

TOWNSHIP OF EVESHAM

Planning Board

Minutes

7:00 pm

4 August 2016

Municipal Building

Call to Order

Chairwoman Marrone made the call to order at 7:05 pm.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairwoman Marrone made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

Roll Call

Present: Marrone, McGoey, Parikh, Zeuli, Vassallo, Student, DiEnna, Foster

Also Present: Wieliczko (first application), Platt (second application), Rehmann, Furey, Arcari, Turan

Absent: Menichini, Brown

Meeting Minutes

June 21st, Special Meeting

Motion: Parikh

Second: McGoey

Ayes: Marrone, McGoey, Parikh, Vassallo, Zeuli

Mr. Wieliczko swears in the Board Professionals for the 2016-2017 year. Swears in Mr. Rehmann, Ms. Arcari, Ms. Furey and Mr. Turan.

A. Unfinished/New Business

1. Merl Holdings III, LLC. PB 14-01A. Amended Final Site Plan Approval-Sign Package Only.

Timothy Prime, Attorney for Applicant

Witnesses Sworn in:

- Richard Crawford, Mercer Sign Consultants
- Rachel Cyzner, Cyzman Properties

Exhibits:

A1: Series of photographs of existing “as built” signs and other signs in the surrounding area.

Mr. Prime Overview:

- Location of signs at the Galleria Shopping Center. Applicant presents an amended application for a free standing sign. New tenants will be coming in, applicant will return for additional site plan approvals at a later time.

- Sign located on Rt. 73. Original approval allowed for panels in the sign to be grey with white lettering. Tenants however wanted to personalize signs. Size conforms with what board originally approved.

Richard Crawford Testimony:

- Discusses what was allowed based on original approvals. Tenants wanted to be able to customize signs, were not satisfied with original monotone colors.

Mr. Prime notes that the applicant is seeking relief on sign, and approve the sign to be built as is. Applicant is also seeking to permit future tenants to allow colors and logos to be placed on the sign. Apologizes for the last minute nature of the application, and that the sign was already built.

Applicant ends formal testimony.

Leah Furey, Planner

- Letter dated May 16th, 2016
- Review letter goes over more items beyond just signs.
- Sign ordinance was amended in 2015
- Discusses lighting of sign. Applicant fulfills requirements.
- No ordinance in regards to logos or colors, just lighting.
- What applicant is seeking is harmless, as it is built already at this point.

End Board Professional Testimony.

Board Comment:

Mr. Student asks about variance received and the façade of sign. Mr. Prime responds that the façade is in the amended application that will be presented at a later date.

Public Comment:

None.

Mr. Wieliczko Overview:

- Applicant is seeking amendment to prior approval. Applicant wants to allow sign on Rt. 73 to keep as is, displaying tenant colors and logos as opposed to white/grey signage.
- Sign was non-compliant, Applicant came in at the request of the Community Development Department.

Motion to Adopt PB 14-01A:

Motion: Student

Second: Parikh

Ayes: Marrone, Cortland, McGoe, Parikh, Student, Vassallo, Zeuli

Ms. Kinney requests to pass resolutions while board is waiting for Mr. Platt to arrive.

Resolutions PB 15-15:

Motion: Parikh

Second: Student

Ayes: Zeuli, Parikh, Vassallo, Student, Foster, Marrone

Meeting Minutes paused at 7:20pm. Mr. Wieliczko leaves and Mr. Platt arrives at 7:22pm.

Meeting resumes at 7:23pm.

2. Evesham Owner, LLC. PB 14-25SPF. Amended Prel/Final Major Site Plan.

Timothy Prime, Attorney for Applicant

Witnesses Sworn In:

- Chirag Thakkar, Engineer
- Dave Horner, Traffic Engineer
- David Nicholson, Architect
- Scott Furman, Environmental Attorney

Exhibits:

A1: Township Concept Review- Façade Renovations Concept Design.

Mr. Prime Overview:

- Site is Renaissance Square Shopping Center, formally known as Tri-Towne Plaza.
- Planning Board granted preliminary site plan approval for entire project in September 2015. The approval was for a “mixed-use” facility, combining residential and commercial projects.
- Site is 20 acres on Rt. 70.
 - Currently 9,4000 sq. ft. has been demolished. Total square footage of building is 84,679 sq. ft. The remainder of the site will be refurbished.
- Applicant is seeking approval for an additional two story building, allowing Burger King to move locations, and restaurant pad approval. Seeking to build an additional 12,600 sq. ft. building on second floor for offices. Applicant also requires a parking variance.
- No change to residential component. Applicant is still seeking to build 338 apartments in 5 buildings.
- Chirag Thakkar discusses restaurant pad sites:
 - Original approval was for 2 restaurant pads at 5500 sq. ft. each. Now is looking at two pads, one pad at 7125 sq. ft. and the other at 8800 sq. ft.
 - Mr. Prime notes that the applicant is not seeking approval of the pad sites tonight, but wants to inform the board of this coming change. Applicant will come back for approval once they have tenants for the restaurant sites.
- Burger King will move to corner where SuperFresh was located and include a drive thru.
- Phase 1A approval will be for the existing buildings for commercial space.
 - Applicant is seeking approval for Phase 1A tonight.
- Phase 1B will include reminding apartments
 - Applicant will come back later for this approval.

