

**LOPATCONG TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
SEPTEMBER 13, 2023**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

SILENT PRAYER

OPEN PUBLIC MEETINGS STATEMENT

ROLL CALL

Present: Chairman Fred Gary, Vice-Chairman Gus Rutledge, Member Douglas Mace, Member Michael Unangst and Member Jose Valente

Absent: Member Andrew Horun

OLD BUSINESS

- Approve Regular Meeting Minutes from July 12, 2023.

Chairman Gary: Okay. Moving to old business. Minutes. Approval of the regular meeting minutes from July 12, 2023. Is there a motion to approve?

Vice-Chairman Rutledge: So moved.

Chairman Gary: Is there a second?

Member Mace: Second.

Motion by: Vice-Chairman Rutledge **Seconded by:** Member Mace

ROLL CALL

AYES: Chairman Gary, Vice-Chairman Rutledge, Member Mace and Valente

NAYS: None

ABSTAIN: Member Unangst

NEW BUSINESS

- Lopatcong Corner Associates, LLC. - Block 116, Lot 24 – Use variance for a martial arts studio.

Chairman Gary: Alright. New Business.

Attorney Bryan Plocker: Good evening, everybody. Brian Plocker from Hutt & Shimanowitz on behalf of the applicant. Just a few brief opening comments and then we have three witnesses. As the chairman said, this is the Strykers Crossing Shopping Center. It's Block 116, Lot 24. The property's situated at the northwest corner of Route 57 and Strykers Road and tonight the applicant is seeking a use variance to permit a martial arts studio to take possession of an end unit in the shopping center. That unit's been vacant for quite some time from a representative of the applicant. The property is in your HB Highway Business Zone. It's governed by section ... ordinance section 243.74A and technically martial arts studios are a school and schools are not a permitted use in that zone and just to be clear, there is no change in site plan proposed. This would just be a new tenant going into the end unit. Unless the Board or Counsel has any comments or instruction, I am ready to proceed.

Chairman Gary: No I don't think there's any. No. You may proceed.

Attorney Plocker: Okay. Thank you. The applicant would like to call Rob Marek. He's going to be a representative of the owner.

Attorney James Bryce: Yes sir. If you'd just raise your right hand. Do you swear and affirm that the testimony you're about to give this Board is the truth, the whole truth and nothing but the truth?

Robert Marek: I do.

Attorney Bryce: Okay. If you could please state your name, spell your last for the record.

Mr. Marek: Robert M-A-R-E-K.

Attorney Bryce: Thank you sir.

Mr. Marek: Thank you.

Attorney Plocker: Thank you Rob. Could you just ...

Secretary Segeda: Can I give them a microphone?

Attorney Bryce: Oh sure. Please.

Chairman Gary: Would it be ... that's okay.

Secretary Segeda: Jose, I'm going to take yours.

Member Valente: Go ahead.

Chairman Gary: Would it be better for them to ...

Secretary Segeda: Come to the podium?

Chairman Gary: Come to the podium?

Mr. Marek: I can speak loudly, I think.

Chairman Gary: Well we ... we need to record it.

Mr. Marek: Alright, everybody can hear me okay at that volume? Okay. Alright.

Attorney Plocker: Okay. Rob, could you just for the Board's benefit ... who are you employed by?

Mr. Marek: I'm employed by Larken Associates which is the owner of the shopping center.

Attorney Plocker: Okay and with this particular shopping center, Strykers Crossing, what's your relationship to the shopping center in connection with your job duties?

Mr. Marek: I'm responsible for all the leasing and all the contracts and all the renewals for all tenants on the property.

Attorney Plocker: So it's fair to say that you're familiar with the tenants who are part of the shopping center.

Mr. Marek: I am.

Attorney Plocker: Okay and with respect to the end unit in which the martial arts studio would be located, is that property currently vacant?

Mr. Marek: Yes, it's currently vacant.

Attorney Plocker: And who was the prior tenant?

Mr. Marek: It was previously occupied by Fulton Bank.

Attorney Plocker: Any how long ago did they vacate?

Mr. Marek: They moved out in July of 2019 so it's been empty for about four years.

