 30 trucks. Mr. Staigar did not know the amount of car parking spaces. The existing building is about 8,000 square feet. Mr. Staigar did not know the breakdown in square footage of the convenience store and Subway. He did not know if there was seating at the Subway.

Regarding deliveries to the convenience store, Mr. Staigar did not know the number per week. He did not know the type of deliveries or the length of time to make a delivery. Mr. Staigar said his study counted the number of vehicles entering and exiting the site and differentiated between cars and trucks.

Atty. Janacek asked questions about Johnny's site. Mr. Staigar responded. He said there are 9 diesel fueling positions and 8 gasoline fueling positions. There is a truck stacking capacity of over 29, probably about 35. Mr. Staigar displayed Exhibits A-15 and A-17. He said the Plan shows 7 fueling positions at Bloomsbury. Mr. Staigar had stated earlier there were 6. He also said the number of trucks that could be stacked on site was 13, not 12. Atty. Janacek asked to revisit the existing Johnny's site. Atty. Gross objected. He said that testimony had been provided before and the Board's time was being wasted. Mr. Scott said Atty. Janacek would be given a little leeway. Mr. Janacek responded by saying the record would reflect that Mr. Staigar said he didn't know many answers and would try to get a handle. Atty. Janacek asked about parking spaces. There are presently 49 parking spaces for cars and 59 are proposed. The number of proposed truck parking spaces is 77. Atty. Janacek asked the size of the existing building. Mr. Staigar said he didn't know the exact size. He said the convenience store has around 800 square feet. The diner has about 4,000 square feet. Mr. Staigar did not know the area of the proposed convenience store, the Subway nor the projected number of deliveries or the size of the delivery trucks. Mr. Staigar said there would be about three deliveries of diesel fuel per day. He didn't know the number of gasoline or home heating fuel deliveries.

Mr. Staigar referenced his Traffic Impact Statement dated April 5, 2005. He noted the dates and locations of the traffic reports. He said a Highway Access Permit application has been filed and deemed complete. The property is located in the Professional Office District with community residences, professional services, etc. as permitted uses. Atty. Janacek asked Mr. Staigar if he had analyzed trip generation for any permitted uses. Atty. Gross objected. He said this was a D-2 Variance application which means the existing use is presumed. There is no burden on the applicant to demonstrate unique circumstances. There is a burden to demonstrate why the expansion is warranted. Mr. Scott overruled Atty. Gross's objection. He asked Mr. Staigar if he had done an analysis. Mr. Staigar said he did not. Atty. Janacek asked Mr. Staigar if, in his opinion, the Pilot facility would generate more truck traffic than any of the permitted uses. Mr. Staigar said he didn't know since he had not done a trip generation analysis. Atty. Gross asked Mr. Scott if he could continue his objection. Mr. Scott said he could as long as it pertained to relevant issues..

Atty. Janacek asked Mr. Staigar if he knew how far the westbound off-ramp was from the proposed Pilot site. Mr. Staigar said about a mile. Mr. Janacek asked the speed a truck might be traveling at the off-ramp. Mr. Staigar said he did not know. He was asked if it made a difference if a truck was full or empty. Mr. Staigar said that would depend on horsepower, the grade and so forth. The route from Exit 13 to the proposed site has uphill, downhill and flat elements. In response to a question about the level of sound varying under different circumstances, Mr. Staigar indicated speed would have an effect. There will be one lane in each direction between Route 173 and Exit 13. Mr. Staigar did not know if passing lanes would be permitted. Atty. Janacek asked the length of the proposed left turn lane. Mr. Staigar said it is 160 feet. Two WB-67's could stack in that distance. Mr. Janacek asked where a third truck would be and would it encumber the left hand lane heading westbound. Atty. Gross objected, saying there was no basis for the third truck. Mr. Scott said the question was hypothetical. Mr. Scott asked Mr. Staigar if you could fit three 75 foot trucks in 160 feet. Mr. Staigar said no. The third truck would be in the middle of the roadway.

