

TOWNSHIP OF EVESHAM

Planning Board

Minutes

15 September 2016

7:00 pm

Municipal Building

Call to Order

Chairwoman Marrone made the call to order at 7:10pm

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, Parikh, Zeuli, Menichini, DiEnna, Foster

Also Present: Walter, Rehmann, Furey, Arcari, Turan, Kinney, Bittner

Absent: McGoey, Cortland, Vassallo, Student, Brown

Meeting Minutes

August 4th, 2016

Motion: Parikh

Second: Zeuli

Ayes: Marrone, Parikh, Zeuli, DiEnna, Foster

August 18th, 2016

Motion: DiEnna

Second: Parikh

Ayes: Marrone, Parikh, Zeuli, Menichini, DiEnna, Foster

A. Unfinished/New Business

1. MiPro Homes, LLC. PB 11-14A. Reserves at Marlton (formerly Sharp Road Estates).
Amended Prior Approval

Applicant is proposing to modify the storm water management system of the approved development.

Jeffrey I. Baron, Attorney for Applicant.

- Applicant is seeking to remove existing stormwater basins, and construct a new basin. Applicant will expand the size of current basin to work properly at the site.

Witnesses for Applicant:

Michael Proccaci, Applicant

Brian Peterman, Engineer

Exhibits:

A1: Amended Grading Plan (Unrevised). Dated 7-1-16.

A2: Close up of Basin #25 and Lot #21. Dated 9-15-16.

Michael Proccaci Testimony:

- Bio-Retention basins were originally approved with plan. These basins are not working as intended, and are creating many issues for homeowners. 10 bio-retention basins were originally proposed.
- Area of open space will be the location of the new basin.
- Back bio-retention basin will be expanded to become a larger basin.
- Orients Planning Board to the location of the site and the basins.

Brian Peterman Testimony:

- Firm did not design original basins, proposed new basins to resolve issues with stormwater management.
- Discusses Lot 21 (private property) and Basin 25. Basin #25 will be expanded and is located next to Lot #21. Applicant will have to enlarge easement or ask for a minor subdivision to maintain basin on HOA property as opposed to private property/lot. Applicant's preference is to create a separate lot as opposed to create an easement. Mr. Baron clarifies that the applicant is not applying for this subdivision at this time, will do so in the future.
- Describes what the basins will look like.
 - West Basin will be proposed. Applicant has received relief/approval from DEP.
 - Back Basin will increase in size to what was originally approved. Further improvements for the infiltration system will be created to resolve any problems.
- Mr. Baron notes that all basins on property are owned by MiPro Homes LLC.

End Applicant Testimony.

Leah Furey, Planner

- No formal letter. States that the landscaping plan will need to be revised. She will work with Mr. Proccaci and Mr. Peterman to revise the plan. Board accepts.

Chris Rehmann, Engineer

- **Letter Dated:**
- Upgrade to drainage basins will improve overall site.
- No objection to the details of the proposed design of the basin and will be functional for the space.
- Discuss Basin #25 in location to Lot 21. Notes that the basin should be moved as far away from end unit as possible to assist property owners. Discussion in regards to this topic and regarding wetlands ensues.
 - Mr. Baron agrees that any improvements that go beyond what is bonded the applicant will post an additional performance guarantee bond. Governing body will determine if additional monies need to be added for performance bond.

Public Comment:Diane Moniz Reed, 30 Grace Drive

- Asks applicant to clarify if the 10 current bio-retention basins go away. Mr. Proccaci says yes. Clarifies for other residents in room the location of the current basins that will be filled in. Mr. Baron notes that the basins will be filled and rectified.
 - Ms. Walters asks for a clarification point regarding how many bio-retention basins there are. Applicant responds that there are 10 in total. 8 will be eliminated, 1 remain, and 1 modify.
- Applicant shows the public where remaining basins are. Applicant stated that they have talked to the homeowners whose properties are located near the basins, and there was no issue.

Carlos Sacchetti, 51 Isabelle Court

- Asks how ponds are being finished as the current ones have bugs. Mr. Procacci explains about landscaping and fixing the area.
- Asks about the center pond area and if it is a park area. Mr. Procacci states that there will be a fence around the pond, trees, and a sidewalk. Discussion ensues.
- Mr. Baron clarifies issues regarding the park area basins. The goal is to eliminate the problem, which will eliminate the park area. Discussion ensues. Ms. Walters states that the applicant needs to clarify about fountains. Mr. Procacci states that there was no recommendation to install the fountain. No engineering benefit. Thus, applicant will not install fountain. Discussion ensues.

Diane Moniz Reed, 30 Grace Drive

- Asks applicant about the burden on the HOA. States that the homeowners have invested money in the community, and would like to see a fountain. They believe that the fountain will bring a certain aesthetic appeal to their homes.
 - Mr. Baron states that the developer would need to get state approval and other agency approvals to change the layout of the basins. The HOA can perform these duties after. Discussion regarding responsibility and design ensues.
 - Ms. Walters states that the diffuser (fountain) is not an appropriate remedy based on engineering. Residents can go to governing body and performance bond to raise concerns. If residents want to pursue this issue further, they would need to obtain their own attorney.

