

WEST AMWELL TOWNSHIP PLANNING BOARD AGENDA
May 18, 2021 – 7:00 PM
ZOOM VIRTUAL MEETING: <https://us02web.zoom.us/j/84414941858>
(To Find Your Local Phone Number: <https://us02web.zoom.us/u/kczVRmzPix>)

Call to Order – Flag Salute

Open Public Meetings Statement – Notice of this meeting has been provided to the Hunterdon County Democrat and was posted on the bulletin board at Town Hall according to the regulations of the Open Public Meetings Act. A copy of this notice is available to the public and is on file in the Office of the Planning Board and Township Clerk.

General Policy Statement of the Board – The Board’s general policy is to end the presentation of testimony on applications by 10:30 PM and to conclude all Board business by 11:00 PM. When necessary, the Chairman may permit a reasonable extension of those times.

Attendance – Roll Call

Approval of Bill List – 5/18/21

Resolutions of Approval

New Business – Other

1. Public Hearing: MM&J Development, LLC – Block 3 Lot 20.60 – Preliminary & Final Major Site Plan for the Construction of a Dollar General Retail Store on the Site: 1481 Route 179

Unfinished Business

Correspondence

Open to the Public – *(Limited to 15 minutes for any items not listed on the agenda)*

Executive Session

Activity Report

Approval of Minutes – 4/20/21

Adjournment

**WEST AMWELL TOWNSHIP
PLANNING BOARD REGULAR MEETING
April 20, 2021 Minutes – 7:00 PM**

The West Amwell Township Planning Board meeting was called to order at 7:00 PM by Chairman Tomenchok followed by the salute to the flag.

The following statement of compliance with the Open Public Meetings Act as listed on the meeting agenda was read into the record by Chairman Tomenchok: This meeting was called pursuant to the provisions of the Open Public Meetings Act. This meeting was included in a list of meetings transmitted to the Hunterdon County Democrat and the Times of Trenton on January 21, 2021. Notice has been posted on the bulletin board at Town Hall on April 14, 2021 and has remained continuously posted as to required notices under the Statute. A copy of this notice is available to the public and is on file in the Office of the Planning Board and Township Clerk.

The following general policy statement of the Planning Board was read into the record by Chairman Tomenchok: The Board's general policy is to end the presentation of testimony on applications by 10:30 PM and to conclude all Board business by 11:00 PM. When necessary, the Chairman may permit a reasonable extension of those time limits.

Attendance – Roll Call

Present: Jim Cally
John Dale
John Haug
Carl Ippolito
Christopher Morgan
Rob Tomenchok
John Flemming – Alt. #2
Attorney St. Angelo

Excused: Bob Balaam
Nella Hamtil
Joe Petrucci
Bob Birmingham – Alt. #1

Approval of Bill List

A motion by Jim Cally, seconded by Chris Morgan to approve the vouchers for payment as listed on the Board's 4/20/21 bill list was unanimously approved by roll call vote.

Cally: Yes, Dale: Yes, Haug: Yes, Ippolito: Yes, Morgan: Yes, Tomenchok: Yes, Flemming: Yes

Resolutions of Approval

Resolution #2021-07: Establishing Virtual Meeting Protocol for the Planning Board and Related Public Commenting Policy

A motion by John Haug, seconded by John Dale to approve Resolution #2021-07, and noting that the Planning Board's official virtual platform will be "ZOOM," was unanimously approved by voice vote.

New Business – Other

Consistency Review: Ordinance 03, 2021 – *An Ordinance to Amend Part 9 of Chapter 109 of the Code of the Township of West Amwell Entitled “Stormwater Management” to Reflect Amendments to the New Jersey Stormwater Management Rules at N.J.A.C. 7:8, Adopted March 2, 2020 (Revised to Include New NJDEP Requirements)*

A motion by John Haug, seconded by John Dale finding Ordinance 03, 2021 *not* inconsistent with the Master Plan and Zoning Code and recommending adoption by the Township Committee was unanimously approved by voice vote.

Discussion: Review of Redevelopment Plan along the Route 31 & 579 Corridor – Possible Special Meeting Date in May 2021

It was noted for the record that the Board acknowledged receipt of the Route 31 & 579 Corridor Redevelopment Plan prepared by Special Planner Charles Latini and agreed that a special meeting should be scheduled to conduct the required public hearing. The consensus of the Board was to hold the special meeting on Tuesday, May 11, 2021 at 7 PM in the main meeting room of the Township building.

Secretary Andrews commented that she will provide notice to the newspaper and Attorney St. Angelo stated she will notice the property owners accordingly.

Open to the Public

It was noted for the record that there were no members of the public present at the meeting at this time.

Approval of Minutes

A motion by Chris Morgan, seconded by John Haug to approve the Board’s 1/19/21 minutes with no revisions noted was approved by voice vote.

Adjournment

A motion by Jim Cally, seconded by John Haug to adjourn the meeting was unanimously approved by voice vote.

The meeting adjourned at 7:22 PM.

Maria Andrews, Planning Board Secretary

Note: These minutes have not been formally approved and are subject to change at the Board’s 5/18/21 meeting.

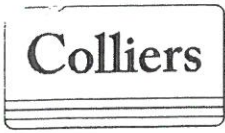
Bill List
5/18/21

Escrow

Colliers Engineering

1. Services to Dollar General – March 2021

\$712.50



Engineering & Design

MAR 29 2021

331 Newman Springs Road, Suite 203
Red Bank, NJ 07701
732 383 1950

formerly known as Maser Consulting

West Amwell Township Planning Board
Attn: Maria Andrews
150 Rocktown-Lambertville Road
Lambertville, NJ 08530

Invoice : 0000647170
Invoice Date : 3/24/2021

Project : WMP033
Project Manager: Burr, William ✓
Project Name : MM&J Development - Dollar Tree
General Site Plan

Project: WMP033 - MM&J Development - Dollar Tree General Site Plan

Invoice: 0000647170

M999 - Engineer Review

Rate Labor Class / Employee	Date	Hours	Rate	Amount
Project Specialist Burr, William				
	2/19/2021	1.00	150.00	150.00
Prepare Report on Application, Completeness review	2/22/2021	2.00	150.00	300.00
Prepare Report on Application, finalize/send completeness memo	3/8/2021	1.00	150.00	150.00
Review Site Plan	3/9/2021	0.25	150.00	37.50
Review Site Plan	3/10/2021	0.50	150.00	75.00
		-----		-----
Total Burr, William		4.75		712.50
Total Project Specialist		4.75		712.50
			Total Rate Labor	712.50
Total Labor				712.50
Total Bill Task: M999 - Engineer Review				712.50

Total Project: WMP033 - MM&J Development - Dollar Tree General Site Plan

712.50

Memorandum

To: West Amwell Planning Board
From: Joanna Slagle, PP/AICP
Date: May 6, 2021
Re: MM&J Development, LLC – Block 3, Lot 20.60
1481 Route 179
Highway Commercial (HC) District
Preliminary and Final Major Site Plan

1. MATERIALS REVIEWED

- a. Application for Development dated December 23, 2020.
- b. Development Application Checklist for Preliminary and Final Major Site Plans
- c. *Preliminary and Final Site Plan for MM&J Development, LLC*, prepared by Eric B. Rupnarian, P.E., dated 12/17/2020, revised through 2/23/2021, consisting of 15 sheets.
- d. *Dollar General*, floor plan and elevations, consisting of 1 sheet, prepared by Ralph Finelli, AIA, dated 2/15/2021.
- e. *Color Rendering of front façade*, undated and unsigned, consisting of 1 sheet.
- f. Video representation of Dollar General elevations
- g. Hydrology Report prepared for MM&J Development, LLC, prepared by Eric Rupnarian, P.E. dated December 17, 2020.
- h. Environmental Impact Statement prepared for MM&J Development, LLC, prepared by Eric Rupnarian, P.E.

2. NATURE OF APPLICATION

- a. The property is located at 1481 Route 179 in the HC Zone. The property is a corner lot consisting of 5.40 acres and is currently undeveloped. The central and eastern portions of the site contain wooded with wetland areas. The applicant is seeking preliminary and final site plan approval for the construction of a one-story retail space totaling 9,005 square foot to be located on the westerly portion of the lot. Additional improvements include driveway ingress and egress from Route 179 and Music Mountain Boulevard, a parking area providing 45 spaces including 2 handicap spaces, loading zone located on the northwesterly side of the building with attached dumpster enclosure, two gravel wetland BMP areas located along the frontage with Music Mountain Boulevard, and lighting and landscape features.

3. ZONING REQUIREMENTS

- a. The site is located in the HC district and subject to the requirements below. The applicant is not seeking any bulk variances as part of the site plan.

HC District	Required	Existing	Proposed
Minimum Lot Size	2 acres	5.40 acres	No Change
Minimum Lot Frontage (ft)	250'	399.79'	No Change
Minimum Buildable Area (acres)	1 acre	2.07 acres	No Change
Minimum Front Yard (ft)	100'	--	103.4'
Minimum Rear Yard (ft)	100'	--	N/A Corner Lot
Minimum Side Yard (ft)	30'	--	112.0'
Maximum Building height	2.5 stories/35'	--	1 story/18'
Maximum FAR	15%	--	4%
Maximum Lot Coverage	50%	--	18.3%

- b. The site plan indicates that a variance for signage. Permitted sign area for the zone allows for a 50 square foot free-standing sign and a 97.5 square foot building mounted sign. The applicant has subsequently communicated that they no longer seek a sign variance and will comply with the Township's ordinance. The applicant shall supply testimony and revised signage plan to show conformance with the ordinance. This should include details such as size, colors, lighting, and material.

4. SITE PLAN COMMENTS

- a. The applicant has provided a landscape plan which includes a variety of deciduous and evergreen trees. The street frontages, for both Route 179 and Music Mountain Boulevard, consists of Sugar Maples, Scarlet Oak, and Norway Spruce. The same varieties are located within the parking lot area. The Music Mountain Boulevard entrance includes an additional grouping of Norway Spruce, Scarlet Oak, and Cardinal Tea Crab. Along the proposed loading zone is a group of five Norway Spruce. The undeveloped portion of the site will retain the current vegetation.
- b. The applicant should provide testimony regarding the overall site landscaping and if the proposed planting will adequately screen the use from adjoining residential properties, In particular, from Lot 20.58 to the north. This should include screening for both leaf on and leaf off periods. Additional evergreen trees may ensure screening from any negative impacts along the northeast corner of the proposed building. Extending the line of Norway Spruce past the dumpster enclosure may soften the edge and provide additional leaf-off screening.
- c. The applicant should provide testimony regarding the proposed lighting. This should include parking lot and building fixtures. All lighting should be downward shielded and meet the Township's lighting ordinance.
- d. As noted previously, the applicant should provide testimony regarding the proposed free standing and wall signs. This should include lighting, materials and size. Signs shall meet the Township's ordinance located at section 109-124.

- e. The site plan indicates an ingress and egress located along Route 179 and on Music Mountain Boulevard. The applicant should provide testimony regarding on-site traffic circulation and any issues with stacking or sight triangles along either driveway entrance. I defer to the Township engineer regarding traffic impacts; however, the applicant should provide testimony outlining the anticipated traffic demand and any impacts it may have on Route 179 and the residential development to the rear of the site.
- f. The proposed loading zone and dumpster enclosure are located to the northern side of the building. The applicant should provide detailed information regarding the number and times of deliveries to the site and the anticipated type of truck or van used for deliveries. The applicant should identify if the existing vegetation will adequately mitigate any negative impacts to residential uses.

Cc: Maria Andrews, Secretary
Tara St. Angelo, Esq.
William Burr, P.E.
Eric Rupnarian, P.E.
MM&J Development, LLC, applicant

Shelbourne at Hunterdon
53 Frontage Road, Suite 110
Hampton, NJ 08827
Main: 908.238.0900



May 11, 2021

VIA EMAIL

West Amwell Planning Board
150 Rocktown-Lambertville Road
Lambertville, NJ 08530-3203

MM&J Development, LLC (aka Dollar General) - Preliminary and Final Major Site Plan Application
Engineering Technical Review #1
Lot 20.06, Block 3 - 1481 Route 179
West Amwell Township, Hunterdon County, NJ
Colliers Engineering & Design Project No.: WMP-033

Dear Board Members:

This office is in receipt of a Preliminary and Final Site Plan application on the above-referenced property. This submission contained the following documents:

- Letters of Transmittal from Goldenbaum Baill Engineering, Inc. to this office and the Township Planning Board summarizing the documents being provided as part of the application.
- Copy of application and escrow fee calculations, prepared by Eric B. Rupnarain, PE, with copies of checks submitted to the Township.
- West Amwell Township Planning Board Application for Development with associated checklist and escrow agreement.
- Letter prepared by Eric B. Rupnarain, PE summarizing the list of checklist waiver requests, dated January 6, 2021.
- NJDEP Freshwater Wetlands Letter of Interpretation for the subject property, dated May 3, 2018.
- Will serve letter dated December 15, 2020, from JCP&L indicating the power company's intention to provide electrical service for the subject property.
- Document establishing the Operating Agreement for the Applicant – MM&J Development, LLC identifying the members of the corporation, dated August 25, 2020.
- Plan entitled "Preliminary & Final Major Site Plan for MM&J Development, LLC – Lot 20.06, Block 3, Sheet 1.01 - West Amwell Township, Hunterdon County, New Jersey" (consisting of 13 sheets) as prepared by Vincent J. Rigelon, Jr., P.L.S. and Eric Rupnarain, P.E. of Goldenbaum Baill Engineering Inc., dated December 17, 2020, **revised February 23, 2021;**

- Report entitled “Hydrology Report prepared for MM&J Development, LLC – Block 3, Lot 20.06 – Township of West Amwell – Hunterdon County, New Jersey”, as prepared by Eric Rupnarain, P.E. of Goldenbaum Baill Engineering Inc., dated December 17, 2020, unrevised.
- Report entitled “Environmental Impact Statement prepared for MM&J Development, LLC – Block 3, Lot 20.06 – Township of West Amwell – Hunterdon County, New Jersey”, as prepared by Eric Rupnarain, P.E. of Goldenbaum Baill Engineering Inc., undated.
- Architectural Plan entitled “Dollar General – Lot 20.06, Block 3 - West Amwell Township, Hunterdon County, New Jersey” (consisting of one sheet) as prepared by Ralph L. Finelli Architect, dated February 15, 2021.