Atty. Janacek asked if a right hand deceleration lane had been proposed into the site from Route 173. Mr. Staigar said "No". Mr. Janacek asked if there was a right hand deceleration lane at the Bloomsbury site. Mr. Staigar said the dedicated right turn lane is not a deceleration lane. Atty. Janacek asked if a land use application had been filed after the Bloomsbury facility opened. Mr. Staigar said "Yes". Pilot applied to formally get site plan approval. He understood that the Borough of Bloomsbury had not granted approval. Pilot was asked to make application, taking the existing site, calling it a site plan and coming in for approval. Mr. Janacek asked about improvements made in connection with that application. Mr. Staigar said none were made. Atty. Janacek asked about the Travel Centers of America next door (TCA). Mr. Staigar said TCA is bigger than the Pilot site at Bloomsbury. He did not know the size of the building; if there was a food use or a convenience store at the TCA facility. TCA sells Mobil gas.

Mr. Staigar did not know the number of diesel or automobile fuel lanes and he had not studied or prepared counts to determine peak and average daily trip generations. Mr. Janacek said he had no further questions. Mr. Scott asked for questions from the Public. John Corcoran, Highland Ridge, wondered why children and bus traffic were never mentioned. Mr. Staigar said there had been discussion. School buses had been included. Mr. Staigar had been told by the North Hunterdon High School bus coordinator that four buses go through the intersection both morning and evening. Mr. Corcoran asked if the impact on children of pollution from more truck traffic had been studied. Mr. Staigar said "No". He had not made any formal studies. Mr. Corcoran indicated that would be relevant. Mr. Staigar mentioned the school being one to two miles away. Mr. Corcoran said the school was in close proximity. He thought the school was within half a mile. Mr. Scott thought the question was whether a study about effects of pollution or potential effects of pollution on adjacent schools had been done. Mr. Staigar said he had not. He also said adjacent is very subjective terminology. Mr. Corcoran thought that schools would be a key point in the traffic study. Mr. Corcoran asked Mr. Staigar if he was aware of a study in the Bronx of the impact of increased truck traffic on asthma rates of school children. Mr. Staigar said he did not recall a specific study in the Bronx. He indicated a traffic study would not include that type of information. Traffic studies deal with physical operations of vehicles on the roadway. Mr. Corcoran asked if there would be a study on the impact on air quality. Mr. Staigar said there could be; however, it was not a question for him to answer.

Mr. Scott emphasized that Mr. Staigar should be asked questions about his specific area of expertise. Mr. Scott said there will be an opportunity for the public to provide testimony and ask questions from other witnesses. Mr. Corcoran said the traffic study is two years old. Did Mr. Staigar have any information about increased traffic on Route 78 over the past two years? Mr. Staigar said he had not studied Route 78. He believes the increase is about 2.5% per year. The information in his study would still be relevant. Mr. Corcoran wanted to know the impact on the safety of school children, since there is a projection that there may be four times as many trucks with the Pilot proposal. Mr. Staigar said if Pilot's proposal were implemented, it would be safer than if the site continues under current conditions. Mr. Corcoran said because of increased truck traffic it would be much more unsafe. Mr. Staigar said the trucks are coming whether it is a Pilot Travel Center under the existing layout or with proposed improvements. Mr. Corcoran asked the projected increase in volume with Pilot management or ownership. Mr. Staigar said 33% more trucks (10 trucks) during the peak hour. Mr. Corcoran asked the number of Pilot sites nationally. Mr. Staigar said Atty. Janacek had asked that question and he replied that he did not know. Atty. Gross said that information is in the record in sworn testimony and he would be glad to repeat that testimony which was from Mr. Mulligan. Mr. Scott did not want to clutter Mr. Staigar's testimony with that of Mr. Mulligan. Mr. Corcoran proceeded. Mr. Scott told him that he should ask Mr. Staigar questions about his testimony. Mr. Corcoran was told he would have an opportunity to offer testimony at a later time.

Glenn Roth, Marudy Drive, said Mr. Staigar indicated that the two traffic studies were done in the winter. Mr. Roth also noted that peak travel was referenced. Mr. Staigar said it was peak hour traffic. Mr. Roth said it is a fact that the peak season for automobile traffic is typically in the summer. He wanted to know if the increased automobile traffic in the Township during the summer had been taken into account. Mr. Staigar said he testified that information had not been factored in. He explained that peak hour traffic volume is typically lower in the summer. Atty. Gross objected because Mr. Staigar had testified to that issue. He said pages 117-118 in the November 30, 2006 transcript contain that testimony. Matt Mulhall, Country Acres, had a question about the site accommodating nine trucks refueling and the stacking of trucks behind the fuel island. Mr. Staigar explained how there would be accommodations for about 35 trucks. Mr. Mulhall said onto that 77 trucks could be fitted in parking positions. Mr. Staigar said they would fit. He said the proposed parking layout would be different and Pilot has more than adequate stacking. Mr. Mulhall understood there was a potential for 106 trucks on the property at any one particular time. Mr. Staigar said "No". There is the potential of having that many trucks and still having free flow, but no potential for stacking out onto the highway.