Attorney Plocker: Okay. We're just going to mark a quick exhibit just so the Board can get an idea of exactly where the unit is and the parking around it. I should have copies for everyone. We'll mark this as A1?

Attorney Bryce: That's fine counsel.

Attorney Plocker: Okay if a ... Rob if you look at what's been marked as Exhibit A1 could you just explain very briefly what this is?

Mr. Marek: Yeah, sure. So this is what we call our marketing site plan for the property. So it shows the building obviously in the “L” shape with all the tenant names and it shows all the parking on the side and the entrances.

Attorney Plocker: Okay great. And this was prepared either by or on behalf of your employer, the owner?

Mr. Marek: Yes.

Attorney Plocker: Okay, great. And if you look at the left side, the left end of the building on A1 where it says Bridging the Belts Martial Arts, that end unit is where the proposed martial arts studio would take possession?

Mr. Marek: Yes, that’s the subject premises for the studio.

Attorney Plocker: And I know in the planners review letter he raised ... he wanted us to address parking, that there’d be adequate parking for this use in this particular unit. There are some spots located towards the end that I believe you numbered the number of spaces in each area. Could you just go over that? How many spaces are over there.

Mr. Marek: Sure. Sure. So in that corner you see the numbers eight, eleven and seventeen and so on at the very end cap parallel to 57. There’s eight spots right across from the bank and then there’s 11 and 17 spots in front of the property and those spots primarily are mostly unused.

Attorney Plocker: That was my next question regarding ... no that’s alright. You got it out there. Just regarding the frequency and use of those spaces so it’s clear for the record. The bank hasn’t been there for approximately four to five years. Is that fair to say?

Mr. Marek: Yeah, four years and a few months.

Attorney Plocker: Yeah and those spots where they’re numbered 11 and 17 as it shows on A1, that they’re largely farther away from most of the businesses in the strip mall. Correct?

Mr. Marek: Yes, that’s true.

Mr. Plocker: Okay and to confirm that they typically are either underutilized or not used. Correct?

Mr. Marek: That’s true.

Attorney Plocker: Okay. We do have some colored photos of blank parking spaces. I don’t think they’re necessary to show but I have nothing further for Mr. Marek.

Chairman Gary: I just ... what about the spaces in the back? Is that just employees usually?

Mr. Marek: Yeah, only for employees. Yeah, so we make all employees park back there.

Member Valente: Is that drive-thru structure gonna stay there?

Mr. Marek: Yes, it is. Yep.

Planner George Ritter: Just one question. Just for clarity for the Board, the circulation behind the shopping center is one-way so that the eight spaces ... so to get to those you have to go all the way around the back? I just want them to understand that.

Mr. Marek: I think ... I believe that's true.

Planner Ritter: Yeah, well I know ...

Mr. Marek: Yes, that's true.

Planner Ritter: You have to go all the way around the back ...

Mr. Marek: You do.

Planner Ritter: ... to get to those eight spaces.

Mr. Marek: Yeah.

Planner Ritter: Okay.

Attorney Plocker: And Rob, you did say the drive-thru area is staying there. Could that be used as a potential drop-off area for students to the school?

Mr. Marek: It could be. You can drive through it and get right up to the sidewalk there.

Attorney Plocker: Okay but there is a barrier separating whoever is getting dropped off from any traffic that might be coming around from the back?

Mr. Marek: Yes.

Attorney Plocker: Thank you.

Mr. Marek: Thank you.

Chairman Gary: Okay. Anyone have any questions? Any comments? Anyone? Okay. We're good. Thank you.

Member Mace: If I could ... Do we know how wide the aisle is that is not encumbered by the drive-thru on those eight spaces? And I'm asking that with the idea in mind is it worthwhile considering making that one driveway a two-way entry and erecting the appropriate signage probably "do not enter" around the back? Is that aisle ... do you know what the width of that aisle?

Mr. Marek: I do not know the width of that aisle.

Member Mace: I mean, cause, I think George's question is pertinent. If that's a one-way aisle, I have to admit before that bank moved, I've dealt with that bank almost the entire time they were there and I have never been behind the back of that shopping center.

