

TOWNSHIP OF EVESHAM

Zoning Board

Minutes

7:00 pm

20 March 2017

Municipal Building

Call to Order

Chairman Parikh made the call to order at 7:10 pm.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairman Parikh made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

Roll Call

Present: Parikh, Rodgers, Alperin, Amato, Lutner, Meyers, Hoyle, Osno

Also Present: Wieliczko, Rehmann, Furey, Dariji Kinney, Bittner

Absent:

Minutes: February 27th, 2017

Motion: Rodgers

Second: Lutner

Ayes: Parikh, Rodgers, Amato, Lutner, Meyers, Hoyle, Osno

Ms. Kinney announces that Mr. Hoffman, Vice-Chairperson has resigned.

Nomination for Vice-Chairperson. Mr. Parikh nominates Kevin Rodgers.

Motion: Parikh

Second: Alperin

Ayes: Alperin, Amato, Lutner, Meyers, Hoyle Parikh

Abstain: Rodgers

Nomination for Alternative Vice-Chairperson. Mr. Rodgers nominates Phil Wessner.

Motion: Rodgers

Second: Lutner

Ayes: Alperin, Amato, Rodgers, Lutner, Meyers, Hoyle, Parikh

Continuation of Scheduled Matters

ZB 16-14. RH Properties- Developer's Agreement:

Application will continue onto next month's meeting on April 24. Developer's agreement is currently being drafted. However, it is not fully engineered or priced out. Mr. Wieliczko says we have received changes to the resolution it does not impact much so we will proceed as scheduled.

Unfinished/New Business:

1. **Brixmor Property Group, INC. ZB 12-18A1. Amended Prel/Final Major Site Plan-Marlton Crossing II Shopping Center.**

101 S. Route 73, Block 24.21, Lots 1 & 2

Applicant proposes to renovate the existing vacant Champps building to accommodate a new Chickie's & Pete's restaurant and site work, including expansion of existing parking area.

Richard Goldstein, Attorney for Applicant

Witnesses for Applicant:

- Pete Ciarrocchi, Owner Chickie's and Petes
- Brian Conlon, Engineer
- Jeremy Drummond, Architect
- Dan Disario, Traffic Engineer

Exhibits:

A1: Exterior color studios of Chickies and Petes. Dated March 13, 2017

A2: Schematic Floor plan dated March 15, 2017.

Applicant Attorney Overview:

- Brixmor is the group that owns the Marlton Crossing Shopping Center.
- Lot 1: Marlton Plaza Associates LP
- Lot 2: Marlton Plaza Associates II LP
- Application will be focused on Lot 2.
- C-1 Commercial District; Evesham Crossroads overlay.
- Applicant proposes to re-use old Champps site for a Chickies & Petes Restaurant. There will also be driveway and parking modifications.
 - Tonight's application will only address re-use of Champps building and not an 8100 sq. ft. retail/restaurant building.
 - Mr. Parikh thanks the board professionals for working quickly on this application.
- Applicant is not seeking approval of signage this evening. Signage will either comply, or applicant will come back to the board for approval.
- No variances are being requested.
- Site should be looked at as an overall site (both Lots 1 & 2 combined).
- Lot 2:
 - Maximum impervious coverage is 81%, applicant proposes to increase it to 83%.
 - Front Yard setback is currently 17 ft. Applicant is proposing a 12.1 ft. setback.
- Applicant proposes additional parking spaces to the plan.
 - Will add 29 new parking spaces.
- Lots 1 & 2 Combined:
 - Impervious coverage: 76.4% exists, 77.3% proposed.
 - Discusses parking ratio.

- 4.5 spaces per thousands is required; 4.29 currently exists, and 4.37 is proposed.
- Applicant also asks for waivers for the submission of the Environmental Impact Report, Cultural Resource Survey, and Traffic study as the site is already developed.

Pete Ciarrocchi Testimony:

- Owner of Chickie's & Petes.
- 12 freestanding locations; 4 located at the airport.
- Locations in NJ include Bordentown, Glassboro, Egg Harbor, Atlantic City, and 4 boardwalk locations.
- Place will be no bigger than the current building.
- Restaurant is more food oriented (72% food, 28% alcohol)
- No larger than 30 ft trucks for deliveries; 1 time per week.
- Trash will be picked up 3-4 times per week.
- 250-275 employees to start with. This is standard size for operation.
- Building is in need of repair, will have a \$4.4 million dollar renovation.
- Mr. Goldstein Asks:
 - Hours of Operation: 11am to 2am.
 - Frequency of Deliveries: 4-5 days per week.
 - Patio Area with the Gate- will gate be exit only or both entrance/exit? Gate will not be advertised as an entrance but can be used as such.