Mr. Mulhall asked if studies had been done about the type of trucks coming to the site, i.e., refrigerated trucks, bulk container trucks and those containing chemicals. Mr. Staigar said he used the biggest design wheel base to insure trucks could maneuver and stack on the site. He did not know what they contain. Kirk Derwood asked how many vehicles now make a left hand turn from Charlestown Road onto Frontage Road to access Route 78 east? Mr. Staigar said he didn't know. He projected the number would be nominal because the Pilot site at Bloomsbury would handle eastbound traffic and there is a big Pilot sign by that Exit. Mr. Derwood disagreed. He asked how many more trucks would be bringing fuel or gasoline. Mr. Derwood believed those trucks would be coming from the east and after delivering fuel they would probably turn around to return to their depots. Mr. Staigar said there might be a few more trucks a day and they would basically follow the same pattern they currently use. Mr. Derwood explained the difficulty in making a left turn onto Charlestown Road and asked Mr. Staigar how it was proposed to remedy the problem. Mr. Staigar said "By making Johnny's a Pilot Travel Center". The vast majority of Pilot customers traveling eastbound would go to the Bloomsbury site. He said that if Johnny's is gone, there could be a decrease in the number of trucks coming to the Union Township site.

Mr. Derwood wanted to know if there was a provision for a setback stop line for a vehicle on Route 173 that would be going west or making a left turn to go over the overpass south. Mr. Staigar said "No". Mr. Derwood also wanted to know if there was a provision for double tandem trucks making a right turn. He assumed there would be 30% more trucks with the same unsafe situation that wasn't Pilot's to begin with.

Mr. Staigar pointed out again that there would probably be fewer trucks making that movement. Mr. Derwood asked for a list of Pilot's customers. Mr. Staigar indicated he did not have that information. He had a count for the Bloomsbury site. Mr. Scott told Mr. Derwood that questions to Mr. Staigar should be relative to traffic engineering. Debbie Hirt, 20 Springhouse Lane, had a question about the level of service at the intersection of Charlestown Road and Route 173 and Mr. Staigar's statement that the level of service would probably not get improved. Ms. Hirt felt it is the job of an applicant's engineer to attempt to improve the level of service. Mr. Staigar said he had given testimony that Pilot would provide mitigation of impact.

Aleta Lambert, Grove Farm Road, said Mr. Staigar had given testimony about why Exit 12 eastbound traffic had not been studied. Ms. Lambert had observed trucks passing Pilot at Bloomsbury and entering Johnny's. She asked a trucker why and he said Pilot was too crowded at that time of the day. Ms. Lambert asked why the study had not been done. Atty. Gross said Mr. Staigar testified that it happens currently. Mr. Scott said the question was why wasn't a study of Exit 12 eastbound traffic done. Mr. Staigar said he believes there will be no increase and there may be a decrease. Ms. Lambert asked about the stacking problem at Bloomsbury. Mr. Staigar said there will be cross marketing because of two Pilot locations.

John Corcoran, Highland Ridge, asked Mr. Staigar what facts he had to support not studying traffic going into Johnny's because he thought customers would stop at the first Pilot they encounter. Mr. Staigar said the statement was based on traffic counts and logic. Mr. Corcoran was troubled that there was no traffic study. Mr. Scott said Mr. Staigar explained why he didn't study Exit 12. Joe Bubalis asked Mr. Staigar if he felt that two data points were sufficient to establish a trend if they represent one another. Mr. Staigar said it is very common. Mr. Bubalis asked about the 2.25% increase in Route 78 traffic. Was that a standard amount? Mr. Staigar said "Just standard for an interstate".