Chairman Gary: Just about 11 feet. My guess is about 11 feet. Isn't that pretty standard, right?

Member Mace: If only 11 feet, you can't back a car out so it's gotta be wider than 11 feet.

Chairman Gary: Okay.

Member Mace: Cause you can't maneuver the car out of the space. That's why I'm asking. You almost need the full width of a parking aisle just to get out.

Planner Ritter: Yeah, I want to say I was over there tonight. I was over at the site tonight and though I can't testify that it's exactly 24 feet, it's more than adequate to park in the stalls and back out.

Chairman Gary: Okay. I must have misunderstood. I thought you were talking about the lane.

Member Mace: I'm sorry.

Chairman Gary: You're talking about the lane where the drive ...

Member Mace: No, I'm talking about exclusive of that. Cause I see in the pictures there's still a drive-thru canopy there.

Planner Ritter: Yeah.

Chairman Gary: Oh. Okay.

Member Mace: So I'm saying if we don't ... if ... the one picture that they provided, the drive-in canopy there, the aisle looks pretty wide just from the photo.

Chairman Gary: I thought you were talking specifically about the actual drive-thru. I apologize.

Member Mace: I'm just thinking if we could do something to make that two-way only to the back. Keep the back one-way. Cause I think George raises a good point, nobody's gonna drive around the back to park. Of course, they're gonna drive down the aisle and park no matter what we tell them.

Chairman Gary: Well, yeah, that's a good point and if that were to be, then we would kind of be at the mercy of those who are driving, you know, to obey the signs. So ...

Member Mace: Yeah, but there must be something there now or we're hoping they'll obey the signs already.

Planner Ritter: Yeah. It's marked "one-way, do not enter".

Member Mace: Is it? Okay.

Planner Ritter: Yes.

Chairman Gary: Well, I mean, that's something I guess we could consider. Right?

Member Mace: Okay.

Planner Ritter: Yeah, you can consider it. I think ... The aisle behind the shopping center is well in excess of 24 feet. I just don't remember how it tapers down when it comes right around that corner. But driving by there this evening, it looks to me like you could pull into those parking spaces easily and back around and leave ... Let's put it that way. If you went against traffic. I think you could do it.

Member Mace: And that would indicate there's room for two-way traffic.

Chairman Gary: Okay, well we can get to that. So at this point we can move on.

Attorney Plocker: Alright. Thank you. I have nothing further.

Mr. Marek: Thank you everyone.

Attorney Plocker: The applicant would like to call Seth Bittner.

Attorney Bryce: Sir, if you could just raise your right hand. Do you solemnly swear and affirm that the testimony you are about to give this Board is the truth, the whole truth and nothing but the truth.

Seth Bittner: I do.

Attorney Bryce: Please state your name and spell your last for the record.

Mr. Bittner: Seth Bittner. B-I-T-T-N-E-R.

Attorney Bryce: Thank you sir.

Attorney Plocker: Thank you very much for coming Seth. Could you just explain to the Board who you are and what your relationship is to the prospective tenant.

Mr. Bittner: Sure. My wife and I are owners of Bridge the Belt, LLC. We do business as Action Karate. We have several other locations in the Lehigh Valley and our wish is to be able to have our current one in that area ... in that space.

Attorney Plocker: Didn't you currently have entered into a lease for the premises. Correct?

Mr. Bittner: Correct.

Attorney Plocker: Okay. I know the Board is gonna ask you ... hopefully, I'll be able to address a lot of the questions the Board would otherwise ask. What are your typical hours of operation? What services do you provide? And if you could just talk about, you know, age range of students, and kind of like how ... drops off, do parents stay, is parking always used, do some people drop off and leave. Things like that and then we can kind of drill down.