Karen Tarantino, 26 Grace Drive

- Asks how long is the project going to take. Asks about the trees that divide the lot and the stream that divides the property. Applicant discusses trees and stream issue.
- Applicant does not know how long project will state. Mr. Procacci says Monday.

Board Comment:

- Mr. Parikh asks about the basin located in the middle of the property. Applicant states that it is not going away.

- Mr. Menichini asks about the trees and shrubs proposed around the basin and if the basin will still be visible. Applicant responds yes.
- Mr. DiEnna asks if members of the public had their questions answered. Public said yes.
- Mr. Parikh notes that the conditions of approval need to be addressed.

Attorney Summary

- Applicant is seeking preliminary/final major subdivision approval with the blocks and lots as submitted as proposed.
- Condition of Approval: Applicant must work with the Township Planner regarding landscaping revisions.
- Applicant will relocate basin #25 as far away as possible from lot #21.
- Applicant will abide by in Mr. Rehmann's report.
- Applicant will receive all outside agency approvals.

Mr. Rehmann notes that the applicant starting on Monday is not feasible.

Motion to Approve PB 11-14A

Motion: Parikh

Second: Menichini

Ayes: Menichini, Parikh, Zeuli, DiEnna, Foster, Marrone

Meeting paused at 8:03 pm for brief recess. Meeting resumes at 8:11pm. Mr. Parikh excuses himself from second application.

2. Genesis Property Management. PB 16-04SP. Major Site Plan- Prel/Final. (Olga's Diner & Vicinity Redevelopment Project Area)

100 Route 70 West/111 Marlton Pike West, BL 22.02, Lots 31, 32, 34,35, 36, 37.

Applicant- Reproductive Medical Associates of New Jersey (RMA)- proposes a three story state of the art medical office building consisting of 38,900 sq. ft.

Timothy M. Prime, Attorney for Applicant.

- Genesis Property Management is seeking Major Preliminary and Final Site plan, with one bulk variance requested. Site is located at Rt. 70 West, at the old Olga's Diner property.
- Site is 2.23 acres- Olga's redevelopment site is approximately 4 acres. The current properties at Sleepy's and Remax are also in this redevelopment area, but not in the plan.
- Evesham Township recognized area for redevelopment and gave recognition to Genesis Property Management as the buyer of the site.
- Plan is to demolish existing diner and build a 4,641 sq. ft. of medical building including basement.
- Main tenant of new property will be RMA (Reproductive Medical Associates). Mr. Prime gives background on tenant and Genesis Property Management.
- Plan will include a 3 story building. First story will be for regular medical uses which applicant will acquire a tenant. Second and third floor will be for RMA. The second floor will include a lab, and small out-patient center. Required

equipment will all be based on site and sterilization of equipment will also occur on site.

- Office hours will vary. Peak hours will occur early in the AM hours, as early as 5:30. Office will close between 4:30 to 5pm.
- DEP will dispose of medical waste.
- No tractor trailers on the site.
- Discusses the NJDOT Right of Way property. The DOT will sell the parcel of land to the Township. RMA will lease the right-of-way from the Township. PILOT program will come into effect to help pay for the land. For landscaping of this area, applicant will come back for an amended site plan approval.
 - Stormwater management system will be located on RMA property near the right-of-way portion. This will assist in the cost. Applicant will return once approval is given for the right-of-way parcel. Board needs to act tonight to help applicant further pursue property.

Witnesses for Applicant:

Darryl Alvarez, Architect

Walter Bronson, Engineer

Exhibits Presented:

A1: Entire slideshow of presentation

Darryl Alvarez Testimony:

- Gives background, accepted by Planning Board as an expert witness.
- Shows the first floor plan of the building. Describes building, location of main entrances, and leasable space for a tenant.
- Discusses the second floor RMA space. Describes the various labs, operation rooms, and recovery rooms located.
- Describes the third floor RMA space as to where the main activities will occur. This is where the reception/waiting area will be, exam rooms, etc.
- Describes the translucent canopy located on site.
- Describes the side of the building that faces Rt. 70/73.
- Shows rendering of the South East view of the building from Marlton Pike West.
- Discusses the lighting of the area.
- Mr. Prime states that the Township prefers promenade block lighting. However, applicant is requesting white LED lighting due to aesthetics. At the right-of-way, the area will use promenade lighting to curb light pollution.