Upon review of the above-referenced submission versus the West Amwell Township Land Development Code, this office has the following comments for the Board's consideration:

Property and Project Description:

The subject property is located at 1481 NJ Route 179 and is designated as Lot 20.06 in Block 3, containing 5.40 acres. The lot is located within the HC (Highway Commercial) District and has frontage on NJ Route 179 and Music Mountain Boulevard. The parcel is rectangular in size and is currently undeveloped. Pursuant to the provided site plan and following a review of the submitted documentation, it appears that a large portion of the site contains a wetland area and associated buffer areas.

The Applicant proposes to construct a 9,100 SF (70'x130'), one-story retail building (Dollar General) on the property. The development will be limited to the area of the site that is mostly unencumbered by environmentally sensitive areas, though some compensation for this disturbance is proposed by way of NJDEP permitting. The construction of the proposed driveway, parking areas, and building will disturb wetland transition areas on the site. The site proposed to take access from both Music Mountain Boulevard and NJ Route 179 via two full access driveways. Additional improvements include a well and septic system, lighting, landscaping, parking areas, driveways, and stormwater management.

Upon review of the above-referenced submission versus the West Amwell Township Land Development Code, this office has the following administrative completeness comments for the Board's consideration:

COMPLETENESS

1. The Applicant has requested that the following checklist items be waived for completeness purposes:
 - a. Checklist Item 11 – Plans showing existing and proposed streets, including cross-sections.
 - b. Checklist Item 17C – Plan and profile drawings for all proposed utilities.
 - c. Checklist Item 27 – All calculations and documentation required to show compliance with Township Soil Removal Regulations.
 - d. Checklist Item 37 – As-built plans and profiles for all roads, utilities, and stormwater facilities.

The Applicant must provide testimony to the Board in support of the above-listed waiver requests.

2. The Applicant has indicated that the following items are Not Applicable:
 - a. Checklist Item E2 – Copies of deeds with metes and bounds for proposed lots.
 - b. Checklist Item 10 – Existing topography at 5-foot intervals.
 - c. Checklist Item 13B – Net/ gross lot areas to the nearest 1/10 acre.
 - d. Checklist Item 21 – All documentation required by the Township Stream Corridor Protection Ordinance.

The Applicant must provide testimony to the Board explaining the not applicable designation for the above items.

In addition to the above deficiencies, the “Application for Development” form needs to be revised as follows:

1. Provide for Attorney’s name and contact information – Sec. 1.F.

Conclusion

If the Board agrees with the various submission waiver requests and N/A designations, the application could be deemed complete.

TECHNICAL REVIEW:

A. Site Requirements/Layout

1. Ordinance Section 109-164A(3) requires one parking space for every 200 SF of gross floor area (GFA) Retail. Based on the proposed layout plan (70’x130’), the GFA is approximately 9,100 SF; therefore, forty-six (46) parking spaces are required ($9,100 \text{ SF} / 200 \text{ SF} = 46$) to meet the minimum off-street parking requirements. The applicant’s engineer is proposing 45 parking spaces based on 9,000 SF GFA. The plans shall be revised for consistency with respect to the proposed building GFA and confirm that the minimum parking requirements are met.
2. Based on the proposed number of parking spaces, the Applicant is required to provide two barrier-free parking spaces, one (1) of which must be van accessible in accordance with Section 208.2 of the 2010 ADA Standards for Accessible Design. The Applicant provides two (2) barrier-free parking spaces and van accessible aisle. Therefore, the ADA requirement is satisfied.
3. Per Ordinance Section 109-164D5, parked vehicles shall not overhang or extend over the sidewalk unless an additional two feet is provided. The layout plan shall be revised to confirm the width of the proposed sidewalk located between the building and existing wetlands.
4. The site plans include details for both concrete curb (Sheet 9) and belgian block curb (Sheet 10). The layout plan shall be revised to indicate the limits of the proposed belgian block and/or

- concrete curb. Please note that per Ordinance Section 109-164D9; where a paved area is adjacent to a vegetated or other pervious surface area, belgian block curbing shall be utilized.
5. The Applicant is proposing a designated refuse area located at the rear of the proposed building. The Applicant shall confirm that the refuse area includes solid waste and recyclables disposal. The following shall apply;
 - a. Per Ordinance Section 109-166C, adequate access shall be provided to all solid waste and recycling storage facilities. The plans shall be revised to provide vehicle turning templates for refuse vehicles.
 - b. Per Ordinance Section 109-166C, the area for recycling shall be large enough to accommodate four to five different recyclables. The plans show only two containers within the proposed dumpster area. Testimony should be provided.
 - c. The Applicant should provide testimony regarding the process of refuse pickup.
 - d. Per Ordinance Section 109-166D, solid waste and recycling storage facilities shall be surrounded by board-on-board fencing and shall be visually screened from the rest of the development and from all property lines. The plans shall be revised to include a detail of the proposed enclosure and demonstrate compliance with the screening requirements.
 - e. What impacts, if any, will the location of the refuse area have on adjacent properties?
 6. The applicant's engineer shall provide testimony relative to emergency vehicle access. We defer further review to the Fire Official regarding site accessibility.
 7. The Applicant is proposing a loading area along the rear of the proposed building adjacent to the proposed dumpster area. Testimony shall be provided regarding on-site loading and unloading of the delivery vehicles.
 8. The Applicant is proposing two (2) full access driveways on Music Mountain Boulevard and NJ Route 179, respectively. It is noted that per Ordinance Section 109-184B(3), a maximum of two driveway entrances is permitted for lots having frontage greater than 150 feet. However, the proposed driveway on Music Mountain Blvd. is not recommended and should be eliminated due to the following concerns:
 - a. Music Mountain Boulevard is a collector road with only one connection to a street of equal or higher-order (NJ Route 179). Per Ordinance Section 109-175E(2), if only one connection is feasible to a street of equal or higher-order and more than 50 residential units are served, or the street occurs as part of a planned residential development, then a boulevard design will be required, having a center median.

- b. The Applicant proposes to remove a portion of the center median along Music Mountain Blvd. to accommodate the new driveway. The center median appears to be part of the boulevard design associated with the planned residential development of Music Mountain Boulevard. The new driveway will potentially increase traffic, and the removal of a portion of the center median may result in compromising traffic safety.
 - c. Since Music Mountain Boulevard is the only access to the "Estates at West Amwell" development, having vehicles and trucks access this residential collector from the Dollar General site could be problematic in the event there is an emergency in the rear neighborhood and Music Mountain Blvd. is blocked by a delivery truck.
 - d. Confirmation should be provided by the Applicant that there are no existing restrictions prohibiting the disturbance of the median island as currently proposed.
9. The Applicant should revise the plans to provide an on-lot turnaround per Ordinance Section 109-184B(6). Site egress and ingress should be provided via Route 179. The applicant's engineer should provide clear testimony as to why the driveway to Music Mountain Blvd. can't be eliminated in an effort to utilize only a dual-access driveway from Route 179.
 10. Testimony shall be provided regarding general site circulation and the ability for vehicles, delivery trucks, garbage trucks and emergency vehicles to maneuver throughout the site without obstruction.
 11. Testimony should be provided on the condition of the existing concrete sidewalk along the frontage of the subject property and whether any improvements to same are necessary.
 12. We defer further review and approval to the NJDOT for the proposed driveway access on NJ Route 179.
 13. A Traffic Impact Statement is recommended to address the traffic safety concerns and impacts outlined above.

B. Drainage/Grading

1. Additional design details and spot elevations are needed to confirm ADA compliance on the curb ramp, sidewalk and accessible parking spaces.
2. According to the plans, the proposed building is elevated anywhere from 5-8 ft. above the adjacent Music Mountain Boulevard. Why is this?
3. The proposed grading along the norther portion of the building should be clarified to ensure that there will be no stormwater runoff impacts.

4. The proposed improvements will disturb more than one acre of land and increase impervious surface by more than one-quarter (1/4) of an acre. The project is considered a "major development" as defined by NJAC 7:8 and is subject to the NJDEP Stormwater Quantity, Quality, and Groundwater Recharge requirements.
5. Testimony should be provided by the applicant's engineer to describe the proposed stormwater management system and how it will function, in particular the various stormwater basins.
6. The Applicant is proposing subsurface gravel wetland areas, designed to provide 90% TSS removal, to address the water quality requirement for the site. The following shall apply:
 - a. In accordance with NJAC 7:8, the use of subsurface gravel wetlands requires a waiver or variance from NJAC 7:8-5.3 since this BMP does not meet the definition of green infrastructure. We defer further review/approval to the NJDEP regarding the use of subsurface gravel wetlands.
 - b. The SWM report shall be revised to include a routing analysis, including the performance of the outlet control structure.
 - c. A Type 'A' inlet is proposed for outlet control. The SWM report shall be revised to include overflow calculations.
 - d. The landscaping plan shall be revised to provide vegetative cover. Appropriate species should be provided (see chapter 7 of the NJDEP Manual).
 - e. The plans should clearly identify the proposed seed mix to be used.
 - f. A Maintenance (O&M) Plan for the proposed subsurface gravel wetlands is required.
7. The Applicant is proposing a dry well to capture roof runoff to meet the groundwater recharge requirement for the site by infiltrating the increase in stormwater runoff volume from preconstruction to post-construction for the 2-year storm. The following shall apply:
 - a. The SWM report shall be revised to demonstrate that the post construction peak volume generated by the roof area will provide the 2-yr. deficit volume (difference between the pre and post-construction 2-yr. peak volume for the site). Please note the maximum design volume for a dry well is limited to the Water Quality Design Storm Volume;
 - b. The dry well detail indicates that the seasonal high water table (SHWT) is at elevation 256 ft. Supporting soil logs must be provided.
 - c. The SWM report shall be revised to include calculations demonstrating that the permeability rate of the on-site soil is sufficient to fully drain the dry well's volume within 72 hours.
 - d. The SWM Report shall be revised to address any Groundwater Mounding Impacts;

- e. A Maintenance (O&M) Plan for the proposed dry well is required.
8. The Applicant proposes an on-site stormwater conveyance system consisting of Reinforced Concrete Pipe (RCP) and High-Density Polyethylene (HDPE), ranging between 12 to 18 inches in size. The stormwater management report shall be revised to include pipe calculations for the proposed stormwater conveyance.
9. The Applicant is proposing subsurface detention chambers to address the water quantity requirement so that the post-construction peak runoff rates for the 2, 10, and 100-year storm events are 50, 75, 80 percent, respectively, of the preconstruction peak runoff rates. The following shall apply;
 - a. Calculations shall be provided in support of the "user-defined" pond storage.
 - b. The SWM report should be revised to address emergency overflow.
 - c. The Applicant provides a detail of the underground chamber system on sheet 11 of the plans. The detail shall be revised to include information specific to this project, including depths, elevations and slope information, size, type of chambers. The Applicant shall confirm this is a closed system.
 - d. A Maintenance (O&M) Plan is required.
10. The applicant's engineer should confirm that there are no underground pipe crossing conflicts, particularly in the area of the stormwater basins.

C. Utilities

1. The Applicant is proposing a well to provide domestic water service to the proposed retail building. Additional information shall be provided, including specifications, size, capacity, etc. Hunterdon County Health Dept. approval is required.
2. The Applicant shall indicate how firewater will be supplied for the project.
3. The Applicant indicates in the EIS that the project will generate 1,126 gallons per day of sanitary sewerage and is proposing an on-site sewerage disposal system consisting of a septic, pump tank, and disposal field. The disposal field previously received TWA approval from the NJDEP and was already constructed within the southeasterly corner of the site. The applicant's engineer shall submit all prior approvals and inspection reports to the Township for review. The Applicant shall confirm that the prior approval and sizing of the disposal field accommodates the current design and daily sanitary sewerage demand.

D. Landscaping/Lighting

1. Per Ordinance Section 109-167A, the Applicant shall provide testimony to confirm that the rear portion of the site, adjacent to the residential properties, is shielded from potential glare from site lighting and automobile headlights.

2. Per Ordinance section 109-167G, the style of any light or light standard shall be consistent with the architectural style of the principal building. The Applicant shall provide testimony regarding the proposed light fixture in relation to the architectural style of the building. Will the lights be down-shielded and cut-off to avoid negative impacts to the nearby residential properties?
3. The Applicant shall provide testimony regarding the adequacy of the proposed on-site landscaping with respect to the buffering requirements described in Ordinance section 109-197.
4. I defer to the Board Planner for further comments on the proposed landscaping and lighting.

E. Environmental

1. The Applicant received a limit of interpretation (LOI) for the NJDEP confirming the on-site wetlands and associated 50-ft buffer. The proposed improvements will disturb the associated wetlands and 50-ft wetlands buffer at various locations. The applicant's engineer should clarify what NJDEP permits are required. We defer further comment/approval to the NJDEP.

F. Miscellaneous

1. The Applicant will be responsible for obtaining any and all required outside agency permits and approvals, including, but not limited to: Hunterdon County Planning Board, Hunterdon County Soil Conservation District, Hunterdon County Health Department, D&R Canal Commission, NJDOT, NJDEP, etc. Testimony should be provided regarding the status of these approvals.
2. The plans contain a note indicating that the plans were based on a survey dated January 2005. Testimony should be provided to confirm that the survey still represents current site conditions.
3. The Applicant shall provide testimony relative to emergency vehicle access. We defer further review to the Fire Official regarding site accessibility.
4. The applicant should provide testimony regarding the proposed use(s) and operation(s) of the proposed building, including the proposed number of employees, hours of operation, expected truck and tractor-trailer traffic, other deliveries, times of deliveries, etc. The anticipated hours for the recycling/garbage pick-up should also be provided to confirm there are no conflicting movements on the site or disturbance to adjacent residential properties.
5. Testimony should be provided to indicate the style, materials and colors proposed for the building.
6. I defer to Planner Slagle for comments regarding site signage. Is all proposed site signage confirming to the ordinance requirements?

7. Testimony should be provided to clarify the future disposition of the existing "Estate at West Amwell" sign and PVC fence located along the Music Mountain frontage of the property.
8. The construction details shall be revised to include a dumpster enclosure detail specific to the screening requirements per Ordinance Section 109-166D.
9. A Concrete pad detail shall be provided.
10. The concrete curb details needs to be revised to reflect 2" surface course pavement, not 1½".