Mr. Bittner: Our business hours are usually starting about 9 am to about 8 o'clock at night. Those usual business hours, the first hours of the day are really just our employees. We have two main full-time employees and they're the only ones that are usually working up until about 4 o'clock in the afternoon. So, during that time, obviously for us we would just be using the back parking spots for the employees only. But we're just running out business stuff, you know, all of our marketing and different things that we would need to do then. What we refer to as "prime time" is when our students arrive and that's usually between the hours of 4 to 8 o'clock. Sometimes we're done a little bit earlier 6:30-7 o'clock. Our classes ... we teach ages from three all the way up to adults. We have three main level classes. We have what we call our ninjas which are three to six years old, our kids' class, seven through about eleven-twelve years old and then teen adults. So with those classes, you know, we'll be running to start three classes a night. Hour and a half total maybe two hours and as our membership builds up, then we would be looking to be running a full line of classes which, as I mentioned, is usually 4 til 7:30-8 o'clock. We try to cap our classes at 20 max ... 20 students. And in the evenings, we would also bring on usually one, possibly two, part-time instructors as well. Again, for them ideally, they'd be utilizing the back spots for parking for that. They way that we structure our class times, we leave 10 to 15 minutes depending on how we see things are going with the flow of classes so when one class ends we have 10-15 minutes before the next one starts so that there's ample time for our students to be able to leave ... vacate any spots that would be needed and then, you know, the next class of students are coming in. We monitor our classes very often so that way if there's any classes that are under attended, we can fluctuate with our class times but also if we notice that classes are getting too large, we can kind of adjust things so that way ... again, we try to maximize ... max at that 20 students with the attendance. And then lastly, in general, I would say it's about 50/50, 60/40 percent as far as drop off to stay. We'd love for families to stay, however, with this world, we get a lot of parents that will drop their kids off, they'll go over to the dry cleaners and pick up their stuff, go grab some pizza or do some shopping ... whatever they need to do and then they'll come back and pick up. So with that said, you know, we have, you know, an average of, let's say, 20 at max ... 20 students. Even some of those are families so you might have siblings in class so we guess about 18 families themselves ... 17, 18 families that are attending a class with that you're looking at seven to ten spots that would be needed at a given time.

Attorney Plocker: Okay. Thank you very much for that. I think that was very informative. If the Board has any questions, I have nothing further for Seth.

Attorney Bryce: Just ... weekends.

Mr. Bittner: Yes, sir. Saturday mornings, nine to eleven. If we have birthday parties, we usually finish that around 12-1 o'clock and then Fridays, our main classes, kinda going back with that, Monday through Thursday ... Fridays we'll do some things in the evenings here and there like once or twice a month but usually Fridays are pretty vacant as well. And then Sundays are our days off. You know, the only time that anybody would be there is if we have an instructor that's there kind of working out ... doing their own workouts or anything like that but there's no real class going on.

Planner Ritter: I think they covered the students ... how they run the business. I think that was a very good explanation. That's fine. I think the one thing that could be mentioned is, and I think it was ... You can see it in the drawings ... That this is an end unit ... an end cap unit in that shopping center and there are those say 11 to 17 spaces ... They're pretty much isolated from the rest of the center. I'll be honest, I've only been there twice since the application's come in and those spaces have tended to be empty the times I've been there. I'm not saying that's a normal thing but they seem to be underutilized.

Chairman Gary: I've had an eye on it too since I saw the application and I agree. Nobody parks there.

Planner Ritter: So, based on what the applicant has presented tonight, his estimate on the parking spaces he needs, I think there is sufficient spaces there to accommodate what they're talking about.

Chairman Gary: Okay. Questions? Anyone?

Attorney Bryce: I just have one Chairman. Just for the benefit of my record, how many other similar studios do you run?

Mr. Bittner: Overall, there's over 30 Action Karate Schools. I wish I would own them all, but I don't. My wife and I, we own four of them. So we have Nazareth which has been open for twenty years, Whitehall and Bethlehem and then Phillipsburg.

Attorney Bryce: No that fine. It's just to amplify your experience then.

Mr. Bittner: Yeah, and obviously this is something that we take into consideration with every location. It's important for us.

Chairman Gary: So, making the move to New Jersey.

Mr. Bittner: We're bridging the belts.

Member Mace: I'm sorry I missed this ... I let my mind divert when you were talking about, I think, you said there was a slight time between classes. Is that what you said?

Mr. Bittner: Yep. So usually we have ten minutes on average so that way we have time for the one class to leave and then the next class to come in. However, again, we have the ability ... we change our schedule as needed. Usually, every three months we take a look of how our classes are so if there's any challenges with too many people hanging out because of how amazing we are then we would adjust the time.