Walter Bronson Testimony:

- Gives qualifications to the Board, accepted as an expert witness.
- Building will be approximately 41,600 sq. ft. and will net 38,900 sq. ft. after the removal of various areas in property.
- 156 parking stalls are required, 164 parking stalls will be provided. The right-of-way will give more

- 18 handicapped parking spots included on site. Shows the location of the handicapped spots.
- Discusses loading dock area located on the left side of the building. Not many deliveries will occur to the site. Area will be screened by a masonry wall.
- Describes landscaping plan.
- Grading/drainage:
 - All area is impervious coverage, as it is currently a parking lot. Lot slopes to the North West.
 - Applicant plans to decrease amount of impervious coverage on site. Parking area will create drainage around the building. Applicant will create an underground retention system. Details regarding this will be provided at the amended site plan approval should the right-of-way purchase occur.
- Site will utilize all public utilities.
- Meters will be located in an enclosed area and will not be visible.
- Applicant has maximized the amount of landscaping/hardscaping it can do on the site.
- Lighting will be LED lighting. Will work with board professionals to establish lighting plan. Lighting will be both decorative and for lighting the parking lot. In regards to lights on the DOT parcel, applicant will work with Township.

Mr. Prime:

- Only variance that the applicant is asking for is regarding the impervious coverage. Redevelopment plan states that 85% of area should be impervious coverage, applicant is proposing 88%. If right-of-way is acquired, the site will then be compliant with the redevelopment ordinance at 85% impervious coverage.
- Applicant does not believe they need to accommodate bicycle storage due to the nature of the application and the property.

End Applicant Testimony.

Planning Board Professional Testimony:

Leah Furey-Bruder, Planner

- Letter dated September 7, 2016
- Applicant has agreed to most comments in review letter.
- Clarifies DOT right-of-way parcel.
 - Parcel is not located on the tax map, is part of the highway.
 - When the DOT has excess land, they sometimes offer to sell it to the municipality. This took a long time to come to fruition. Township will purchase the property, but it must be designated for a public use. The Township cannot sell it to a developer. The right-of-way will thus be used as a public parking lot for the entire parcel to use (including Sleepys, Estia, etc). There will be a license agreement in place between RMA and the Township.
- States that the aesthetics of the Stormwater basin are appropriate.
- Discusses condition of approval regarding easement.
- Discusses impervious coverage variance. Believes since the site is small and the Township would like to see a building of substance, that this variance is acceptable.

Behram Turan, Environmental Engineer

- Letter dated September 6, 2016
- Identified four areas of concern. Applicant states that they are willing to address these area.
- Applicant received a letter dated September 14th. Applicant will address open area concerns and other areas that are necessary.
- Applicant agrees to look into potential off-site impact.
- Applicant will investigate and assist in all testing that is necessary.
- Mr. Turan is satisfied.

Chris Rehmann, Engineer

- Letter dated August 16, 2016. Updated letter dated September 12, 2016.
- Issues expressed in letter have been complied with.
- Only issue of concern is regarding the NJDOT property and storm water run-off. If the Township acquires property and leases it too applicant then this concern goes away.
- Asks applicant when demolition of project is expected to begin. Mr. Prime responds the goal is November.
- Asks if applicant will obtain soil conservation permit. Applicant responds yes.
- Discussion regarding bonding occurs.

Stacey Arcari, Traffic Engineer

- Letter dated September 9, 2016
- Mr. Prime sent a response letter and she has spoken to Mr. Peterson (traffic engineer).
- All concerns have been satisfied.
- Asks if applicant has received all DOT approvals. Mr. Peterson responds. Applicant states they will check to make sure the service road is DOT owned.
- Asks applicant about alternative pavement, applicant has no problems with this.

Public Comment: None

Board Comment:

- Mr. DiEnna asks Ms. Furey about the conformance plans in regards to architecture. Asks if the top of the building can be seen from the overpass. Ms. Furey replies that the HVAC units on roof will be screened and all equipment is 15 ft. back from the building. The building will also be taller than the overpass.

Ms. Walters Summary:

- Asks if anyone can verify if Mr. Prime gave accurate facts. Mr. Bronson replies yes.
- Reviews various conditions that need to be made aware: bike racks, lighting, landscaping on Old Marlton Pike, and the Cultural Resource Survey.
- Discusses the termination of the sewer easement with DOT in the future, which is subject to EMUA approval.
- Parking easements on Lot 38 and 39 will take effect once lot is developed in the future.
- Applicant will obtain the access easement for the service road.
- No dumpster permitted outside of the enclosed area.

- The applicant will provide on-site storm water management, subject to the approval of the Board Engineer.
- Discusses DOT lot. Applicant agrees to provide pedestrian pathways, substitute plantings, promises lighting, and will return to board to amend storm water management plan.
- Applicant agrees to maintain various shrubs in the right-of-way area.
- Applicant will comply with the Fire Marshal's report, Board professional comments, outside agency approvals and will execute the redevelopment plan.

Motion to Approve PB 16-04SP:

Motion: DiEnna

Second: Foster

Ayes: Menichini, Zeuli, DiEnna, Foster, Marrone

Communications/Organization:

Next Meeting: October 6th, 2016

October 20th, 2016

Resolutions:

PB 15-09 EX:

Motion: Zeuli

Second: DiEnna

Ayes: Zeuli, Menichini, Foster, Marrone, DiEnna

Meeting Adjourned: 9:20pm.