Brian Conlon:

- Accepted as an expert witness in field of Engineering.
- Current building is 11,930 sq. ft.
- Applicant is proposing to connect the parking lots, they will add more parking and add a full circulation drive-way to ease traffic.
- Applicant was originally going to add 33 spaces. However, with the comments from the Board Professionals, will only add 29 parking spaces. Discusses parking ratios.
- Notes that the changes will result in an increase in impervious coverage.
- The stormwater management system will be placed under the parking. It will comply with all Township and State guidelines.
- Utilities are already in place for the sanitary sewer system.
- Applicant will improve landscaping in Lot II of the Shopping Center.
- Mr. Goldstein states and asks Mr. Conlon the Following:
 - Applicant will work with board professionals to address plant materials.
 - Discusses parking set-back on frontage of Rt. 73. Mr. Conlon notes that there is a 12.1 ft. setback on Rt. 73, it is a small section where the road pinches.
 - Relocation of handicapped spaces to the front. Applicant requests to remain in the area as is shown. The spaces will still be accessible, but kept on the side.

- Applicant will improve overall lighting of the site and work with the Board Planner to address this.
- Phase 1, requests MG to provide stormwater staying that it is acceptable.
- Letter from ARH; comments are acceptable to applicant.
- Remaining comments from Board Professional Planner are also acceptable.
- Comments made by the Fire Marshal (letter dated February 27, 2017) are also acceptable.
- Mr. Wieliczko discusses ADA spaces. Asks applicant to re-affirm. Mr. Parikh asks to go over numbers in variances for clarification. Applicant does so.

Jeremy Drummond, Testimony:

- Architect for the project.
- Gives professional background; never has been qualified as an expert by a Zoning Board in New Jersey.
 - Mr. Goldstein states that Mr. Drummond is giving a limited scope of testimony. Mr. Wieliczko states that the board will accept.
- Discusses outside changes of the building: color will change of the outside, shows entry-way changes. Outside will be yellow and black with a grey accent color.
- Metal screen will be placed on side of building to make it look like a crab pot.
- No increase in height of the building; will bring arched entry down.
- Give building new life.
- Discusses interior changes to the building.
- Discusses how architecture will tie into look of existing buildings in the Shopping Center.
- Plan will be submitted to board professionals regarding screening.

Dan DiSario Testimony:

- Has testified before board before; gives qualifications- accepted by the board as a witness.
- Traffic study dated March 13, 2017.
- Building will operate similar to Chammps; so no changes to traffic.
- Clarifies parking. Notes that the applicant is analyzing the entire site (both lots 1 & 2).
 - 26 spaces will be added; this will increase ratio and improve upon existing conditions.
- Talks about shopping center parking demands. Professional standards that are proposed.
- Mr. Parikh talks about the 250-275 employees that are to be hired. Asks if this is similar to Chammps?
 - Applicant notes that there will be a maximum of 70 PT or FT employees on a day.
 - Mr. Parikh asks Mr. Dariji to designate employee parking. Applicant says if it is hard for patrons to access, they can change the parking.

- Mr. Wieliczko asks for clarification regarding the estimated number of employees.

Applicant Ends Formal Testimony.

Board Professional Testimony:

Leah Furey Bruder, Planner

- Letter dated March 16, 2017.
- Applicant responded to all comments in the letter. Will coordinate regarding landscaping.
- States that the round-a-bout in front of Chammps will now be able open to cross through. Landscaping will change. Discusses tree- removal. Will look at what trees will need to be saved, and which ones can be saved.
- Lights will modify parking area; includes lighting in immediate vicinity.

Mr. Rodgers asks if there are plans for the restaurant to do take-out? Mr. Ciarrocchi says they have never done it, but can consider it if the board wants it.

Rakesh Dariji, Traffic Engineer

- Letter dated March 15, 2017.
- Discusses handicapped parking spaces. Will work out combination with applicant. Wants parking spaces to be as close to the door as possible. States that with the added parking, the applicant can move the spaces closer to the door.
 - Applicant agrees to comply, and will work with Mr. Dariji. Will move 2 ADA spaces and keep others as is.
- No objection to parking ratio.

Chris Rehmann, Board Engineer

- Addressed most of issues presented. Revisions to the plan changed concerns.
- Minor technical concerns that can be worked out with Mr. Conlon.
- Talks about sidewalks, landscaping, etc. Can work this out.
- No objection to the plan.

Mr. Goldstein asks about the striping of parking islands that was presented in the Board Planner and Engineer's review letters. Ms. Furey and Mr. Rehmann are satisfied.

Board Comment: None

Public Comment: None

Mr. Wieliczko (Board Attorney) Summary:

- Applicant is seeking amended preliminary/final site plan approval. Plan will expand parking area and drive-aisle width.
- Applicant is asking for waivers from the Environmental Impact Study, Cultural Resource Survey, and the Traffic Impact Study.

- Applicant is requesting bulk variances regarding impervious coverage; front area setbacks, and parking ratios.

Motion to Approve ZB 12-18A1

Motion: Rodgers

Second: Lutner

Ayes: Alperin, Amato, Rodgers, Lutner, Meyers, Hoyle, Parikh

Resolutions:

ZB 16-14A

Motion: Rodgers

Second: Amato

Ayes: Amato, Rodgers, Lutner, Meyers, Hoyle, Parikh

ZB 16-19

Motion: Rodgers

Second: Lutner

Ayes: Amato, Rodgers, Lutner, Meyers, Hoyle, Parikh

Communications/Organization:

Next Meeting: April 24th, 2017

Meeting adjourned at 8:20pm.