Member Mace: Okay. The reason I asked is to further support what George just said is ... I was kind of concerned if you got twenty people and everybody drove, and I know they don't, at your change over you got potentially twice as many cars but with a ten minute slack time, chances are you've gotten rid of some and more have come in. Sorry, you know, my mind just wandered looking at this map for a minute.

Chairman Gary: Alright. George?

Planner Ritter: I was just gonna say the other thing that was pretty obvious the times I've been by the center is that though the rear of the center is difficult to get to ... you have to drive around the back, the parking that's in the rear also tends to be grossly underutilized. So there is the potential for overflow if it ever came to that. There are extra spaces in the back.

Member Mace: I'd also point out that their busy time starts at 4 o'clock in the afternoon and at 4 o'clock ... probably by 5 o'clock significant number of these stores are closed. I'm sure Allstate is. I think UPS closes fairly early.

Chairman Gary: The food places are ...

Member Mace: The food places are open. Yeah sure.

Chairman Gary: People come and go.

Member Mace: Yeah. If it were busy at 2 o'clock in the afternoon, I think it would be a bigger worry about parking then at 4 or 5.

Chairman Gary: I gotta say, I never realized that there's a one way. I think I may have been breaking the rules the whole time. Okay, any other questions?

Engineer Adam Wisniewski: I can just add. I did take a look on Google Earth and sort of measured it ... the width of that aisle from the ariel, the sideline stripe that's defining that bank's drive thru to the parking spaces is 24.

Member Mace: How many?

Engineer Wisniewski: Twenty four.

Member Mace: So we could make that a two-way.

Engineer Wisniewski: It could be something that we discuss here. We don't have a site plan but this is based on ... You know, I use Google Earth every day so I trust this measurement. It's likely ... it appears we have the ability to move, if there is a "do not enter" sign at the drive thru exit, to move that up to the back of the building and allow two way circulation right along there. That would really open it up for everybody.

Chairman Gary: So is that something we should do now? Or should we see...

Attorney Bryce: You can make it a condition of the approval.

Engineer Wisniewski: It can be something that we can evaluate and I can ...

Attorney Plocker: It would be acceptable to the property owner if there was some kind of condition as long as it was something more ... you know ... you know, we will work with the town and we'll evaluate it. They'd be willing to do it if it makes ...

Engineer Wisniewski: To improve or ... to improve the circulation around the side.

Attorney Plocker: Absolutely.

Engineer Wisniewski: Evaluate the possibility of doing it and we can look at it.

Attorney Bryce: I certainly don't think we should be coming back for a site plan application for a sign.

Chairman Gary: Right. I agree. But what I'm asking is, do we make that a condition now?

Attorney Bryce: You can do that as part ... yes, a part ... consult with the planner and engineer as to appropriate circulation and signage in the lateral area.

Chairman Gary: That's well put. Just remember you said that, Jim.

Vice-Chair Rutledge: I move to ...

Chairman Gary: Hang on a sec, please. Anything else? I see no one else from the public here. So...

Attorney Plocker: Well, I think ...

Chairman Gary: Oh, I'm sorry.

Attorney Plocker: We just have one more witness just from a legal point of view we should present our planner just to tie everything together.

Chairman Gary: Okay.

Attorney Plocker: Thank you sir. Applicant calls John Taikina our professional planner.

Chairman Gary: I didn't mean to slight the planner, George.

Attorney Bryce: Sir, if you'd raise your right hand. Do you swear and affirm that the testimony you are about to give this Board is the truth, the whole truth and nothing but the truth?

Planner John Taikina: I do.

Attorney Bryce: Please state your name, spell your last for the record.

Planner Taikina: It's John Taikina. T as in Thomas, A-I, K as in Kelly I-N-A. I'm the president and principal of All Things Planning and Developing in South Brunswick, New Jersey. That's smack in the middle of the state if you're interested. I've been a license planner since I finished my studies at Rutgers University in 1992. I've managed to keep my license in good standing throughout the last 31 years and I've appeared before more than 122 Boards all around the State of New Jersey. Actually, last month I was in Cape May and now I'm at this end so I'm kind of spanning the whole gamut here.