Mr. Parikh asks applicant to clarify what approvals they are seeking tonight. Ms. Furey clarifies for board what they are looking for. Ms. Furey clarifies restaurant pad sites, states that there will be further discussion with Phase 1B and the creation of an outdoor space. This discussion will occur at a later date.

Mr. Cortland asks about the Burger King. Applicant clarifies.

Mr. Prime discusses subdivision component of application. Applicant wishes to consolidate four lots into one single lot. The single lot will then be subdivided into 11 lots for financing purposes only.

Ms. Marrone asks about redevelopment. Ms. Furey clarifies. Mr. Cortland asks if the subdivision plan is similar to what is currently at Staples/Aldis. Ms. Furey responds yes. Discussion ensues.

Applicant has sent plans to NJDOT for the right-of-way. Applicant is currently waiting for approval.

Applicant notes that they have already received approval for the location of signs. Applicant will come back with sign package at a later date. Mr. Thakkar notes that the location of the three signs have not moved since preliminary approval.

Applicant requests a parking variance. Applicant proposes 938 spaces, where 950 are required.

Applicant agrees with all notes from Planning Board Professionals as condition of approvals.

Dave Horner, Traffic Engineer, Testimony:

- Shared parking analysis and revised analysis review on July 28th. Revised analysis is a result of Ms. Arcari's concerns.
- Applicant is seeking variance for 20 spaces.
- Discusses that because the site is mixed-use, there are different times for parking peaks. Not all parking will occur at the same time. Commercial and Residential parking peaks at different hours.
- Ensures that the office/retail building and coffee shop will have enough spaces surrounding area so that people are not walking far to get to the location.
- DOT application is currently pending, expects final approval within a few weeks.

David Nicholson, Architect, Testimony:

- Shows location of coffee shop, office/retail building, and the area of site that faces Rt. 70
- Discussion regarding Rt. 70 façade, Mr. Nicholson shows architecture/design of area.

FINISH APPLICANT TESTIMONY SECTION

Applicant Ends Formal Testimony

Planning Board Professional Testimony

Leah Furey, Planner

- Review letter dated July 28, 2016
- All comments in review letter have been agreed too. Parking variance has been submitted.
- Requests that if parking is a concern, applicant should allow the Planning Board to discuss parking upon requests for additional approvals. Applicant agrees to this.
- Discusses storage space for residential properties. Applicant addresses.
- Asks Applicant about utility meters and aesthetics. Applicant will address as it comes up, will ensure that it will be aesthetically pleasing. Applicant spoke to utility companies existing utilities will be located behind building and screened as to hide them from view.
- Change in location for Burger King has met appropriate standards for use. Burger King signage with overall sign package. No outdoor seating is included. Asks Applicant to work with Burger King to mitigate smell. Applicant agrees.
- Concerned about 20 ft. separate between buildings of the restaurant sites. This will be discussed at a later date when applicant returns from Phase 1B.
- Discusses COAH phasing rule, both market rate and affordable units will be built together.

Behram Turan, Environmental Engineer

- Review letter dated October 22nd, 2015. Follow-up letter on January 25th, 2016 and on July 28th, 2016
- Applicant has worked to mediate areas of concern. Applicant has not submitted final documents for mediation of site. Applicant must actively re-mediate areas of concern and ensure they're up to DEP standards.
- Discusses proposed remedy for groundwater treatment. Applicant is satisfied with environmental remediation, just a matter of paperwork.
- Mr. Turan says that he does not have the information from the LSRP, and that he does not have all the completed information. Applicant states they will give him the complete package in a few weeks once it is entirely finished. Discussion ensues. Ms. Marrone comments that they should supply the LSRP incrementally.
- Ms. Furey discusses Well #8, interested in understanding that it's not an issue, and have information on if its remediated or not.

Applicant swears in Mr. Scott Furman

- Mr. Furman gives background as an environmental attorney.
- States that all areas that are a cause of concern have been fully addressed except for one (lab data is holding paperwork up). Discusses LSRP and other environmental studies conducted on behalf of the applicant.
- Applicant agrees as condition of approval that the data will be given in full in the coming weeks.
- Mr. Student asks if remediation will delay construction. Mr. Turan states that some soil contamination might be left, but it will not impact the groundwater.

