



Motion by: Maranda Salas

Seconded by: Jeff Emmons

To approve resolution memorializing application of High-Profile LLC for amended preliminary and final major site plan approval to utilize the existing drive thru for cannabis sales for the property designated as block 56, lot 18. Roll call vote held. All votes affirmative with the exception of Eric Robbins who abstained due to his absence at the hearing of the application.

CONTINUATION OF APPLICATION OF McDONALD'S REAL ESTATE COMPANY FOR PRELIMINARY & FINAL MAJOR SITE PLAN TO CONVERT THE EXISTING SINGLE LANE DRIVE THRU INTO A DUAL LANE DRIVE THRU FOR THE PROPERTY DESIGNATED AS BLOCK 67, LOT 15 (carried from the meeting of August 28, 2023)

Danielle Novack, attorney for the applicant, stated that the applicant is looking for an amendment to an approved Site Plan for bulk variance and design waiver relief. Ms. Novack also stated that the property is approximately 1.56 acres located at the intersection of Route 70 and Center Street in the B-2 Highway Business Zone where fast food with a drive-thru is a permitted use. Ms. Novack further stated that the site contains a 3,269 square foot McDonald's Restaurant with a single lane drive-thru and added the applicant is seeking approval to construct a dual lane drive-thru with additional menu boards, directional signage, and associated site improvements, no improvements to the building. Ms. Novack explained the three 'c' variances being proposed, first is 25-30.9d2 permits one free-standing sign where the applicant is proposing 2 menu board and 2 pre-browse menu boards in addition to the existing free-standing identification sign bringing the total of 5 free-standing signs. Ms. Novack also explained the second variance is 25-30.9d6 permits 4 square feet for traffic control signs whereas the applicant is seeking 17.93 square feet and added the third variance is 25-30.9d6 permits traffic control signs at a height of 6 feet whereas 11 feet and 11.47 feet is proposed. Ms. Novack further explains the design waiver from borough code 25-27.26j17 that requires 94 parking stalls whereas the existing lot has a total of 57 spaces and the applicant is proposing 1 additional spot for a total of 58 parking stalls.

Applicant's Engineer Amid Sharifi was sworn to give testimony at 6:07 p.m. by Board Attorney Gregory Hock. Mr. Sharifi's qualifications were accepted by the board.

Copy of the aerial of the site dated September 25, 2023, was introduced as Exhibit A-1.

Mr. Sharifi testified that the proposed site is located at the intersection of Route 70 and Center Street. Mr. Sharifi also testified that north of the location is Route 70 along with a restaurant, to the south is a commercial business, to the east is a wooded area that is not disturbed, and to the west is additional commercial businesses.

Copy of site layout dates September 5, 2023, was introduced as Exhibit A-2.

Mr. Sharifi stated that the applicant is requesting to modify the existing single lane drive-thru into a dual lane drive-thru to increase sufficiency and added the dual drive-thru is being implemented nationwide. Mr. Sharifi also stated that the existing restaurant, 3,269 square feet building with 62 seats, will remain the same, adding there are no modifications to the building or access points. Mr. Sharifi further stated that although the applicant is adding a dual lane drive-thru, the applicant is maintaining the existing bypass lane between the drive-thru and the property to the south. Mr. Sharifi explained the improvements stating the applicant is adding restriping in the southeast corner to increase the parking stalls by one, bring the total parking stalls to 58. Mr. Sharifi also stated that the existing ADA parking stalls will remain the same. Mr. Sharifi further stated that the applicant is proposing two menu boards, adding that the employee will be able to switch from one menu board to another, this will help with the flow of traffic. Mr. Sharifi stated that the parking spots for orders will remain, this too will help with the traffic flow. Mr. Sharifi also stated that deliveries and trash pickup will remain the same.

Mr. Sharifi explained that minimal grading is proposed for the site and added that the drainage pattern mimics the pattern that exists today. Mr. Sharifi stated that the applicant is reducing the impervious coverage of the site by 548 square feet and decreasing the total motor vehicle surface area by 664 square feet. Mr. Sharifi also explained that there is no modification proposed to the lighting and utility. Mr. Sharifi further explained the landscaping stating that the applicant is proposing shade trees, deciduous shrubs, and grass cover in and around the drive-thru area to supplement the greenery. Mr. Sharifi went on to explain the increase in signage pertaining to the drive-thru from the existing four to seven, adding that is due to the increase in drive-thru lanes.

Chairman David Burton question the no change to drainage.

Mr. Sharifi answered as far as the pattern is concerned, there is no change.

Mr. Burton asked if the two drainage inlets on the grass island, between the building and the drive-thru, are pre-existing.

Mr. Sharifi responded that the drainage inlets are being proposed.

Mr. Burton asked when the drive-thru lane is cut out, new asphalt will be installed.

Mr. Sharifi answered in the affirmative.

Mr. Burton also asked if new concrete curbing will also be installed.

Mr. Sharifi stated that is correct.

Councilman Steven Oglesby asked if the bypass lane along the drive-thru will be made narrower so that it is only a one-way lane.

Board Engineer Ernie Peters noted on the Site Layout, the bypass lane is 11.3 feet asking

if that is sufficient as a by-pass lane for the existing menu board.

Mr. Sharifi responded 11.3 is sufficient for a one-way bypass lane.

Mr. Peters asked if the new menu board will be closer to the building, further from the adjacent property line.

Mr. Sharifi responded that the new menu board will be closer to the property line.

Mr. Peters asked if there would be changes to the existing landscape along the perimeter of the property.

Mr. Sharifi responded there will be no changes to the landscape.

Mr. Burton questioned the markings defining the one-way bypass lane.

Mr. Sharifi answered that the bypass lane will be more defined than previously to avoid potential conflicts.