If you should have any questions regarding this correspondence, please feel free to contact this office at your earliest convenience.

Sincerely,

Colliers Engineering & Design, Inc.
(DBA Maser Consulting)



William H. Burr, IV, PE.
West Amwell Township Planning Board Engineer

WHB/NSV

cc: Maria Andrews, Board Secretary (via email)
Tara St. Angelo, Esq., Board Attorney (via email)
Joanna Slagle, P.P., Board Planner (via email)
MM&J Development, LLC, Applicant
Eric Rupnarain, P.E., Applicant's Engineer
Steve Gruenberg, Esq., Applicant's Attorney

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MARIA ANDREWS

From: kjadams227@comcast.net
Sent: Wednesday, February 10, 2021 4:10 PM
To: MARIA ANDREWS
Subject: Dollar General Proposal Lot 20.60 and 21 Block 3
Attachments: img-210210155703.pdf

Re: Dollar General proposal Lot 20.60 and 21 Block 3

The proposed construction of a Dollar General Store on the corner of Rt 179 and Music Mountain Blvd. needs serious consideration from the West Amwell Township Planning Board prior to approval. This is an unprecedented construction in our township in allowing a large commercial entity to invade our beautiful township of West Amwell. The proposal of allowing traffic to enter and exit onto a residential street (Music Mountain Blvd) is insanity!

This intersection is now one of, if not the busiest intersection in the Twp and the planning board should not be allowed to make it even worse. This intersection of 179 and Music Mountain Blvd has 90 plus residents, many school buses along with all the employees of Oxford Communications entering and exiting. Continual congestion from surrounding businesses have blocked the entrance of the Estates of West Amwell to school vehicles, US postal delivery, garbage collection and most importantly Emergency services for years. Please see the attached photo of what taxpayers are already dealing with on a residential street that only has ONE ingress/egress for all its residents. This continual blockage and congestion are dangerous and I have been in contact with the WAPD in regards to this matter since 2017 with no permanent solution. I have many emails between myself and Retired Captain Bartzak (photo #1 was sent in this email) who always did his best to rectify the dangers of this intersection and tried to get different types of signage but was always met with delays from the Township Engineer and both local and State Road Departments. Upon request I can provide copies of these emails.

The list of items that are concerning for the Twp of West Amwell should be:

1: Traffic - See photo #1 from 2017 and photo #2 from 2021 Tractor trailers delivering to commercial businesses DO NOT belong on Music Mountain Blvd, a residential street. I live 850 feet from Route 179 and the noise from deliveries to companies already in existence wake up my family 5 days a week because they enter Music Mountain Blvd, do illegal U turns and sit idling starting at 6am!!! Dollar General will make this a thousand percent worse, with longer hours of operation and with all types of products being delivered from out of state tractor trailers.

2: Wetlands - See photo #2

A 9000 sq ft pad and 45 parking spaces on land that intrudes on Wetlands and the certain damage it can cause to the surrounding creeks and Delaware River, along with wildlife including the Eastern Box Turtle which is listed as a species of concern in NJ. There is a healthy population of these turtles in this specific area that appear every Spring. The neighborhood is always on "Turtle Patrol" due to the Belgian Block curbs that the turtles can't navigate and flip over into the streets of the Estates of West Amwell habitually every Spring. Please reference photo #2, it shows running water 11 days after the last precipitation, running from the property in question over the sidewalk onto Music Mountain Blvd. The area has become increasingly more wet since construction of the Music Mountain Theatre property next door to Lot 20.60 and 21 Block 3.

3: Safety

Rt 179 is not for pedestrians to walk to a "convenience" store, adding walking customers to the prementioned traffic nightmare at the entrance to the Estates of West Amwell is dangerous to vehicles and pedestrians. Also, the WAPD does not have enough man power to police a property that will have extended hours of operation, inviting this to become a "hangout" for people with ill intent. The WAPD is called on often enough already to patrol the Oxford Communications parking lot on Music Mountain Blvd to chase out drug dealers, teens doing drugs, and illegal dumping.

4: Cost

In both my photos you can clearly see the median that divides Music Mountain Blvd. This median was redone by West Amwell Township in 2016-17. The original trees from the builder died and the river rock was full of weeds, once West Amwell Township took over the maintenance bond, they median was redone at the cost of thousands of dollars to West Amwell Twp. Now ONLY 5 years later the Township is thinking of allowing this median to be torn apart so Dollar General can invade our neighborhood destroying the road, median and our entrance.this is a complete waste of taxpayer dollars. 15 trees at the cost of \$225 each is what was spent, the Planning Board should not allow such a waste of funds or trees.

NO one has ever lived in West Amwell for convenience, if you have lived here your whole life or moved in 5, 10, 20 years ago, you moved here for peace, quiet and the rural beauty that is West Amwell, NOT for convenience. West Amwell does not need giant commercial retailers. Let's stick with family owned and run business within our town, it's what makes West Amwell/Lambertville a good place to live.

Lastly, I'd also ask for a little empathy during a time when so many students of the South Hunterdon Regional School District are learning from home due to COVID-19. The students from elementary to college age who now live and learn, in our homes, in the neighborhood of the Estates of West Amwell will be affected negatively. These children have been through enough already and to have a construction project of this magnitude disrupt learning because of truck noise, road blockages and tree felling is unthinkable at this time! All anyone has left after 2020 is a safe place to call home and MM&J Investment Development and Dollar General look to ruin the only peace and sanctity that 90 plus families have right now by furthering this project. I implore the West Amwell Township Planning Board to reconsider allowing this proposal or at the very least consider delaying any construction until our families are able to escape the chaos of construction in the future when COVID-19 doesn't keep everyone working and learning from home.

Regards,

Kathleen Adams
10 Music Mountain Blvd
Lambertville, NJ 08530
Email: Kjadams227@comcast.net
Tel: 609-460-4563

cc: Zoning Board West Amwell Township
Mayor Steve Bergenfield
Deputy Mayor James Cally
Hunterdon County Planning Board
Todd J. Vascios, CEO Dollar General
NJ Dept of Environmental Protection - Division of Land Resource Protection

Photo
1
2017

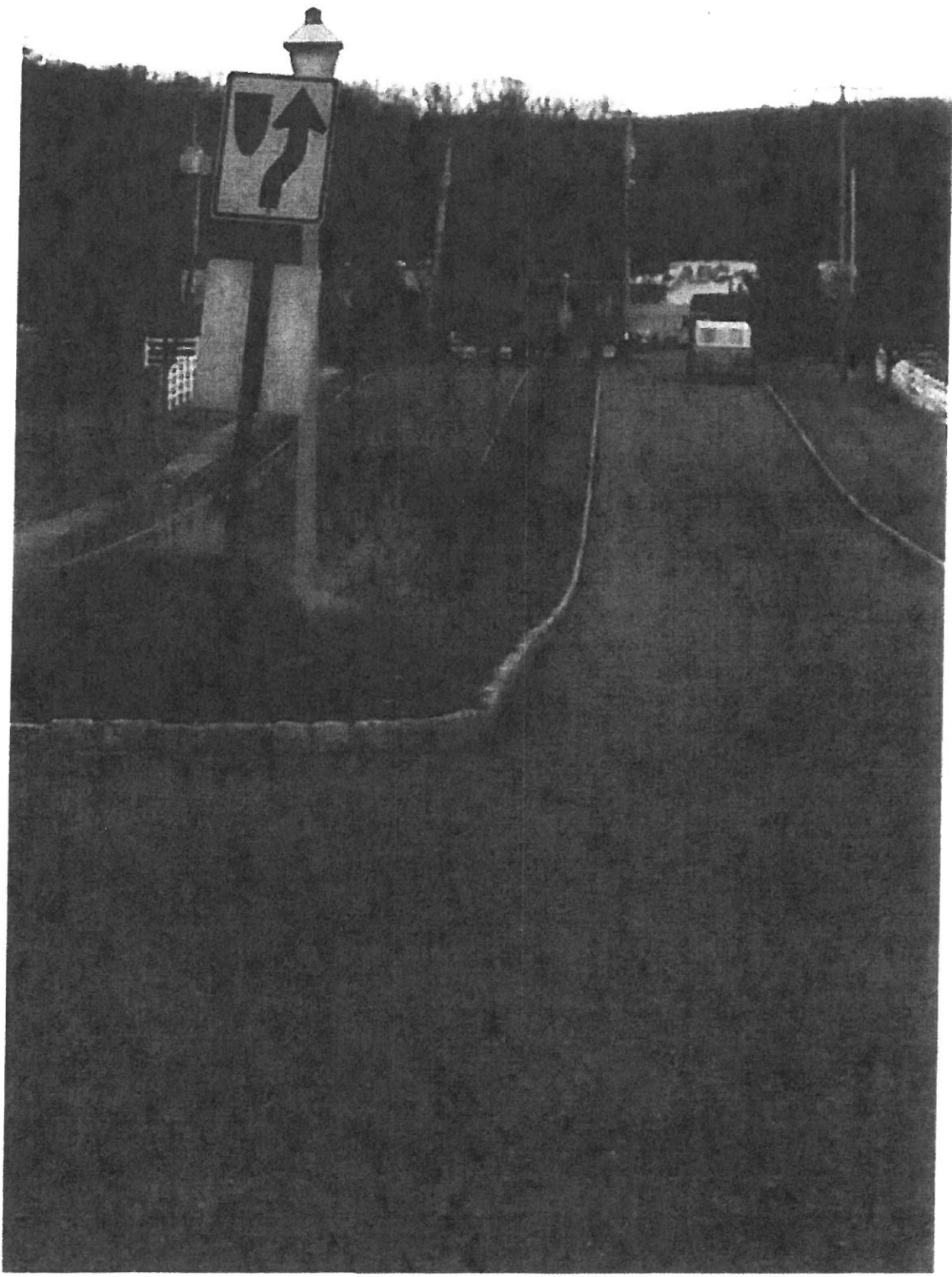


Photo #2 2021

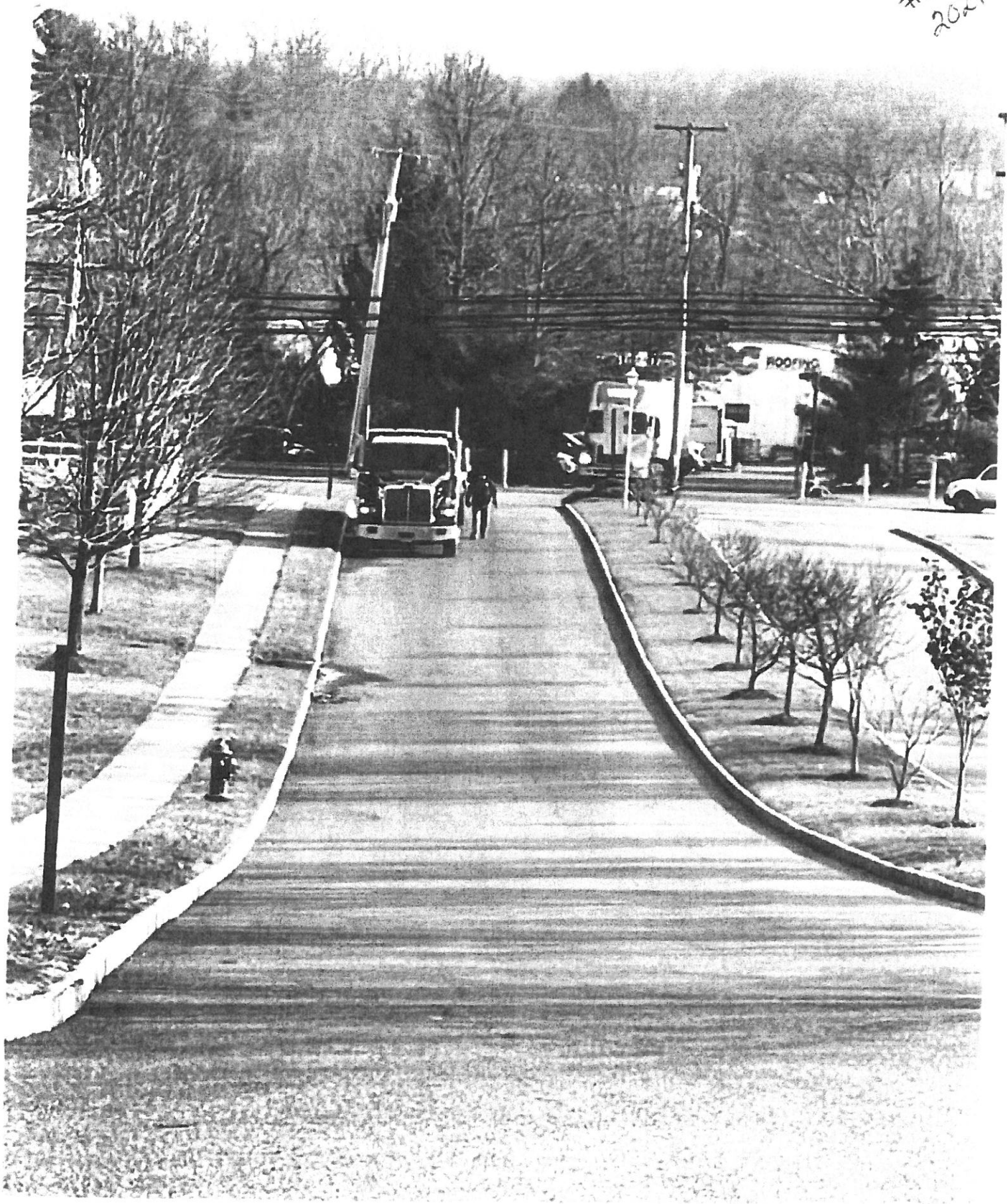
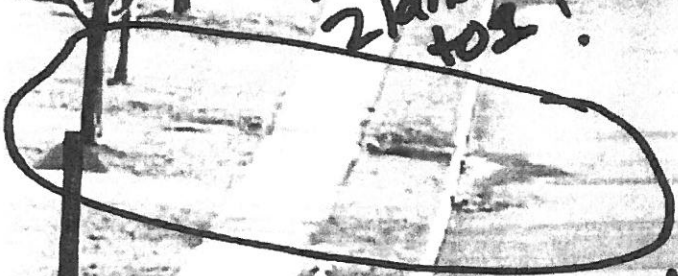


Photo # 10
2/22/02
with notes

Proved
to be a road dead!