Chairman Gary: Where do you like better, there or here?

Planner Taikina: I like here. The pizza was better here.

Chairman Gary: Ah well, of course.

Planner Taikina: I said the pizza on the site was actually pretty good. So that's a good thing. So I'm here to talk about it from a planning standpoint ... just the findings that the Board needs to make. You've heard the description of the use and site at 201 Strykers Road. Thirty thousand square foot center with 150 parking spaces. For a D1 variance we need to show a few things. One is that the site is suited for the proposed use. Two is that we advance for purpose of zoning. Three, we need to talk about what's called the "Medici" criteria ... why didn't the governing body zone it for this. And then finally, as you know with all of your variances, we have the negative criteria ... that we don't have any substantial detriment to the public good and we won't have a substantial impairment on your zone plan and your master plan. So, in terms of, particularly suitability, we think that utilizing this end unit is particularly suited to be used for the martial arts studio for some of the reasons we talked about. It provides for additional parking above and beyond what is found in most of the center ... that is largely not utilized because of unique configuration of the center in terms of ... with the excess parking being off to the side. The unit benefits from that little drive thru drop off area that could be utilized to ... for people dropping off as they're coming into class if they are gonna, you know, leave and not have to take up a parking spot. And, the site is large enough and contains really a variety of different uses and you know you talked about how things are closed by 4-5 in the afternoon and so we have a nice mix of things that are busier in the morning or busier at lunch time and then the food uses that kind of spread the use of parking demand throughout the day and we'll have the

complimentary benefit of bringing in 18 to 20 families you know between 4 and 8 a couple of times is gonna benefit some of the other users in the center whether it be the food users or the ... you know, I'm sure my wife would've liked it when our son went through his karate if she could have spent 35 minutes down the road getting her nails done. That would have been a really positive thing. I know I wish that our karate center was in a shopping center because I spend the 45 minutes sitting there so it would certainly be a benefit. In terms of the positive criteria, I think there's one, it's reason G, to provide sufficient space in appropriate locations for a variety of agriculture, residential, recreational, commercial, industrial uses both public and private according to the respective environmental requirements in order to meet the needs of New Jersey citizens. So we do think this is an appropriate location for a martial arts studio for the reasons that we stated and we think that reoccupying the existing place ... an existing center is better, certainly environmentally than building a new karate center or a new shopping center. In terms of the Medici Standard, in this instance, the highway business district provides for retail sales and services, provides for restaurants, provides for personal services and office uses, etc. An actually, it provides for something called commercial indoor recreation so I know that, for myself, I've been able to have this use classified as indoor recreation. Usually these types of uses like a yoga studio or a palates studio which are very similar have been classified as indoor recreation. So I think that it is very close to some of the uses that are there but what I think is really happening is a palate of uses that is appropriate now for a shopping center and uses that want to go in the shopping center whether it be, you know, a dentist now, where's heretofore they were often in an office park now they want to go in a Class A shopping center. You know, you're finding new uses that are more experiential, axe throwing, escape rooms for example. I think that the way that property owners and shopping center owners are needing to expand their palate of what they're bringing in because of the decline of retail, the decline in office use, etc. I think that it's just hard for the governing bodies to keep up with how fast all of this is changing. In terms of negative criteria, there's certainly no detriment to the public good. This is, you know, a karate studio with people getting instruction and exercise. Certainly it's not a noxious use. There's no noises, smells ... I guess except for, you know, some hi-yah's and different things that, depending on the instructor, might be louder than others. And it's certainly complimentary to the existing shopping center uses. And then in terms of impairing the zone plan or the master plan, it does not impair the zone plan or the master plan in any way. The master plan and the highlands center plan all provide for the HB district provide for community oriented retail and services. The inclusion of a martial arts studio doesn't impair that goal in any way and would compliment these uses to provide additional use to the center. And then finally, in terms of the substantial detriment to the ordinance or the zone plan, it's well accommodated within the existing shopping center without any bulk relief. The site provides adequate parking and landscaping's under the control of the management and as we said, we don't expect any site issues. Again, there's more than enough parking and landscaping. The center is attractive and as you said, the back of the building actually, it's wide enough ... the parking is proximate. It'd actually if I can say ... it's actually a nice back of the building so if you had a store there you wouldn't mind parking in the back because it's clean. There's no dumpsters everywhere, you know. It's not a mess so you wouldn't mind if you had to walk into work through the back door ... that you're not walking through, you know, a bunch of slime or run-off from a restaurant or something. The back is extremely well kept. So for those reasons, I think the Board has the ability to make the appropriate findings for the use in question and I'm available for your questions.