Mr. Burton questioned the restriping of the parking lot.

Mr. Sharifi answered that most of the striping will remain and added the new striping will be in the southeast corner of the parking lot where one parking stall will be added.

Mr. Oglesby asked if there are plans to widen the entrance on Center Street.

Mr. Sharifi responded that the applicant is not proposing to widen the entrances.

Mr. Oglesby stated that there have been times when cars have been backed out into Center Street waiting to pull into the parking lot due to the tight turn, adding he hopes that adding a dual drive-thru will alleviate the problem.

Mr. Sharifi responded that the intent of having the dual drive-thru is to alleviate the congestion that exists on Center Street.

Board Member Maranda Salas asked if there will be additional lighting.

Mr. Sharifi responded that there are no modifications to the existing lighting.

Mr. Peters stated that the applicant still has the reserve parking spots for people that need to wait for their order, adding the idea is to move people through the drive-thru faster.

Mr. Oglesby asked if there is data to show how improved the timing is with a dual drive-thru.

Mr. Sharifi responded that dual drive-thrus have shown an increase in efficiency up to

100%.

Mr. Oglesby stated that his concerns are the traffic on Center Street and would like that to be alleviated.

Mr. Sharifi stated that with the dual drive-thru, from ordering to pick-up, the time is approximately two minutes.

Applicant's Traffic Engineer Paul Going was sworn to give testimony at 6:28 p.m. by Board Attorney Gregory Hock. Mr. Going's qualifications were accepted by the board.

Mr. Going testified that a traffic report was generated on April 13, 2023, and the first thing that was investigated was how much traffic is generated at the proposed location. Mr. Going also testified that NJDOT Highway Access Permit Software (HAPS) was used to calculate the number of trips adding HAPS uses a trip generation rate that relates the size of the building to the amount of traffic that accesses the building. Mr. Going further testified that since there is no proposed expansion to the building therefore no additional trips are calculated. Mr. Going further testified that NJDOT reviews the findings and in return, NJDOT sends a Letter of Interest that confirms that the proposed modifications to the site will not create a significant increase in traffic and a new access permit is not required.

Mr. Going testified that the borough ordinance requires one parking stall for every 35 square feet of restaurant floor area which is a high requirement for fast food restaurants considering the dining area has become smaller due to larger kitchens to accommodate the larger variety of menu items and larger bathrooms due to ADA compliance. Mr. Going also testified that 94 parking stalls are required for the 3,293 square foot restaurant were as there are currently 57 stalls, the applicant is proposing to add 1 additional stall bringing the total to 58 stalls. Mr. Going further testified that an observation study was conducted at the site during different times of day and different days of the week at 10-minute intervals during the month of February adding the maximum occupied stall were 24 during a Saturday, midday period, that is 60% of the parking stall not occupied. Mr. Going stated that granting a variance to provide 58 parking stalls opposed to the 94 that are required will result in detrimental effect.

Mr. Going explained the drive-thru operation stating a dual drive-thru allows two orders to be taken at once. Mr. Going also stated that research has shown ordering takes an average of about a minute and paying takes an average of about 30 seconds adding by taking two orders at once, 30 seconds are saved. Mr. Going further stated that the dual drive-thru allows a family with children time to browse the ordering board at one ordering point while the other ordering point is processing other orders. Mr. Going went on to say with the dual drive-thru, it will alleviate the backup on to Center Street.

Ms. Novack clarified that there are 5 free standing signs that exist, and that the applicant is seeking a total of 7 free standing signs. Ms. Novack confirmed that the applicant is seeking a design waiver for parking requirements due to undue hardship, adding there is

no reason to add the demand does not require additional parking.

Mr. Peters stated that if the board acts in the affirmative, part of the outside agency approval process includes the Pinelands adding no construction permits can be issued until the applicant receives a Letter of No Further Interest.

Mr. Sharifi responded that the applicant is in communication with the Pineland stating the Pinelands has no further comments on the application and that they are waiting on the Land Use Boards approval before issuing the Letter of No Further Interest.

Mr. Burton asked if McDonald's will be closed during the installation of the dual drive-thru.

Mr. Sharifi responded McDonald's dining will remain open during the process.

Mrs. Salas asked how long the process will take.

Mr. Sharifi responded that the process takes 4 to 6 weeks to complete depending on supply demands.

Mr. Oglesby questioned the need for Electric Vehicle (EV) charging ports due to modifying the parking lot.

Mr. Peters answered the request is to amend the original Approval of the Site Plan, not a new Minor Site Plan or a new Preliminary Site Plan adding legislation requires EV charging ports for new site plans; therefore, the applicant is exempt from EV charging ports.

Ms. Novack testified on behalf of the applicant's Planner stating that the applicant is seeking three sign variances related to the number of menu boards, the square footage of the directional signs, and for the height of the traffic control sign under the C (2) variance law. Ms. Novack further stated that under the C (2) variance law, a variance is permitted when one of the purposes of Municipal Land Use Law would be advanced from a deviation and the benefits from the variance outweigh any detriment to the public good and the borough's zoning ordinance. Ms. Novack went on to state the purpose and the advancement from deviation would be to promote public health, safety, morals, and general welfare adding both engineers testified that the dual drive-thru promotes safer circulation and efficient use of the drive-thru. Ms. Novack added another purpose is to promote free flow of traffic and added the last purpose is a desirable visual environment through creative development techniques and good civic design and arrangement. Ms. Novack stated that fast food is a permitted use in the zone, the McDonalds has been in operation since the late 70's and since 2013, the site has been in current configuration with the digital menu boards, similar to what is being proposed with tonight's application; therefore, it is believed there is no substantial detriment to the zoning plan.