Can't
get in!

ages
from
2/1/02
to 2/1/02!



Water / Ice
running from
wetlands

11 Days after last rain!



Katherine and Steven Murzenski
19 Terrell Road
Lambertville, New Jersey 08530
609.773.6186

January 30, 2021

West Amwell Township Planning Board
150 Rocktown-Lambertville Road
Lambertville, New Jersey 08530

Re: Lot 20.60 and 21, Block 3 in West Amwell Township, NJ

Dear Members of the Planning Board,

Please accept our thanks for the time you devote, as volunteer board members, to fulfilling the goals of the Municipal Land Use Law. We trust you, as stewards of the land within West Amwell, to ensure that its use and development promotes our health and welfare and is in harmony with our neighborhood, to ensure appropriate locations of residential, commercial and open space and to preserve and ensure a desirable visual environment is maintained or curated through creative development techniques and good civic design and arrangement. With these goals in mind, we ask you to review the application for development of Lots 20.60 and 21, Block 3, and to give close consideration to the following concerns, which we raise not only because these lots are within a half mile of our home and directly adjacent to our neighbors' homes, but also because we, too, care deeply for the character and prosperity of West Amwell.

Our strong concerns about development on the above referenced lot pertain to the specific – its use as Dollar General as proposed in the application before you – and the general – our skepticism that a chain store, retail operation would find success on that lot, thereby leading to a vacant building. The plans indicate that a 9000 foot store with 45 parking spaces, a commercial dumpster and loading zone would invade our residential neighborhood where, every day, we and other citizens of this community enjoy outdoor activities, the tranquility of this beautiful space, and the security of this township and neighborhood. We watch sunsets over the protected Alexauken preserve and sunrises over the beautiful fields of Lambert's Farm. We walk, run and bike through the neighborhood. We let our children play freely having a reasonable level of comfort that they will be safe walking and biking throughout the neighborhood. These benefits aren't restricted to residents of our street or neighborhood. The open space, sidewalks and, frankly, our yards and decks, are enjoyed by many residents – our friends and our children's friends – who live in other neighborhoods and others who drive here to park and walk in the neighborhood or to sled on its hills. This quiet enjoyment would be diminished and the safety of our children jeopardized by the traffic of tractor-trailers travelling on Music Mountain Boulevard to access the loading zone or service the dumpster and vehicular traffic traveling in excess of the speed limit while mistaking Music Mountain Boulevard for a through-street. Signs saying "No Outlet" and speed bumps, if installed, only would do so much. We appreciate the response of our police force to our calls and concerns, and we enjoy seeing them passing through on patrol or waiving to the kids waiting at the bus stops. Despite their patrols, we already have break-ins a few times a year and near-misses between cars and kids. Thus, the police obligation for traffic

control and security would need to increase. We already fought to retain our local force, but if this development were approved, we'd be increasing its burden.

The visual environment of this neighborhood will be negatively impacted by the design of the structure. The plans call for a structure absent any architectural appeal or effort to fit into the residential area upon which it would intrude. The elevation being built up with the dirt that already has been dumped raises concerns. This structure is being elevated like some sort of castle, and the commercial structure that will be built atop will tower over the homes, along with its sign. If the Dollar General's other operations provide a clue, no effort would be made to shield it with landscaping because the bland exterior will be lined with the cheap goods it offers in an effort to pull in customers. In fact, the plans call for a paltry offer to put in some plantings but take on an obligation to maintain them only for two years. There is no promise that the landscaping will be deer or pest-resistant and no sustained commitment to maintain a landscaped setting. Another negative impact will be from light pollution by the security lighting that will be needed over the large parking area and driveways proposed to lead to Route 179 and Music Mountain Boulevard. The gigantic signage proposed along with the lit store during commercial hours would destroy the dark skies West Amwell had enjoyed.

West Amwell is rich with wildlife, a characteristic cherished by many who enjoy the wooded areas of the township. Locating a dumpster in our residential area, however, will attract the wrong kind of wildlife: vermin. In addition, it may pull some wildlife from the woods to municipal streets, presenting a safety issue to the animals, the residents and the drivers.

The development site is known to contain wetlands. Our research suggests that the proposed development encroaches the wetlands by 30 feet, violating a 50 foot setback. The proposed driveway leading to Route 179 goes directly over wetlands. Further, the site is damp. We routinely have a puddle or ice along Music Mountain Boulevard and where Music Mountain Boulevard meets Rt. 179. Increasing the impervious cover with a building and parking lot only will exacerbate the problem.

A traffic study is needed along with an analysis of the burden of regular truck traffic on Music Mountain Boulevard. The area of Route 179 in front of Music Mountain Boulevard is dangerous already. The northbound lanes converge to one lane precisely where left turns onto Music Mountain Boulevard are made. The person stopped or slowing for the turn always is at risk of being rear-ended by a vehicle travelling northbound in excess of 45 miles per hour and being pushed into the south bound lanes. The same transition from two lanes into one happens in the southbound lanes precisely where traffic into the proposed site would turn to enter the driveways. Moreover, Music Mountain Boulevard is the sole ingress/egress to the neighborhood of nearly 100 homes. Truck traffic blocking that road from ABC on northbound Route 179 is already a nuisance, and the trucks attempting to make a 90 degree turn into and out of a Dollar General to access the loading dock and dumpster near Ferris Wheel Drive would trap us in or barricade us from our neighborhood regularly. Cars would line up on Music Mountain Boulevard and along Route 179 to wait for an opportunity to pass even more regularly than they already do. We also ask that you evaluate whether Music Mountain Boulevard was engineered to accommodate the increased traffic that would come from the Dollar General, both the regular and steady stream of cars as well as the increased and regular weight of large trucks.

With the above detailing some of our specific concerns, we also have general concerns. We have no confidence that a Dollar General will be successful on Route 179. We have no intention ever to shop there. As an example, this morning, alone, in under one hour, all our family's errands for the day were completed at six local shops in Lambertville. Yesterday, our refrigerator was filled with a

box of produce from Blue Moon Acres. Tomorrow, we will pay for high quality and diverse ingredients at a grocery store easily accessible either north or west of here. Had Homestead not closed or had it been re-opened by a new owner, we might have gone there. We've bought building materials from Niece's and partnered with local skilled artisans on projects. The truth is that we have no need of a dollar store, and no interest in one. West Amwell is not a food desert. It is not a forgotten town. The absence of stores like Dollar General is one of many things we cherish about West Amwell, and we are happy to support local businesses.

Although our roots in this town do not go back generations like many of our friends can say theirs do, we chose this town; our children's grandparents live four minutes from us; we coach, volunteer, shop and donate locally. In short, we are meaningfully invested in this community, and we hope our concerns are given due consideration with the pending application.

Sincerely,



Katherine Murzenski



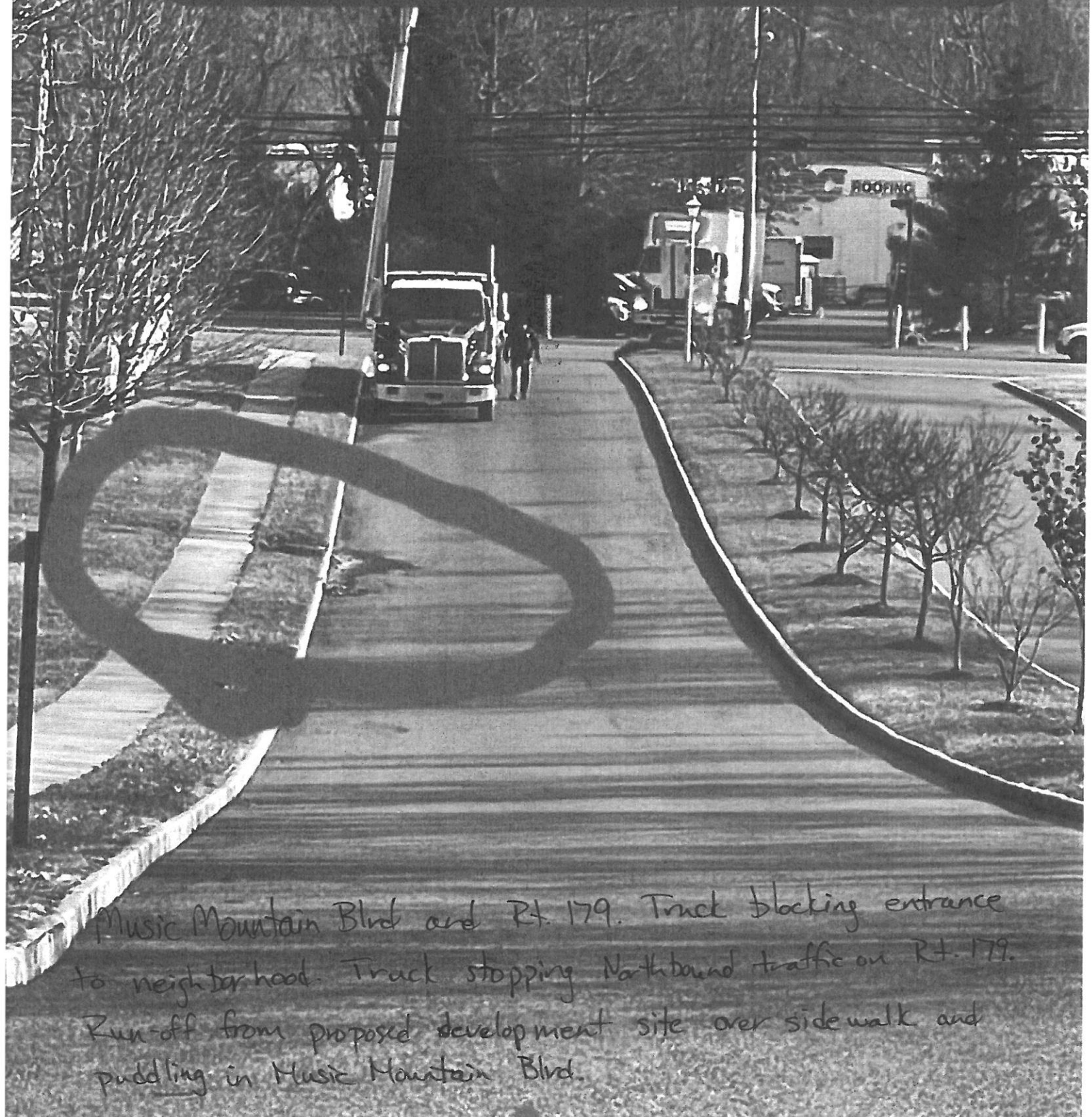
Steven Murzenski

Enclosures: Articles and photographs



South Rt. 179 parallel to the proposed Dollar General lot with truck traffic causing backups on Rt. 179 and Music Mountain Blvd.

11 days after the last rain per the National Weather Service. The sidewalk on MMB is wet enough to run into the street...and as usual the only ingress to over 90 residences is blocked...this is daily living on Music Mountain Blvd.



Music Mountain Blvd and Rt. 179. Truck blocking entrance to neighborhood. Truck stopping Northbound traffic on Rt. 179. Run-off from proposed development site over sidewalk and puddling in Music Mountain Blvd.

https://hickoryrecord.com/news/local/govt-and-politics/residents-real-estate-agents-express-worries-over-new-dollar-general-in-hickory/article_c318f2ce-5052-11eb-84d3-1f0e61663009.html

HICKORY CITY COUNCIL

Residents, real estate agents express worries over new Dollar General in Hickory

Kevin Griffin

Jan 7, 2021



Construction workers prepare the site of the new Dollar General at the intersection of 12th Avenue and 10th Street Boulevard NW. The project has received some backlash from residents and real estate agents concerned with the way the store may affect the neighborhood.

ROBERT C. REED, RECORD

Kevin Griffin

Three Hickory residents went to the Hickory City Council Tuesday to voice concerns over a Dollar General store planned for northwest Hickory and to ask if anything could be done to minimize the impact of the store.

Developers received the go-ahead in December to begin construction on the dollar store near the intersection of 10th Street Boulevard NW and 12th Avenue NW at what was once the site of the Lutheran Home.

The store could be open as soon as this spring.

Chris Simmons, who lives near the site where the store will be located, said the store's presence has prompted a backlash in the community.

"Opposition is broad and deep," Simmons said. "We've had almost 300 people sign a petition opposing it because of the sense that it is an inappropriate fit for the neighborhood that it's going into."

Hickory resident Chris Simmons discusses opposition to n...

The **Change.org** petition opposing the store argues that the dollar stores are magnets for violent crime that crowd out other healthier food options that might locate in an area. The petition had surpassed 300 signatures as of Wednesday.

Following Simmons, real estate agents Meredith Carswell and Robin Creel spoke about the project. Carswell and Creel do not live in the neighborhood but they said the changes would have an effect on their clients and other people they knew.

Carswell said residents and real estate agents alike needed to have a better understanding of what zoning decisions mean for communities and asked to meet with the members to discuss the matter.

“If we can’t change what’s happening with this, going forward it’s important to me and other Realtors in this area to know that our residential neighborhoods are not going to be affected by stores — not just Dollar General but any neon sign store,” Carswell said.

Creel asked the council if there was anything that could be done to make the store fit in better with the surrounding residential community.

He noted the store would be located near the Old Lenoir Walk, one of the planned walking and biking trails included in the city’s \$40 million bond program, and the site would be highly visible.

Mayor Hank Guess addressed the comments at the end of the meeting. He said the property had been rezoned in 2018.

He said the property was not specifically rezoned for a Dollar General.

The city did not seek out the store but the store was allowed to go in there because the zoning fit and there was nothing the city could do to stop it since the use complied with the zoning, Guess said.

Simmons, Creel and Carswell continued their discussions with members of council and Planning Director Brian Frazier after the meeting.

Speaking with Simmons and Carswell, Guess reiterated that all proper procedures had been followed with the rezoning and there was no reason not to change the zoning.

“I’m not convinced that the zoning was incorrect for that piece of property,” Guess said.

He added: “So there could have been something there less desirable. You can’t zone a property to eliminate stuff like this from happening.”

He also said he had heard from people who favored the store locating there.

Simmons said the city should be purposeful in its zoning decisions.

“Hickory’s been meticulous about its zoning through its whole history and it needs to be now,” Simmons said.

Creel said Frazier told him the city had rejected some plans for the Dollar General and the plans were changed so that it conformed more with the residential character of the neighborhood.