Matthew Mulhall, Country Acres, asked Mr. Staigar about an increase in traffic with the proposed plan or the as is plan. Mr. Staigar said there will be more traffic. Mr. Mulhall asked if traffic studies had been conducted for office buildings ranging in size from 14,000 to 16,000 square feet and if, typically, would those buildings generate as much car or truck traffic as the Pilot size. Mr. Staigar said "No".

Michele McBride, Old Forge Lane, said Mr. Stout had testified on July 27, 2006 that there are currently 72 truck parking spots. Mr. Staigar had stated tonight that there were in the order of 80. Ms. McBride asked why the discrepancy. Mr. Staigar prefaced it by saying that was an approximate number. Arthur Nevins, 41 Charlestown Road, asked the times of the initial studies. Mr. Staigar said the studies were made during rush hour. Mr. Nevins asked if bus traffic from Hunterdon Hills Playhouse had been looked at. Mr. Staigar said he didn't see any at morning or evening peak hours.

Mr. Nevins asked Mr. Staigar if he was aware of the stop and park at the Playhouse where buses transport commuters to and from that area to New York. Mr. Staigar said "No". Mr. Staigar said that the buses would have been counted if they went through the intersection. However, they were not singled out. Mr. Scott asked if the bus was counted as a truck vehicle or automobile. Mr. Staigar said if it was a heavy truck it was counted as such. Mr. Staigar said a commuter bus at an intersection would be counted the same as a passenger car. Mr. Nevins asked Mr. Staigar if he was aware of the location of the Playhouse. Mr. Staigar said he wasn't. Mr. Nevins asked Mr. Staigar if he was aware of the size of the parking lot and the number of commuters who park at the site. Mr. Staigar said that was totally irrelevant. Mr. Nevins asked Mr. Staigar if he had testified that Pilot has a system of communicating with many of the trucks that contractually use its facility. Mr. Staigar said he didn't say that they communicate. Memorandums go to truck drivers telling them where to purchase fuel. Mr. Nevins was talking about commuters communicating with a Pilot station. Mr. Staigar said anybody can call a Pilot Travel Center. Mr. Nevins asked if a trucker could call the Bloomsbury Pilot Center to find out if traffic was backed up. Mr. Staigar said he had not heard of any Pilot employee providing any such information. Mr. Nevins asked if Pilot had a system for sending trucks to Exit 12. Mr. Staigar asked "To Johnny's? Pilot people wouldn't tell truckers to go to Johnny's. Simple logic would be that you don't send customers away.

Karen Wisnosky, 710 Deerfield Lane, understood that Mr. Staigar testified that a study of the eastbound Exit 12 off-ramp had not been done because eastbound traffic would use the Bloomsbury exit. Mr. Staigar said he did not say everybody. Eastbound trucks would use the Bloomsbury site and westbound would use the Union Township site. Mr. Staigar displayed Exhibit A-17, a site plan of Pilot at Bloomsbury. Ms. Wisnosky noted that Mr. Staigar said eastbound traffic would use the Bloomsbury site because it's easy on and off. Mr. Staigar said that was one reason. The other reason is because of the big Pilot sign indicating the Bloomsbury location. Ms. Wisnosky noted the possibility of backups at the exit ramps at the Bloomsbury site and felt people would bypass Exit 7 and proceed to the Union Township site. Atty. Gross objected to the presumption that trucks would be backing up onto the exit ramp. Mr. Scott said he thought it was a hypothetical. He said to assume traffic backed up. Did Mr. Staigar have an opinion about trucks bypassing Exit 7 and going to the Exit 12? Mr. Staigar said they would take the route of least resistance. Ms. Wisnosky said the ramp at Bloomsbury is not easy on/easy off.

Joe Bubalis, Bethlehem Township, asked Mr. Staigar about a study of the Travel Center of America (TCA). Mr. Staigar had not done a study. He did not know how much larger the TCA is than the Bloomsbury Pilot. Mr. Bubalis said traffic that backs up on the Exit 7 ramp could be going to the TCA. Mr. Staigar said he didn't know the answer since he had never seen a backup. Mr. Bubalis asked if it was conceivable that TCA customers might bypass Exit 7 and continue to the Pilot at Exit 12. Mr. Staigar said he hadn't seen a backup on the eastbound ramp.