Chairman Gary: Any questions? Anyone?

Member Valente: Is there any site development work? Are you doing any line striping for the kids walking across the parking lot?

Planner Taikina: No. None is proposed at this time. The only thing that will happen will be with the consultation with the engineer about the one-way, two-way thing. There might be an arrow that's added and a sign actually removed cause there are "do not enter" signs at the front and there are "do not enter" signs at the back so I think we would just have to take down the front ones and put an arrow down. We wouldn't anticipate that there would be any need for any additional striping.

Member Valente: And then that drive thru really is just ... you know, we could talk about drop off but really the width of it ... you really can't do that unless you pull that island apart, right? Because if the columns come down on one side ... it's only meant for one car to come in, use the ATM, use the teller drawer, keep going. You can't open doors there. Typical.

Planner Taikina: No, you wouldn't be able to open the door and we wouldn't want to open the door until you got up to the sidewalk. So you could pull through it and then it's at the sidewalk all the way of the front of the building where you would be able to let somebody out. There wouldn't be anything at the teller ... the window would stay ... all that would stay "as is". You know, we're saying that you could pull through it to get up to the sidewalk and let somebody out the driver's side backdoor. You know, you open up the minivan, the kid hops out, you know, and then typically expect it when the parents typically will come pick up, they will park and come in and take the child.

Member Valente: I'm just concerned, you know, that blind spot right on the corner there, you know, you got these kids come running outside and stuff like that. You know? It's just making me ... I like the use, I'm just concerned with that drive thru structure still being there. That may cause ... but now you're gonna change the use, alright, so you don't need that drive thru structure.

Planner Taikina: Alright. I think that when we do the site visit with the engineer, we'll look at that.

Mr. Bittner: Am I allowed to say something from here? A big part to answer your question is also ... we're not releasing any kids out of the school unless a parent picks them up, you know. So, because that's, in our opinion, it's not safe for many reasons, not just traffic. In general, we want ... a parent needs to come in, pick up their child or they're not allowed to leave. So, there should ... hypothetically, always have a parent that's right there. At least ones that leave our school ... walking them to the car.

Chairman Gary: So, they'll be supervised?

Mr. Bittner: Correct.

Chairman Gary: Any other questions? Okay.

Vice-Chairman Rutledge: I move that we grant the requested change of use and we change signage if necessary to change as part of this.

Member Mace: I'll second that.

Chairman Gary: Okay.

Attorney Bryce: And just for the benefit of the record, it was open to the public ... there's no public.

Chairman Gary: I think I mentioned that. Didn't I?

Attorney Bryce: You did but we didn't officially ...

Chairman Gary: Alright. Nobody's here.

Motion by: Vice-Chairman Rutledge

Seconded by: Member Mace

ROLL CALL

AYES: Chairman Gary, Vice-Chairman Rutledge, Members Mace, Unangst and Valente

NAYS: None

ABSTAIN: None

(Inaudible) Everyone speaking at once.

Chairman Gary: Okay, there is no other business to come before the Board so I would entertain a motion to adjourn.

Vice-Chairman Rutledge: So moved.

Chairman Gary: Is there a second?

Member Mace: Second.

Chairman Gary: All in favor?

Chairman Gary, Vice-Chairman Rutledge and all members: Aye.

Chairman Gary: We are adjourned.

MOTION TO ADJOURN:

Motion by: Vice-Chairman Rutledge

Seconded by: Member Mace

ALL IN FAVOR: Ayes

NAYS: None

Respectfully submitted by:

Patricia A. Segeda
Secretary, Zoning Board of Adjustment