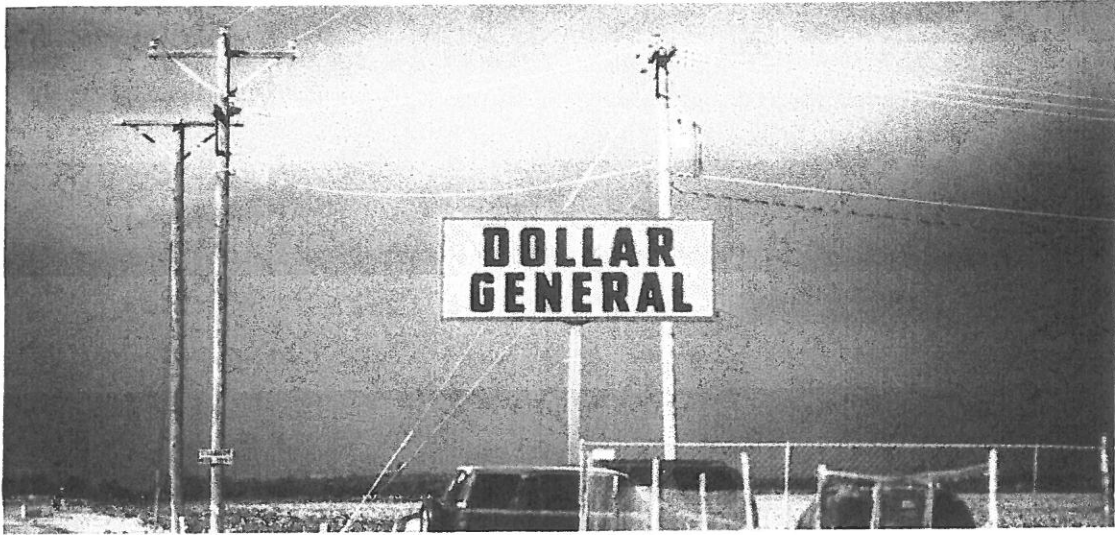
He added he was hoping to learn more at a later meeting with city leaders.

Simmons said he, Carswell and Creel are in the process of arranging a meeting with Frazier and a few members of the council to continue discussing the plans for the store.

Kevin Griffin is the City of Hickory reporter at the Hickory Daily Record.

Kevin Griffin

Hickory Daily Record city reporter Email: kgriffin@hickoryrecord.com



Report: Dollar Stores Are Targeting Neighborhoods and the Community Is Fight Back.

Small Town Showin

BY STACY MITCHELL AND MARI



RETAIL
The Impact of Dollar Stores and How Communities Ca...



It's not easy to buy groceries if you live on the north side of Tulsa, Okla. This predominantly African American part of the city sprawls for miles and yet does not have a single, full-service grocery store.

For many of North Tulsa's residents this means their best option for buying groceries close to home (and really, their only option) is a dollar store. There are dozens of those. Dollar General, together with Family Dollar and Dollar Tree, which are owned by the same company, have more than 50 locations in Tulsa. Many are on the city's north side. Alongside aisles lined with clothing and household goods, these small stores offer a narrow selection of processed foods, such as canned peaches and cereal, cookies and frozen waffles.

There are no fresh vegetables, fruits, or meats in most dollar stores. And yet, as limited as their offerings are, dollar stores are now feeding more Americans than Whole Foods is, and they're multiplying rapidly. Since 2011, the number of dollar stores nationwide has climbed from about 20,000 to nearly 30,000. There are now more dollar stores than Walmart and McDonalds locations combined.

Although dollar stores sometimes fill a need in places that lack basic retail services, there's growing evidence that these stores are not merely a byproduct of economic distress. They're a cause of it. In small towns and urban neighborhoods alike, dollar stores are leading full-service grocery stores to close. And their strategy of saturating communities with multiple outlets is making it impossible for new grocers and other local businesses to take root and grow.

INDEPENDENT BUSINESS HOM

FEATURED TOPICS

- Amazon
- Covid Response
- Dollar Stores
- Monopoly
- Policy Tools
- Why Small Business M.

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RESOURCES BY TYPE

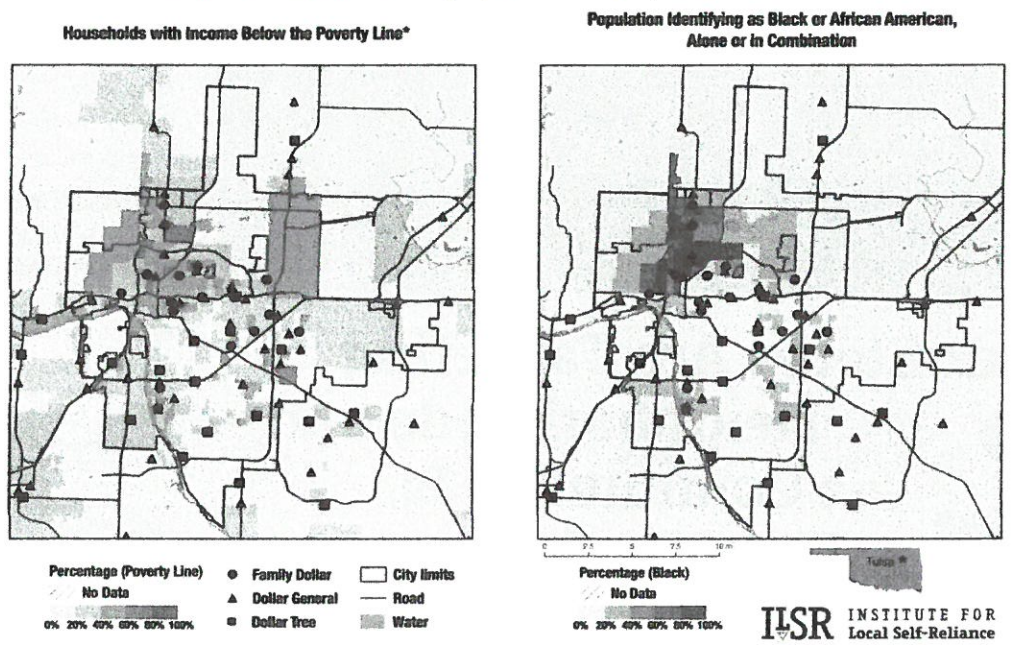
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Facts and stats to help you make your case.
 - Maps and Graphs
Ways to visualize our research.
- SUPPORT OUR WORK

DONATE!

"I don't think it's an accident they proliferate in low socio-economic and African American communities," says Vanessa Hall-Harper, who grew up in North Tulsa and in 2016 won a seat on the City Council to represent the district that encompasses the area. She campaigned on a platform of public health and food security. "That proliferation makes it more difficult for the full-service, healthy stores to set up shop, and operate successfully."

As our maps of Tulsa show, dollar stores have largely side-stepped the city's more affluent, white neighborhoods, instead concentrating in Census tracts with both a greater percentage of households living in poverty and more African American residents. Indeed, the presence of dollar stores appears to correlate with both income and race.

Dollar Stores and Demographics — Tulsa, Oklahoma



© 2018 Inventory. Threshold is \$17,100 for a family of four. Data: US Census, 2010-2017 ACS 5-year Black (alone), Hispanic, Dollar General, Dollar Tree, Family Dollar store locations. Institute for Local Self-Reliance (IISR).

One reason for this link might be that dollar stores see an easier revenue stream in places that lack competing grocery stores. In the case of Family Dollar, for example, "Food deserts" are its sweet spot," notes Ann Natunewicz, an analyst at Colliers International. The absence of grocery stores is, in turn, a direct result of a history of racial discrimination by banks that have been less likely to lend to African American entrepreneurs and by supermarket chains that have tended to bypass black neighborhoods.

For residents of North Tulsa, the consequences of this economic marginalization have been severe. "There has been a documented 14-year life expectancy gap between North Tulsa and South Tulsa," points out Hall-Harper. This startling disparity, she says, speaks to "the situation and environment, and how these systemic issues work."

“I don’t think it’s an accident they proliferate in low socio-economic and African American communities,” says Tulsa City Councilor Vanessa Hall-Harper. “That proliferation makes it more difficult for the full-service, healthy stores to set up shop, and operate successfully.”

A deep desire to change these systems and improve the health of people in her district drove Hall-Harper’s decision to run for Council.

Last April, after more than a year of rallying community members, marshaling legal research, and steadily chipping away at the opposition, Hall-Harper finally convinced the City Council to enact a measure that limits dollar stores on Tulsa’s north side and encourages the development of full-service grocery stores.

This is one of the first ordinances in the country to specifically target dollar stores, and its passage is being felt both locally and nationally. It’s marked a new era of political inclusion and grassroots power for the city’s African American residents. It’s also focused national attention on the growth of dollar stores and inspired other cities and towns to take steps to check their spread.

The timing for such local action could not be more urgent. In their latest annual reports, Dollar General and Dollar Tree say they have identified thousands of new locations for dollar stores. The two chains are planning to expand their combined empires to more 50,000 outlets.

An Invasive Species in America’s Left-Behind Places

“Essentially what the dollar stores are betting on in a large way is that we are going to have a permanent underclass in America,” Garrick Brown, a researcher with the commercial real estate firm Cushman & Wakefield, told *Bloomberg* last year.

Alongside urban black neighborhoods, another place the dollar chains think they will find enduring poverty is rural America. Small towns have been battered by corporate consolidation. Mergers have triggered plant closures. Agribusiness giants have slashed farmers’ incomes. As a result, rural communities have experienced little in the way of new business and job growth during the current economic recovery, new data show.

This follows two decades in which Walmart's super-charged growth left small-town retail in shambles. By building massive, oversized supercenters in larger towns, Walmart found it could attract customers from a wide radius. Smaller towns in the vicinity often suffered the brunt of its impact as their Main Street retailers weakened and, in many cases, closed.

Today the dollar chains are capitalizing on these conditions, much like an invasive species advancing on a compromised ecosystem.

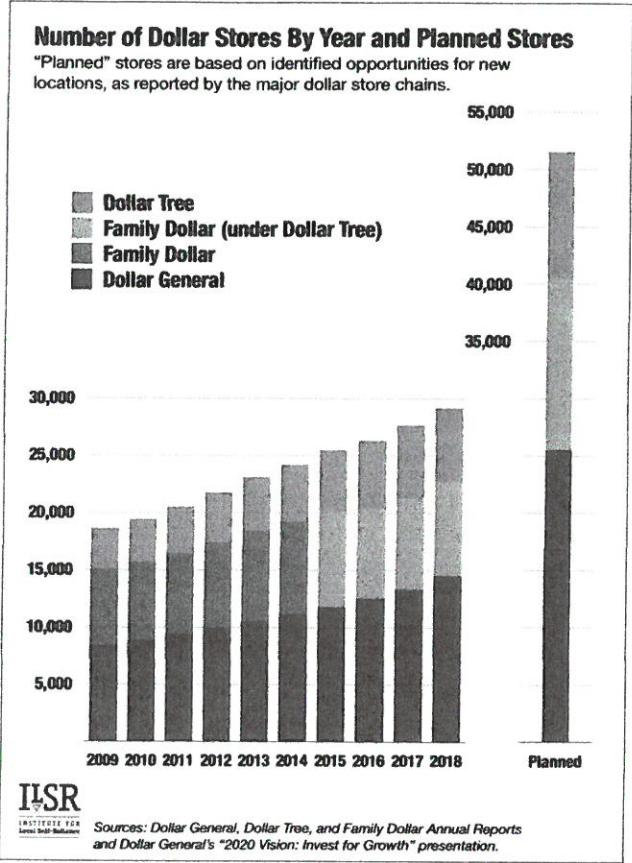
Local grocers that survived Walmart are now falling to Dollar General. "This has become the number one challenge of grocery stores," says David Procter, an expert on community development and director of the Rural Grocery Initiative at Kansas State University.

Until this year, the small town of Moville, Iowa, had managed to defy the odds. The nearest Walmart is nearly 20 miles away and residents are passionate about supporting their community. When the owners of the town's only grocery store, Country Foods, decided not to rebuild after a devastating fire in 2008, residents quickly organized. They raised funds for a new building and enticed Chet Davis, who owns a grocery store in Kingsley, about 12 miles up the road, to open another location. For a time, Chet's Foods did a good business from its crisp new building along the state highway that runs through town.

Then, in 2016, Dollar General opened. Sales at Chet's Foods fell by 30 percent. Davis, a veteran grocer, tried to adjust. He cut staff hours, changed his product mix, and negotiated a rent reduction from the community development group that owns the building. But it wasn't enough. Even though residents were still buying most of their groceries from Chet's, the drop in sales was enough to push the store into the red. Chet's closed this year.

Six hours south, in the town of Haven, Kan., the family-owned Haven Foodliner also shuttered this year. "We lasted three years and three days after Dollar General opened," owner Doug Nech told *The Guardian*. "Sales dropped and just kept dropping."

The stories of Chet's Foods and the Haven Foodliner are not anomalies. Reports from local grocers in numerous communities suggest that it's typical for sales to drop by about 30 percent after a Dollar General opens. Thin margins in the grocery business mean that such a disruption is generally enough to force a local grocery store to close, although it may take months or even years before the owner finally gives in.



If you like this report, be sure to sign up for the monthly Hometown Advantage newsletter for our latest reporting and research.

As a consequence, local grocery stores, which have anchored small town economies for generations, are fast becoming as rare in rural areas as they are in North Tulsa.

When a town loses its grocery store, the rest of the local economy suffers. "The problem is that if the grocery store closes, this impacts the town in a big way," Procter explains. "Our research shows grocers are barometers for other businesses in town: as goes the grocery store, so goes other independent businesses in that community."

One immediate effect is a decline in employment. Dollar chains rely on a lean labor model. Dollar General and Dollar Tree stores have a staff of eight or nine people on average, according to their annual reports. Small independent grocery stores employ an average of 14 people, according to federal data.

Local shoppers lose nearby access to fresh food and they may also end up paying more for groceries. Dollar stores package many of their products in smaller quantities than items sold at traditional grocery stores. This cuts sticker prices, but often results in a higher costs per ounce.