Mr. Rached, Union Township's Traffic Engineer, asked Mr. Staigar if an application had been submitted to the DOT. Mr. Staigar said a major application had been submitted showing a significant increase. Mr. Staigar said he believed a traffic study had been submitted with the application. Mr. Rached said Mr. Staigar had indicated that some truck traffic would be rerouted through Exit 13 to enter the site via a right turn instead of a left turn. Mr. Rached asked if the DOT would allow such signage on Route 78. Mr. Staigar said it was the DOT and Planning Board that asked Pilot to do that. He said if the Board and the DOT makes that a condition, Pilot would abide by it. Pilot would be seeking signs and DOT logo. Mr. Rached asked Mr. Staigar if he had checked with the logo corporation to find out if the site qualifies and if signs would be allowed at Exit 13. Mr. Staigar said they have not gotten that far. He said an application would have to be made; however, he felt it would be premature at this point in time. Mr. Staigar had given testimony relative to the Highway Access Permit System of the DOT which indicated a Pilot facility would generate 232 trips in the a.m. peak and 330 trips in the p.m. peak. Mr. Staigar said they were not used in his Traffic Study because they were taken from a study done in the Midwest in the mid-nineties. It was the only information Mr. Staigar had to submit to the DOT. Mr. Rached said Mr. Staigar had submitted an additional traffic study on November 17, 2006. The analysis considered traffic following the existing distribution and not being routed through Exit 13. The analysis showed the delay along the Route 78 westbound off-ramp would increase from 20.55 seconds per vehicle to 104.66 seconds per vehicle. Mr. Rached asked how that would be mitigated. Mr. Staigar said the delay would be the same with or without Exit 13 routing. Messrs. Rached and Staigar discussed the analysis briefly and it was determined that a break should be taken so that the traffic consultants could confer about the matter.

A recess was taken from 9:14 to 9:25 p.m. The Hearing reconvened. Mr. Scott said Mr. Rached told him he had no further questions for Mr. Staigar. Mr. Lukasik had questions. Mr. Lukasik asked Mr. Staigar why studies were based against the Bloomsbury site. He said the Bordentown site was closer as far as size. Mr. Staigar said the square footage at Bordentown is probably the only similar aspect. He also said he had never seen a traffic study or projection based on acreage. Mr. Lukasik said there are half as many parking spaces at Bloomsbury as there are at the proposed Union Township site. Mr. Staigar said there is no correlation between trip generation and the number of parking spaces. There are 30 spaces at Bloomsbury and 77 proposed at Union Township. Mr. Staigar felt that Bloomsbury is a better correlation than Bordentown. Mr. Lukasik disagreed. Mr. Lukasik had a question about the DOT application Mr. Staigar filed in July, 2006. He asked where the numbers for the building size and use were obtained. Mr. Staigar said the estimated square footage was taken from the survey. Mr. Lukasik mentioned the convenience store numbers, 1,775 feet. He did not believe the numbers were correct.

Mr. Kirkpatrick asked Mr. Staigar to describe off-site traffic improvements he feels are necessary and when they would be required. Mr. Staigar said they would be required as a condition of their circumstance.

Mr. Kirkpatrick asked when the off-site improvements would occur. Mr. Staigar felt the timing of the green light should be increased by four seconds to the westbound approach of Route 173 to the intersection of Charlestown Road. Striping will be added to a left turn lane. Mr. Scott said the Traffic Impact Statement was not listed in the DOT Driveway Access Permit Application cover letter. Mr. Scott asked Mr. Staigar to send a copy of the trip generation report to the Board. Mr. Kirkpatrick asked that the DOT gets a copy of the same traffic report that the Board has. Mr. Staigar said he would send a copy of his traffic report to Charles Miller at the DOT and would copy the Board.

Debbie Hirt, 20 Springhouse Lane, had a question about off-site improvements. Ms. Hirt said the exit ramp had been realigned several years ago by the DOT to facilitate truck turns and alleviate stacking. She said Federal funds were spent on the realignment. The proposal to change the access driveway further east would recreate the problem that had been alleviated. Ms. Hirt wanted to know why the change was proposed. Mr. Staigar said Foster Wheeler had paid for the improvements. Mr. Staigar presented a 1991 aerial photograph that showed the original location of the exit ramp, prior to the realignment. Ms. Hirt was concerned that proposed changes would cause further backup on the ramp. Mr. Staigar said Pilot would promote, direct and advertise that trucks should use Exit 13 and that would alleviate the problem. Ms. Hirt asked Mr. Staigar about increasing the timing of the green signal light on the Route 173 side by Charlestown Road. She understood that signal was not able to be maxed out any further. Mr. Staigar said he did not know. He does not believe Pilot's proposal would increase left turn traffic. Mr. Staigar said Pilot will make every effort to alleviate congestion, indicating that congestion would not help Pilot.