- Mr. Platt states that final approval will allow the applicant to commence construction. Discussion ensues. Applicant agrees as condition of approval that construction cannot begin until Mr. Turan receives all the information, the remediation plan is to Mr. Turan's satisfaction, and no construction permits will be issued until the LSRP is signed off.
- Applicant states that LSRP needs to sign off on the project, and the Township does not need to approve the LSRP. Discussion ensues.
- Ms. Vassallo is concerned about the REOs, and wants to be sure that the area is definitely clean with no questionable areas. Mr. Furman responds.

Chris Rehmann, Engineer

- Discusses review letter, and shows items that applicant approved.
- Asks applicant to clarify subdivisions, Mr. Prime discusses. Mr. Prime discusses the Shopping Center next to the proposed redevelopment. States that there is no crosswalk to be built yet. Once that shopping center is ready to be rehabilitated, applicant will do their part to assist.
- Mr. Rehmann further clarifies points on parking and Title 39 approval. Applicant agrees.

Stacey Arcari, Traffic Engineer

- Review letter dated July 8, 2016
- No issues with parking variance as a whole, agrees with Mr. Horner's shared parking analysis.
- Concerned about the additional 12,600 sq. ft. of office space due to location and intensity of area. Applicant discusses.
- Talks about street striping, makes sure applicant uses certain materials and ensures conformity. Applicant agrees.

End Planning Board Professional Testimony

Public Comment:

Jerry Skorch, 810 Quail Road

- Has concerns regarding the architecture.
- States that consideration should be taken into account for residents who might have two vehicles or have handicapped parking.
- States that Burger King might have a smell that goes into neighborhood. Concerned about traffic in that area.

Ron Barber, 1 Lee Terrace

- Discusses buffer near property, asks if a larger buffer is allowed. Wants to ensure that site does not encroach onto property.
- Mr. Thakkar shows him landscape and buffer.

End Public Comment.

Board Comment:

- Mr. Parikh asks about restaurant size and if it is smaller. Leah and applicant clarify.
- Mr. Student asks for clarification regarding the 3 drive-thru on the site, asks if the office building is for traditional use or medical offices, and about restaurant. Applicant replies that the office space has no tenant but it is for just general use. Applicant responds that only two restaurants will be included at the site. Mr. Student asks Ms. Arcari about the peak hours, she responds with how the study works.
- Mr. DiEnna asks Mr. Scorch if his question was answered about the buffer between Burger King and Plymouth Avenue. Mr. Scorch replies that no, but the question cannot really be answered at the moment. Leah discusses additional landscaping at buffer.
- Mr. Cortland asks if there is a tenant for the coffee shop. Applicant says that information cannot be stated at this time. Mr. Cortland asks if the coffee shop can look upscale aesthetically. Ms. Furey responds that the architecture is set, and it is designed for an upscale look.

End Board Comment.

Mr. Platt Summary:

- Applicant is seeking an amended preliminary approval for subdivision. The applicant will consolidate 4 lots and resubdivide them into 11 lots for financial purposes. The site will still have cross parking, cross-access easements and same water supply. The site will function as one.
- Preliminary approval for the project was granted in October 2015.
- Amended Items to Preliminary Approval:
 - Relocate Burger King and allow for a drive-thru
 - Increase the size of the two restaurant site pads
 - Add second story to retail center for office space
- No amendment to the 338 residential units.
- Applicant is seeking Final Site Plan Approval for Phase 1A
 - 84600 sq. ft. of commercial space
 - 158 units in the “H” building.
- Applicant has complied with all other items in prior approval.
- Final approval of the location of the signs only.
- Conditions of Approval Applicant has agreed to:
 - Items stated in Planning Board professional letters
 - Outside utilities will be screened
 - Burger King will defer menu boards for final approval
 - Applicant will install odor-containment devices for Burger King.
 - Applicant will supply Mr. Turan with all information needed. If no information is provided, work cannot begin.
 - No construction will begin until the RAOs (Remedial Action Outcomes) for all areas of concern are satisfied except for #9, the Master Cleaner.
 - No construction will begin until the LSRP is agreed upon and signed off by our Environmental Engineer and the state.
 - Applicant has agreed with Mr. Rehmann’s report. They will seek Title 39 authority.
 - Handicapped ramp will be placed on right side of the building.

- Shared parking will be available throughout site.
- Applicant has agreed to Ms. Arcari's comments.
 - All handicapped spaces will be approved by the construction code official and ADA compliant.

Motion to Approve PB 14-25SPF

Motion: Parikh

Second: Cortland

Ayes: Courtland, McGoey, Parikh, Student, Vassallo, Zeuli, DiEnna, Foster, Marrone

Public Comment: None

Board Comment: None

Resolutions:

PB 15-15

Motion: Parikh

Second: Student

Ayes: Zeuli, Parikh, Vassallo, Student, Foster, Marrone

Communications/Resolution:

Next meeting will be on August 18th, 2016

Meeting adjourned at 9:04pm.