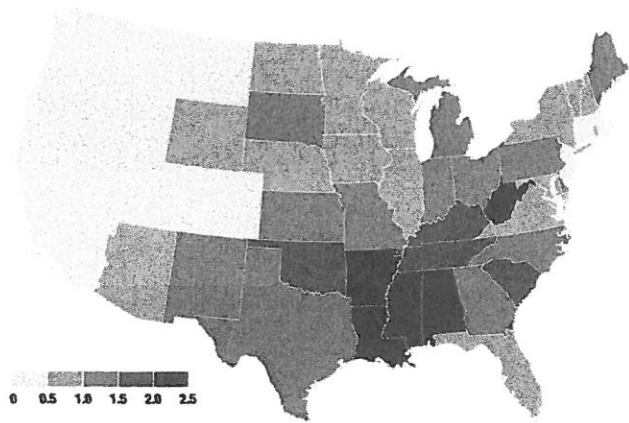
There are broader economic impacts too.

"The economy is continuing to create more of our core customer," Dollar General chief executive Todd Vasos told investors last year.

"Rural grocers provide all kinds of value: economic value, nutritional value, social value, and more," he adds. In many cases, this includes delivering groceries, a critical service in rural areas, where the population tends to be older and not served by public transit.

This cascade of losses is a bitter outcome for communities that, in many cases, welcomed the arrival of a dollar store. "For many communities, it's the first new commercial investment in many years," says Chris Merritt of the Illinois Institute for Rural Affairs.

Number of Dollar Stores per 10,000 Residents by State
Number of stores include Dollar General, Dollar Tree, and Family Dollar locations



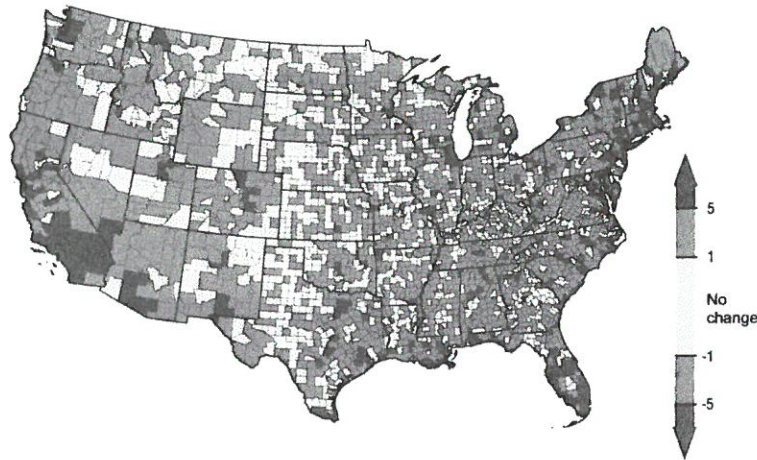
IISR INSTITUTE FOR Local Self-Reliance

Source: Dollar General and Dollar Tree 2017 Annual Reports
© Institute for Local Self-Reliance | Marie Donahue (2018)

The parallel between these rural towns and urban neighborhoods like North Tulsa suggests that America's real divide is not so much rural versus urban. Rather, it's between the few large and mostly coastal cities that are prospering in an economy increasingly dominated by a few corporate giants and the many other cities and regions that are being left behind.

"The economy is continuing to create more of our core customer," Dollar General chief executive Todd Vasos told investors last year.

Changes in number of total grocery stores across the United States, by county, 2005-15



Source: USDA, Economic Research Service using data from Nielsen TDLinx.

The number of grocery stores has declined in 969 counties, according to the U.S. Department of Agriculture. (This map is from the USDA's 2017 study, "Independent Grocery Stores in the Changing Landscape of the U.S. Food Retail Industry.")

As corporate consolidation erodes the economic foundation of many towns and neighborhoods, these communities are increasingly vulnerable to the dollar chains. The sector itself is highly concentrated. Dollar Tree is the product of a long history of mergers, including, most recently, its acquisition of Family Dollar in 2015. Even though that deal left just two companies in control of most of the small-store discount market, the Federal Trade Commission approved it. (The FTC stipulated only that Dollar Tree divest about 330 stores, but that requirement ultimately failed to produce a new competitor: Dollar Tree sold the stores to a private equity firm, which within two years, sold them to Dollar General.)

Fortunately, some have started connecting all of these dots and are beginning to see dollar stores as both a symptom of larger economic trends and a cause of additional economic despair. With this knowledge, these communities are identifying strategies to control the growth of dollar stores and restore a more balanced local economy.

Tulsa's Dollar Store Ordinance

One way to understand the high density of dollar stores in her district, Hall-Harper says, is to remember what happened in North Tulsa a century ago. The neighborhood once boasted one of the nation's most successful African American business districts, nicknamed "Black Wall Street." But over the course of a few days in 1921, a white mob tore through the commercial district, destroying more than 1,000 buildings and leaving 300 people dead.

The long-term effects of this are still being felt today. The neighborhood has relatively few local businesses and has struggled with a lack of political power to control dollar stores and other predatory companies.

Today, though, these dynamics are starting to shift, as residents organize and show how policy change that rebuilds a healthy food system and local business community can underpin the broader goals of social and economic justice.

After taking office, Hall-Harper opened two fronts in her campaign to address the lack of healthy food and proliferation of dollar stores in North Tulsa. First, she started researching policy tools, such as “formula” business restrictions, that could block new dollar stores and open opportunities for full-service grocery stores instead. In the spring of 2017, she called for a short-term moratorium on new building permits for dollar stores. Pressing the pause button, she explained, would give the city time to craft a permanent policy.

But the city’s legal department, Hall-Harper says, was slow in doing the research and preparing language for the moratorium. In the meantime, a developer filed plans for yet another Dollar General in the neighborhood, this one just down the block from an existing Family Dollar. “I felt [the city was] procrastinating, so the developer could get a building permit,” she says.

That led Hall-Harper to open a second front in her campaign: she rallied residents to protest the new Dollar General and pressure the mayor and City Council to act. “To my knowledge, this was probably one of the first times a city councilor from Tulsa was out actively organizing and coordinating protests of an incoming business,” says Hall-Harper. This inside-outside strategy paid off.



Hall-Harper joins Dollar General protest. Photo Credit: Vice News, 2018.

In late August, just a few days before Labor Day, the City Council finally took up Hall-Harper’s proposed dollar store moratorium. Residents of North Tulsa filled the chambers and one by one spoke in favor of the measure — a show of support that Hall-Harper says made all the difference. The moratorium passed by a 5-to-4 vote. It suspended the permitting of new “small-box discount stores” for a period of six months in Hall-Harper’s district.

Three months later, Hall-Harper proposed a permanent change to the city’s zoning code. She introduced a “dispersal” ordinance that would restrict the development of dollar stores in North Tulsa. Intended to foster “greater diversity in retail options and convenient access to fresh meats, fruits and vegetables,” the measure prohibits a dollar store from opening within one mile of an existing dollar store in a designated “overlay” district. It also prioritizes full-service grocery stores by cutting in half the number of parking spaces they are required to have.

While other cities have adopted more aggressive limits on chain retailers, Hall-Harper’s measure was one of the first to specifically target dollar stores. And in Tulsa, it was a reach. The city has long favored a permissive approach to development, even going so far as to use its powers of eminent domain to seize land for developers over the objections of residents.

“I was told, ‘That is illegal, we can’t do that.’ But fortunately, I had done my research,” says Hall-Harper. “Communities have the authority, and in my opinion the responsibility, to put these policies in place.”

The Tulsa Metro Area Planning Commission opposed the ordinance, voting 7-3 to recommend that the City Council reject it. The city's daily newspaper, the *Tulsa World*, likewise editorialized against it, writing that the measure would "put government-enforced restrictions on where north Tulsans can do business and get jobs." The paper added: "We prefer incentives to encourage development to restraints to prevent it."

"We kept pushing," says Hall-Harper of the neighborhood's campaign. That pushing paid off. In April 2018, Tulsa's Healthy Neighborhood Overlay ordinance passed the City Council on a 5-2 vote and was signed by the mayor.

Now Hall-Harper and the community's organizing is paying off in another way. "We'll [soon] have a groundbreaking of a new grocery store," she explains.

That new store is being developed through a project led by the Tulsa Economic Development Corporation (TEDC) in partnership with the City of Tulsa. Aiming to "eliminate food deserts in Tulsa's most distressed communities," TEDC has raised \$3 million from federal block grants and other sources to build a 15,000-square-foot grocery store in North Tulsa.

TEDC is in the process of identifying an operator that will own and operate the new store and lease the TEDC-owned building being constructed for the project. "Our number one [criteria] is that they have a passion for what we're doing," explained Kim Prince, TEDC's Operations Associate. TEDC is a nonprofit community development financial institution that seeks to create "economic vitality in communities by encouraging small business growth."

Once a store operator is selected in early 2019, construction of the store will begin, with the aim of opening by the end of the year. A local architecture firm is already drawing up designs for the building, based on input from residents. "The community wants an aesthetically pleasing store, something they can take ownership of," explains Hall-Harper.

For Hall-Harper, though, this single victory is just the first step. "One grocery store isn't enough," she points out. There is no shortage of ideas, from helping local entrepreneurs open food stores to supporting new models like mobile grocery trucks. "Reaching every citizen is how I'll know we were successful," she says.

That long-term vision, though, hinges on the ability of new food stores to carve out enough market share to survive, and that's far from guaranteed. "The proliferation of dollar stores certainly has made that a challenge to overcome," says Hall-Harper.

How Communities Can Check the Growth of Dollar Stores

The dollar chains have been able to multiply virtually unimpeded because most communities have relatively lax planning and zoning policies. Even in Vermont, where big-box retailers must navigate a thicket of environmental and land use policies, dollar stores, by virtue of being relatively small in size, rarely face permitting hurdles or scrutiny by planning boards under current policies.

As the story of Tulsa illustrates, some communities are beginning to correct this. In addition to limiting the density of dollar stores, as Tulsa did, another option for cities is to adopt a policy that restricts "formula" businesses — those that follow a cookie-cutter format. Used in dozens of small towns and cities, including San Francisco and Jersey City, N.J., formula businesses policies offer a way to limit chain stores or require that they meet certain conditions to open. These measures typically cover all types of retailers, including dollar stores.

Motivated in part by increased development pressure from dollar stores, Mendocino County, Calif., passed a formula business policy in 2016. The measure, which covers unincorporated areas of the county that are outside municipal boundaries, requires chain stores to seek a special permit in order to open.

The permit application involves a public hearing, and county staff then review the application based on whether the proposed formula business would fit the community's character. The idea is not to stop all development, but to establish a process for weighing the merits of particular projects.

"Be ready to have to do your own research," Vanessa Hall-Harper advises local leaders and residents who want to take on dollar stores. "Having examples [of policies passed by other cities] keeps you as an elected official encouraged that this work is possible, even when you're up against opposition from the powers that be."

Another key to winning, Hall-Harper says, is community engagement. "I honestly believe we wouldn't have been successful if the community didn't come out," she notes.



Residents protest dollar store development in North Tulsa, Okla. Photo Credit: *Black Wall Street Times*, 2017.

Already some cities are moving to replicate Tulsa's success. In Mesquite, Texas, which saw 15 new dollar stores built over the course of a decade, the city consulted with Hall-Harper and ultimately passed a similar dollar store "dispersal" ordinance.

In New Orleans, several city council members have recognized dollar stores as a problem. Similar to Tulsa, they've seen these stores concentrate in particular neighborhoods. In 2018, New Orleans City Council passed a motion directing the city's planning commission to conduct a study to help "classify, define and regulate" dollar stores. Along with this "Small Box Retail Diversity Study," finalized in December, the commission has scheduled public hearings and invited public comments.

Cities and states can also take steps to actively support the development of local grocery stores, just as Tulsa is doing with TEDC's new grocery store. One of the biggest barriers entrepreneurs face in starting new grocery stores is securing a business loan. The Pennsylvania Fresh Food Financing Initiative has shown how to solve this problem. Through loans made over the course of about a decade, it has facilitated the opening and expansion of more than 80 local food stores in underserved cities and towns across the state.

As these policy examples illustrate, communities are not at the mercy of the dollar chains and their plans to blanket both rural and urban America with thousands of new stores. By blocking the spread of dollar stores and fostering the growth of local grocers, cities and towns can begin to close the gap in access to fresh food while also building local power and opportunity.

*If you liked this post, be sure to sign up for the monthly **Hometown Advantage** newsletter for our latest reporting and research.*

Correction: The map in the story has been updated to correct errors in the original that misrepresented the distribution of African Americans in Tulsa. Additionally, this story has been updated to reflect new information about the grocery store being developed in North Tulsa and add details about Dollar Tree's acquisition of Family Dollar.

Related Resources

- [More Cities Pass Laws to Block Dollar Store Chains](#)
- [Dollar Store Impacts Fact Sheet \[PDF\]](#)
- [New Maps Show Alarming Pattern of Dollar Stores' Spread in U.S. Cities](#)
- [Reining in Dollar Stores: Episode 59 of ILSR's Building Local Power Podcast](#)
- [Tulsa's ordinance and other examples of dollar store dispersal restrictions](#)
- [Formula business restrictions](#)
- [Pennsylvania Fresh Food Financing Initiative](#)
- [Why Local Matters](#)

Featured Photo Credit: *Thomas Hawk via Flickr (CC 2.0)*



chain retail, dd, Dollar General, dollar store dispersal restriction, Dollar Stores, Dollar Tree, Family Dollar, grocery stores, homepage pick, initiative feature, Oklahoma, Tulsa

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Stacy Mitchell

Stacy Mitchell is co-director of the Institute for Local Self-Reliance and directs its Independent Business Initiative, which produces research and designs policy to counter concentrated corporate power and strengthen local economies.

Follow Stacy Mitchell:



About Author Latest Posts

Marie Donahue

Marie Donahue was a Research Associate with the Institute for Local Self-Reliance's Energy Democracy and Independent Business Initiatives in 2018-2019. She analyzed and wrote about the implications of corporate concentration and monopoly in these sectors.