Atty. Gross had two questions on re-direct. Mr. Scott told him to proceed. Mr. Gross asked Mr. Staigar if his testimony that there would be a 33% increase in trucks during the peak hour and 200% increase in car was significant. Was it the percentage or was it the actual number of additional trucks and cars? Mr. Staigar said it was both. He said in terms of a 33% increase in traffic it would be about 10 to 12 trucks an hour that might enter or exit the site during peak hour. That would be another truck every 5 or 6 minutes and in that sense it would not have a significant impact. Atty. Gross asked Mr. Staigar about internal circulation and turning movements on the site; trucks crossing one another, exiting the fueling stations? Did Mr. Staigar see any safety issues? Mr. Staigar did not foresee a problem. At peak activity, 42 trucks would be moving around the site during an hour. The trucks would stop and fuel up. They would not be leaving the fueling positions at the same time and would be traveling at slow speeds.

Mr. Brandt said he understood a traffic study had not been done at Exit 13. Mr. Staigar did a traffic count on November 15, 2006. Mr. Brandt said there was a great deal of confusion because there were a lot of different things happening at that intersection. Did Mr. Staigar see any of that? Mr. Staigar said he feels it is a very safe intersection because it's controlled.

Mr. Brandt questioned Mr. Staigar about safety issues created by traffic turning into the Diner of the Toll Bros. development. Mr. Staigar said he didn't see it, the Planning Board didn't see it and the DOT didn't see it. He said Pilot does not care which exit trucks use.

Mr. Scott had some housekeeping matters. First, he asked that the 1991 Aerial Photograph be identified. Atty. Sutphen said it would be Exhibit A-20. Secondly, Mr. Scott said Mr. Staigar had mentioned the Board had made recommendations. Mr. Scott said the Board's position is they don't give recommendations. The applicant will pursue whatever they deem best for them. Mr. Scott asked Atty. Gross how long he thought the planner's direct testimony would be. Mr. Gross said he thought 45 minutes. Mr. Scott and Atty. Gross agreed the Planner should testify at the next meeting. Atty. Gross revisited the request for a special meeting or meetings. Mr. Gross explained that the contract of sale had been extended and Pilot would like to know by April whether they would have an approval or not. He said Pilot will be taking title on April 1, 2007 and they would like to be finished with the proceedings.

Atty. Gross said he didn't know how many witnesses Mr. Janacek (Objector's Attorney) would have. Mr. Bischoff said he had asked Mr. Janacek about the witnesses. Atty. Janacek said he had no idea how much time would be needed. Mr. Bischoff said there would also be testimony from other entities within the Township. He said he wasn't sure the Board could make an April 1, 2007 deadline because of those factors. Mr. Bischoff said it is difficult to get Board Members and Professionals together at another date. He said a special meeting would not be considered at this point. Atty. Gross re-emphasized that his client would like to know whether they would be approved or denied. Mr. Bischoff said he had no idea what might happen. The next Hearing was set for February 22, 2007.

Mr. Lukasik asked Atty. Gross if applicant would supply the Board with the approval for a convenience store and the scales that are present at the site. Mr. Lukasik believes they were applied for in 1999 and the application was not completed. He does not believe that it's a convenience store and that's why he's concerned. Mr. Lukasik said Pilot is saying the convenience store is approved. He believes there is a change of use. Atty. Gross said it was there as a prior existing non-conforming use. Mr. Lukasik doesn't believe there is an approval for the convenience store. If there is, he would like to see some kind of proof. Mr. Bischoff asked Atty. Gross to inquire of Hilltop if they have a Resolution. Mr. Gross said "Sure".

A motion to adjourn was made by Mr. Scott and seconded by Mr. Walchuk. (10:00 p.m.)  
Vote: All Ayes

Grace A. Kocher, Secretary