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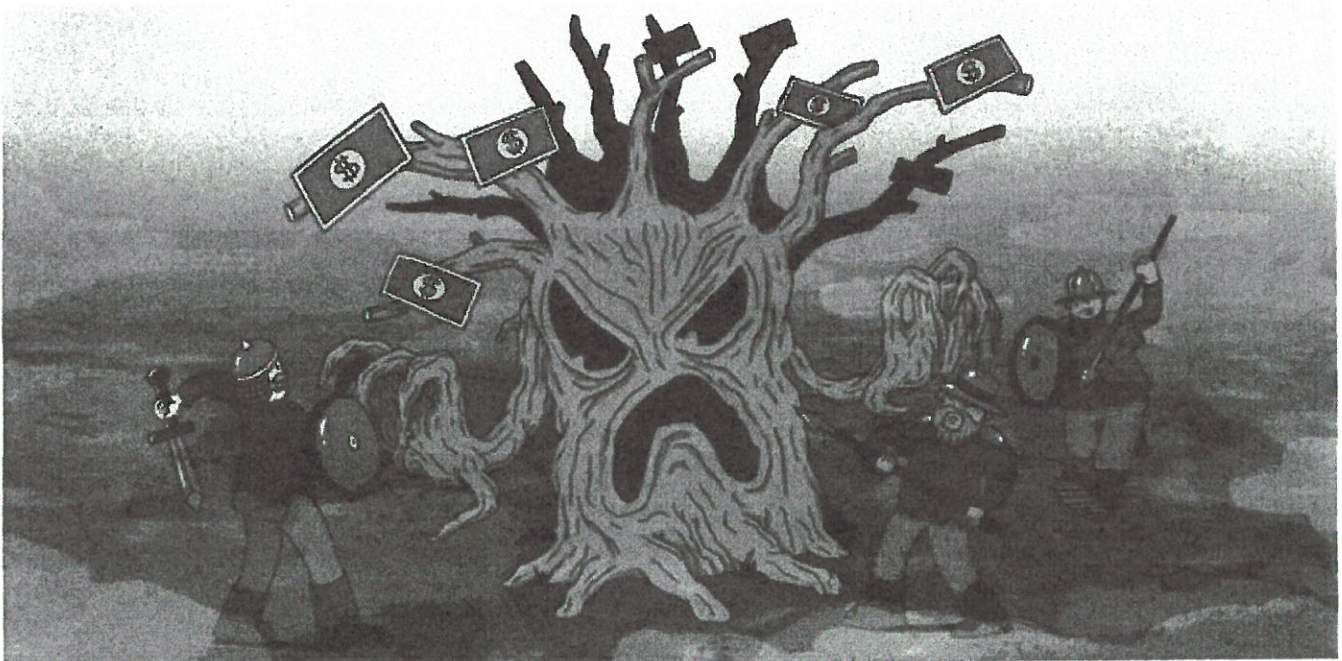
POLITICS

Meet The Dollar Store Resistance

Low-end retailers undercut independent grocers and small-town aesthetics, but some locals are fighting back.

By Arthur Delaney

11/21/2018 05:45 AM ET | Updated Dec 07, 2018



Ji Sub Jeong/HuffPost

ROCK HALL, Md. — When Dollar General said it would open a store here in 2013, Jeff Carroll warned it would crush the business he'd operated for the previous decade.

His company, Bayside Foods, which he co-owns with his wife, was the biggest employer in this tiny town on Maryland's Eastern Shore, and the only grocery store. But Carroll didn't see how a hometown boy such as himself could compete with a faraway corporation's weirdly low prices on things like bread and milk.

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He pleaded with the town planning commission, arguing that Rock Hall's 2011 "comprehensive plan" says local firms are key to the town's success.

"I presented my case and re-read the comprehensive plan several times, and they just totally ignored me," he said. "They went to take a vote, and I stood up and said, 'What about me?'"

So Carroll hired a lawyer to appeal the permit and circulated a petition that garnered more than 600 signatures. And in so doing, Carroll joined the Dollar

Store Resistance — a plucky little movement that barely exists, can't win, but, by God, it tries.

Dollar stores are popping up all over the country, outnumbering McDonald's restaurants and Walmart supercenters combined. The low-cost stores are part of a broader transformation of the American retail landscape, which recently has seen the demise of malls and the rise of Amazon's home delivery service.

And they're a part of an even bigger, longer, sadder trend: the decline of local stores, but by 2012 the independent share of sales had fallen to about a quarter, according to the Institute for Local Self Reliance, a national think tank that advocates for preserving local economic power.

Once or twice every month, someone from a small town reaches out to ILSR for help confronting a dollar store development, said Stacy Mitchell, the group's director. Laws vary by state, and there's usually not much that can be done. But Mitchell said there's a familiar pattern for what happens after the store opens: If the town already has a grocery, that store will lose roughly 30 percent of its business.

"The problem is, an independent grocer, because margins are small, losing that 30 percent often puts them in the red and they don't have any resources to draw on," Mitchell said. "There's only so long a grocery store can hold on losing money."

Dollar stores, by contrast, are owned by giant, profitable corporations with annual sales in the tens of billions.

"A Dollar General — they can lose money at that new store for a year, two years, until that local grocer closes," Mitchell said.

“We couldn’t compete with the grocery part: the toilet paper, the paper good aisle, trash bags, the detergent aisle, snack food, canned vegetables.

—Lonnie Lisai, independent grocer in Chester, Vermont

A recent Department of Agriculture analysis found that from 2007 to 2015, the overall number of grocery stores in the U.S. increased, but the share of stores that were independent declined from around 46 percent to 43 percent, with independents responsible for only 11 percent of retail food sales. Since they’re technically not groceries, dollar stores were excluded from the analysis, meaning it understates the decline of independent food retailers.

Dollar stores *are* grocery stores. They feed more people than Whole Foods does, Mitchell said, citing private market research. There’s usually no fresh produce, but you can get cheap packs of bacon, cans of soup or Velveeta cheese slices without having to drive to a giant facility.

There are two main dollar brands: Dollar General and Dollar Tree, which also owns Family Dollar. While Dollar Tree exclusively sells items that cost only \$1, Family Dollar and Dollar General offer more expensive items. They share essentially the same business model. A core part of their strategy is that their stores are cheap to build and easy to shop in because they’re small, bright and rarely situated on remote highways.

In their disclosures to investors, both Dollar General and Dollar Tree use the word “compelling” to describe the dollar shopping experience. Because the stores are so small — typically less than 10,000 square feet — it’s easy for

customers to walk in, grab what they need and walk back out.

The key advantage over locally owned competition is that dollar stores have their own distribution networks, just like Amazon and Walmart. Being able to buy on a larger scale means dollar stores can sell products at a far lower price than a smaller retailer can get from its wholesalers. Dollar General operates 15 warehouses around the country and is currently constructing two more. In addition to hiring third-party trucking firms, it has its own fleet of trucks that deliver goods to its nearly 15,000 stores. It opened 1,300 new locations last year and had planned for 900 more this year, mostly in rural towns with fewer than 20,000 residents.

The epicenter of the dollar store resistance might be Chester, Vermont, where residents' fight against dollar stores made The New York Times in 2012. They were able to fend off Dollar General until 2016, citing local regulations designed up uphold the town's "character." Other Vermont towns have made use of a special state law that allows residents to appeal development projects to regional boards. Vermont has been a beacon to other small towns confronting the spread of low-end retail.

"I still get calls from other states, but our laws are so different it's hard to give anybody advice," said Shawn Cunningham, a local activist.

Chester's local grocery store adapted by shifting its inventory and letting go some part-time workers, said proprietor Lonnie Lisai. The store lost about 10 percent of its business.

"We couldn't compete with the grocery part: the toilet paper, the paper good aisle, trash bags, the detergent aisle, snack food, canned vegetables," Lisai said. "However, it did make us a better store by readjusting our marketing strategy by doing more produce, more dairy, more meats and fresh produce."

In Joshua Tree, California, a coalition of local business owners and residents sued San Bernardino County over its approval of a Dollar Store development in 2013. They were ultimately rebuffed by an appeals court in 2016, but Celeste Doyle, owner of an outdoor supply store, said the Dollar General still hasn't materialized. She hopes it stays away.

"They would definitely degrade the community and take away from the panache, the gestalt that makes it less of why most people moved here for," she said.

Sometimes dollar stores are beaten decisively. Earlier this year, the town council in Buhler, Kansas, voted against a Dollar General after seeing a local food market run out of business by a dollar store in nearby Haven. And the City Council in Tulsa, Oklahoma, enacted zoning restrictions to prevent new dollar stores from opening.

The fights can pit different constituencies against each other. Rock Hall Mayor Brian Jones, who was a member of the town council in 2013, said the strongest opposition to the Dollar General came from newer residents who moved to Rock Hall for its marinas and quiet bayfront property.

"They moved here from cities and towns that already had this stuff, and that's the last thing they wanted to see," Jones said. Many longtime residents, on the other hand, are just happy to be able to buy things cheaply.

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Rock Hall has a population of about 1,200 with a significant number of households that are second homes for people who live here only part of the year. With vintage homes lining its two biggest roads and a tiny commercial area on Main Street, the town is pleasant but not aggressively quaint. Bayside Foods is on the corner of Main and Rock Hall Avenue.

Jeff Carroll's challenge to Rock Hall's building permit lost in court, and the town's leaders seemingly did share the town activists' antipathy for dollar stores. The Dollar General opened in November 2013 across the avenue from Bayside Foods. It's set back from the road between a chain boating retailer and a Pasta Plus, and it doesn't seem to detract much from Rock Hall's local panache.



The Dollar General in Rock Hall, Maryland. (Arthur Delaney)

Bayside is still open, but Carroll said he's lost 30 percent of his business and has reduced his staff from 42 to 25. He no longer offers health insurance or retirement benefits for those who remain.

Carroll said the Dollar General employs six people, with four of them working part time. (Slim staffing with low pay is another key part of the dollar store strategy.)

Dollar General declined to specify how many workers it has in Rock Hall but said its stores generally have six to 10 employees.

"When we open a new location, we carefully consider how best to meet the needs of our customers, while being respectful of community concerns," the company said in a statement (attributed to no one in particular). "Dollar General offers everyday low prices, value and convenience on quality products; qualities that customers across America are looking for as they look

for ways to stretch their budgets.”

On a Friday in October, the Rock Hall Dollar General had cheaper coffee grounds, cheaper milk and far cheaper canned goods than Bayside Foods had to offer. Bayside had competitive prices on bacon and bread, but Carroll said the discounts he offered for those items made them unprofitable.

Bayside had the charm of a local shop, with a butcher, deli and a bakery where people could sit and wait for their orders. The Dollar General had the charm of a prefabricated box store, albeit a small one. What it lacked in food options it made up for with other items, like belts, Budweiser hats and plastic tubs. Several customers said they also shopped at Bayside, especially if they needed something like fresh meat. For that reason, they seemed unconcerned that Bayside might be in an unfair fight.

Carroll is unsure how much longer Rock Hall can support both Dollar General and his local market. The town native said he returned in the early 2000s to be his own boss after having spent a career working for Acme Markets in Pennsylvania.

He is unsure how much longer he wants to keep working — at 63, he’s had both hips replaced and underwent back surgery on Tuesday. Before we had lunch in October, he went home to retrieve a pain pill. When we arrived at Waterman’s Crab House, Carroll said, “This is the end of the road,” because the road literally ended at the water. He was making a point about how tiny the town is. But it kind of seemed like he was talking about himself.

“It’s impossible to compete,” he said.

This is part of our five-story series spotlighting the current state of retail in America.

Clarification: An earlier version of this story said Stacy Mitchell used federal consumer spending data rather than private market research to compare grocery sales at dollar stores and Whole Foods.

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PLANNING BOARD

From: Zalescik, Andrew <AZalescik@eNorthfield.com>
Sent: Monday, January 18, 2021 5:52 PM
To: ZONING BOARD; PLANNING BOARD
Subject: Public Comment of preliminary application for Dollar General tenancy

Importance: High

Hello I am submitting this correspondence in the event a soon to be filed application is to be submitted to the planning and or zoning board for the Dollar General tenancy on the Wright Strober property at corner of Music Mountain Boulevard.

I will assume that any application will be first reviewed by our engineer and planning staff for improvements and alignment to our ordinances and zoning. In the event there are items that the staff or board is interested in from a resident standpoint BEFORE application is presented to the board(s) I voluntarily offer the following:

- 1) No destruction nor alteration of the long standing pre-existing median. This median is a core component of the "" into the development which only has one point of ingress/egress.

Current plans suggest a dissection of the media.

Note Music Mountain was not engineered for tractor trailer traffic and U turns are illegal (as posted) at end of median. Inserting cross traffic of tractor trailers is illogical and very unsafe and should be very thoroughly vetted and only considered as a last resort. No reason why 100% of ingress and egress cannot be accomplished via commonly owned adjacent property.

For fire vehicle safe access I understand need to have 360 degrees access to perimeter of building, but that can be accomplished in a variety of other ways earmarked for Emergency Vehicle Access only.....versus promoting tractor trailers to enter rear of property to un load and then depart onto Music Mountain. The median is not private property and its destruction should not enhance value of the private property especially when other ingress/egress options exist on commonly owned adjacent land.

Additional note on this topic. When this development was originaly approved there was testimony as to ingress/egress; road alignment and median placement. Thus to dissect the median now over rides that past logic of approval for the development's scrutiny of the ingress and egress. To allow for another new de facto "intersection" is ripe for litigation before or after an accident could occur.

- 2) Signage- I am certain the boards would not approve the large scale electronic signage proposed. I stress for the boards to be consistent. As an example very limited signage was afforded to the adjacent not for profit (Music Mountain Theater) and Quick Check was denied a digital fuel price sign.
- 3) Operating Hour limitation and loading/unloading hour limitations. Considering the close proximity to inhabited residences many I school age children I would suggest to consider that aspect.

Overall I am sure there will be ample opportunity to discuss the final details presented and to afford public comment. In the interim I wanted to invest time on the front end to provide a few areas of significant angst above (which is a common list to a significant amount of other residents).

If the building as proposed, has no variances then I respect opportunity for a land owner to recoup his investment.

With that said safety and other conditions mentioned above should be a heavy weighting as to any potential variance requests.

I personally have picked weeds from that median at the request of the town when the Twp. Committee said they were short on funds to maintain.

I also cut the grass of the commercial property when it was weed strewn and imposed on the corner sight lines and children biking near that corner (because the owner was not cutting the grass).

Thus we all have pitched in over the years to help preserve the "gateway" into this large development and believe the median should remain untouched to preserve the original traffic safety assumptions of the original development.

Many thanks in advance for your volunteer efforts and I look forward to attending future meetings. Please do confirm receipt.

Thank you

Andrew Zalescik



Andy Zalescik
Senior Vice President
Team Leader, C&I

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West Amwell Township Planning Board
150 Rocktown-Lambertville Road
Lambertville, NJ 08530

Letter to the Planning Board,

Re: Dollar General Lot 20.60 and 21, Block 3 in West Amwell Township, NJ

It has come to our attention that you are considering locating a Dollar General store less than one-half mile from our home. We write to share with you our deep concern for the negative impact that this store's location would have upon us and our community at large and to ask you to select an alternate location.

This neighborhood and our close knit community strenuously oppose the Dollar General's location within such proximity to our neighborhood. This retail store would present an eyesore to the entrance to our neighborhood; it would be inconsistent with the rural beauty that surrounds our neighborhood thanks to farmland and preserved wetlands and the natural beauty of the Alexauken Creek and Sourlands preserved land; and the size of the structure, lighting and signage would be offensive to our residential area. This area, surrounding the lot you've considered, is a place where hard-working professionals use their spare time to maintain their health by exercising and playing outdoors with their children and neighbors and to maintain their homes by improving and investing in their landscapes and exteriors. We take great pride in the community we have chosen and cultivated, and we will fight to preserve it. A Dollar General, less than half a mile from us and closer for our dear neighbors, would destroy exactly what we moved to West Amwell to find. Such a move by Dollar General would not be rewarded with our patronage.

You may have misunderstood the area. While your plan calls for location of a store along State Route 179 and residential street Music Mountain Boulevard, Route 179 is a minor, predominantly one-lane connector road between neighboring Lambertville at the south and Route 202/31 at the north. Route 179 has little traffic and serves primarily to allow transit to our small elementary school or to residences. There are few successful commercial entities on that route. In fact, there are few successful commercial entities in our hamlet. And we prefer it that way. Apart from an auto repair shop owned by our friend and neighbor, one restaurant that, despite our support, struggles due to our low population and the lack of traffic on 179, and a handful of other non-retail business, we enjoy the quiet that comes from an absence of commerce. We are more than happy to travel the short distance to Raritan/Flemington or to Lambertville or New Hope, PA to address our commercial needs because we have made the conscious choice not to live among chain stores and businesses. Again, we prefer it this way. Regarding Music Mountain Boulevard, it is a residential road leading only to our homes. It offers no outlet and will provide no traffic to a store located on it.

In sharp contrast to Route 179, State Route 202/31 is a heavily traveled, commercially lined, interstate route is far more suited to a retail operation or development of any kind. We can only imagine that it is a friendlier environment to Dollar Tree operation because that is where other retail operations are

located. If we were to patronize a business like this or it's competitors – whether Dollar Tree, Five Below, HomeGoods, Wal-Mart, or anything of the like – this community would prefer to travel to it than to live among it, and Route 202/31 is where it has a chance of thriving far better than here. We emphasize, *if* we were to patronize businesses like Dollar Tree or it's competitors to highlight for you the fact that our neighboring Lambertville is home to small businesses in a thriving pedestrian downtown, and we prefer to support those businesses, as they are owned by our community members. This emphasis also serves to remind Dollar Tree of our disinterest in their business and intention to boycott it if they were to locate here.

Should you have any question about our community or your proposed operation here, please call me. Should you choose not to do so, please have no doubt: we do not want a Dollar General located on Lot 20.60 and 21, Block 3 in West Amwell Township, NJ, and we will not support such an operation if our request that you locate elsewhere is disregarded.

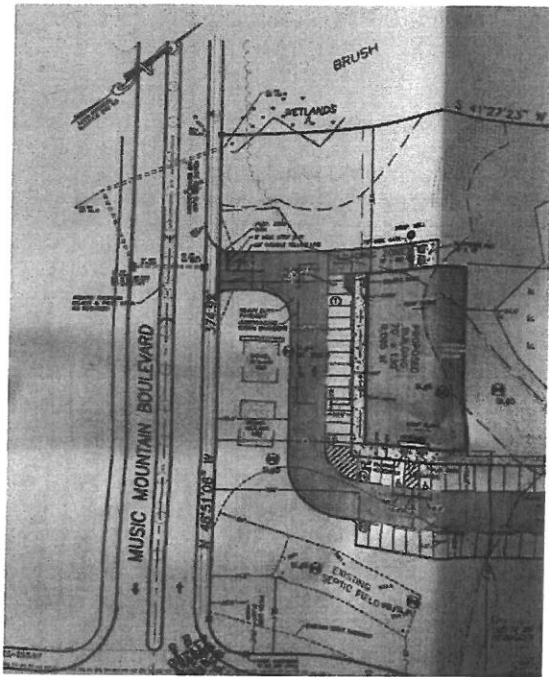
A handwritten signature in cursive script that reads "Traci C. Paciulli".

Traci C. Paciulli

15 Ferris Wheel Drive
Lambertville, NJ 08530
Homeowner and West Amwell Resident

ARE YOU CONCERNED ABOUT A DOLLAR GENERAL ON RT. 179?

LOT 20.60, BLOCK 3 ROUTE 179, LAMBERTVILLE, NJ



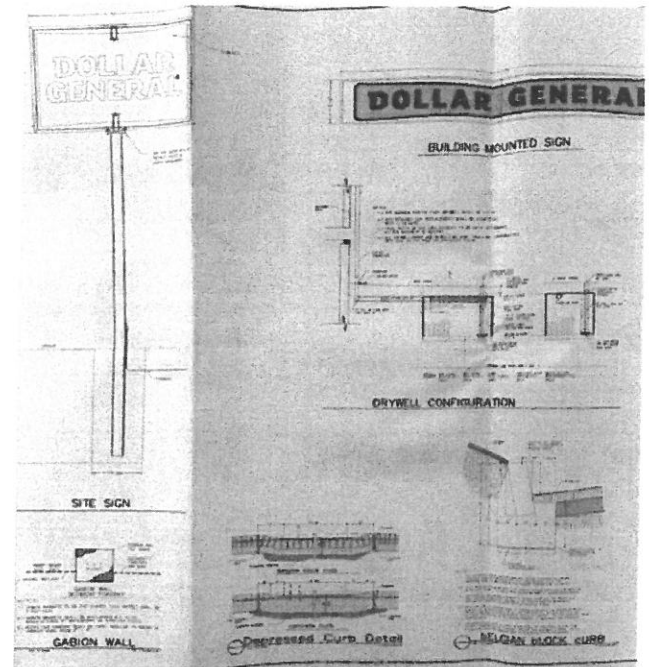
ATTEND OUR NEXT MEETING:

**JAN. 27, 2021
AT 7 PM**

**DEVELOPMENT
ON MUSIC MTN
BLVD & 179**

**JOIN VIA ZOOM
MEETING ID:
876 1179 1898**

**PASSCODE:
131610**



COMMON CONCERNS:

- Traffic, noise level and light glare.
- Loading zone & dumpster pad face Ferris Wheel, present a nuisance to residential neighborhood. Dumpsters would attract vermin and wildlife to area.
- Building proposed to be 9000 ft and require 45 parking lots.
- Semi-trailors do not belong on Music Mountain Blvd, which is a residential street. "No Outlet" sign would be needed near the front of Music Mountain Blvd to deter trucks & other vehicular traffic. Speed bumps.
- Traffic study on Rt. 179 to ensure safe ingress/egress from Estates at West Amwell.
- Move entrance to Estates at West Amwell away from commercial site.
- Increased water on neighboring properties, street flooding.
- Proposed signage is non-compliant with residential neighborhood in size, lighting and aesthetic.
- Proposed building structure is non-compliant with residential neighborhood in size, lighting and aesthetic.
- Route 179 is not a pedestrian roadway & would be dangerous. Location of this type of retail would draw pedestrians through private properties in this neighborhood and in the Lambert's Hill neighborhood.
- Elevation is not conforming with the neighborhood

OPTIONS TO VOICE CONCERNS:

Property Owner:

MM&J Investment Development, LLC
PO Box 265
Lambertville, NJ 08530

Planning Board:

West Amwell Township Planning Board
150 Rocktown-Lambertville Road
Lambertville, NJ 08530
Email Maria Andrews, Township Clerk
with all questions and concerns:
clerk@westamwelltwp.org

Proposed Tenant:

Dollar General
Todd J. Vascios, CEO
100 Mission Ridge
Goodlettsville, TN 37072
Ph: 615-655-4000 / 877-944-3477

custsvc@dollargeneral.com
DGPR@dollargeneral.com
Construction@dollargeneral.com

PLEASE DIRECT COMMENTS AND QUESTIONS FOR WEST AMWELL ESTATES

MARIA ANDREWS

From: Cathy Urbanski <caturbanski@comcast.net>
Sent: Monday, February 15, 2021 8:56 PM
To: rob tomenchok; MARIA ANDREWS
Subject: FW: block 3, lot 20.62, route 179 (entrance to Estates of West Amwell).

From: Peter Warms <piwarms@gmail.com>
Sent: Tuesday, February 9, 2021 12:36 PM
To: OPEN SPACE <openspace@westamwelltp.org>
Subject: block 3, lot 20.62, route 179 (entrance to Estates of West Amwell).

John, Cathy

I wanted to bring to your attention the lot listed above. This is a 5.4 acre lot where 75% of the lot is deemed to be wetlands. The lot is zoned as commercial and the owner is planning to build a facility and lease to Dollar General. This will not be good for the community, township, adjoining neighborhood, etc. This will be a highly debated and contested topic at next week's planning board meeting.

As an alternative, I am curious if this lot could be considered for an open space investment. I am aware that a small portion of our property taxes is allocated to an open space fund.

I recently read that Lambertville is considering protecting a similar sized lot, as have many townships have done so before.

Is there a process for a formal submission to the township or county?

Thanks

MARIA ANDREWS

From: Stop Studios <ddolnick1@gmail.com>
Sent: Wednesday, January 20, 2021 9:42 PM
To: MARIA ANDREWS
Subject: OPRA Request - LOI for Freshwater Wetlands - Block/Lot (3,21 and 3, 20.60)
Attachments: NJDEP Records Request Receipt - 283937.eml; NJDEP Records Request Receipt - 283936.eml

Good Evening,

My name is David Dolnick and I am a resident of Amwell Estates. I have recently submitted a Open Public Record Act (OPRA) request with the New Jersey Department of Environmental Protection (NJDEP) for the following Lots and Blocks in West Amwell Township:

Propert Owner: Michael Stroeber
Blocks(s) and Lot(s): (3, 21) and 3, 20.60)
Information Requested: Freshwater Wetlands Letter of Interpretation (LOI) and associated documentation

Based on my review of a LOI, this information is also submitted to the City Clerk's Office. I am requesting a copy of this information from the West Amwell Township. Can you please advise the process to receive this information. The state requests are below.

Please cal me with any questions,

Regards,

Dave Dolnick

Mobile number: 201.572.9344
Home address: 18 Terrell Rd, Lambertville, NJ 08530



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

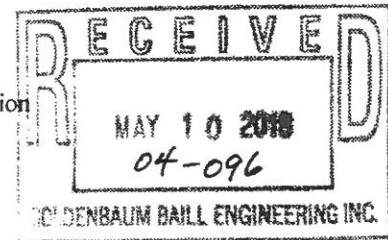
Division of Land Use Regulation
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

CATHERINE R. McCABE
Acting Commissioner

Michael Strober
Investment Group, LLC
PO Box 265
Lambertville, NJ 08530

MAY 03 2018

RE: Freshwater Wetlands Letter of Interpretation: Line Verification
File No.: 1026-05-0004.1
Activity Number: FWW170001
Applicant: INVESTMENT GROUP LLC
Block(s) and Lot(s): [3, 20.60] [3, 21]
West Amwell Township, Hunterdon County



NOT SPARKING

Dear Mr. Strober:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Use Regulation (Division) staff verify the boundary of the freshwater wetlands and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (NJDEP), the U.S. Army Corps of Engineers (USACOE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon a site inspection conducted by Division staff on October 5, 2017, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "WETLANDS LOCATION PLAN PREPARED FOR LOT 20.60 & 21, BLOCK 3 WEST AMWELL TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY", consisting of one sheet(s), dated May 15, 2017, unrevised, and prepared by Vincent J. Rigelon, Jr., P.L.S. of Goldenbaum Bail Associates, Inc., is accurate as shown.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above file number and the following note:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP"

Wetlands Resource Value Classification ("RVC")

In addition, the Division has determined that the resource value and the standard transition area or buffer required adjacent to the delineated wetlands are as follows:

Intermediate: All delineated wetlands. [50 foot wetland buffer]

RVC may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-9 and 10), the types of Statewide General Permits available for the property (see N.J.A.C. 7:7A-5 and 7) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-8). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

Wetlands resource value classification is based on the best information available to the Department. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

General Information

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.3 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.4. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

Please be advised that any surface water features on the site or adjacent to the site may possess flood hazard areas and/or riparian zones and development within these areas may be subject to the Flood Hazard Area Control Act rules at N.J.A.C. 7:13. The Department can verify the extent of flood hazard areas and/or riparian zones through a flood hazard area verification under the application procedures set forth at N.J.A.C. 7:13-5.1.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically called out in this letter as such. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

Recording

Within 90 calendar days of the date of this letter, the applicant shall submit the following information to the clerk of each county in which the site is located, and shall send proof to the Division that this information is recorded on the deed of each lot referenced in the letter of interpretation:

1. The Department file number for the letter of interpretation;

2. The approval and expiration date of the letter of interpretation;
3. A metes and bounds description of the wetland boundary approved under the letter of interpretation;
4. The width and location of any transition area approved under the letter of interpretation; and
5. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a freshwater wetland and/or transition area. Certain activities in wetlands and transition areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a freshwater wetland permit. Contact the Division of Land Use Regulation at (609) 292-0060 or <http://www.nj.gov/dep/landuse> for more information prior to any construction onsite."

Failure to have this information recorded in the deed of each lot and/or to submit proof of recording to the Division constitutes a violation of the Freshwater Wetlands Protection Act rules and may result in suspension or termination of the letter of interpretation and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:7A-22.

Appeal Process

In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.nj.gov/dep/landuse/forms.html. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Stacey MacEwan of our staff by e-mail at Stacey.MacEwan@dep.nj.gov or by phone at (609) 633-6563 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Patrick Ryan, Supervisor
Division of Land Use Regulation

c: Municipal Clerk
Municipal Construction Official
Agent (original)

