

**TOWNSHIP OF EVESHAM**

**Planning Board**

**Minutes**

**7:00 pm**

**May 3 2018**

**Municipal Building**

**Call to Order**

Chairwoman Marrone made the call to order at 7:07 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, Parikh, Cortland (*arrives at 7:25pm*), Levenson, DiEnna, Dave

**Also Present:** Platt, Rehmann, Loughney, Furey-Bruder, Arcari, Kinney, Bittner

**Absent:** Zeuli, Foster, Mond, Maratae

**Meeting Minutes**

April 5, 2018

Motion: Levenson

Second: Dave

Ayes: Parikh, Levenson, DiEnna, Dave

April 19, 2018

Motion: Parikh

Second: Dave

Ayes: Parikh, DiEnna, Dave

**Unfinished/New Business**

**1. Route 73 Property, LLC. PB 18-04. (Chick-Fil-A Restaurant)- Minor Site Plan.**

*220 Route 73. Block 20, Lot 1.02 (C-1/EVCO Zone District)*

*Applicant proposes to alter site plan to enable a second drive-through land and to allocate a row of parking spaces for employee-only parking.*

*Robert Baranowski, Attorney for Applicant*

Witnesses:

Brian Bowman, Owner of Chick-Fil-A on Route 73

Peter Lazaropoulos, Planner/Engineer

Exhibits:

A1: Rendered site plan dated 12-19-17. Last Revised 2-9-2018.

Peter Lazaropoulos Testimony:

- Testified before board previously. Notes that qualifications are still current; accepted by board as expert witness.
- States that applicant is seeking Minor Site Plan Approval to create a 2nd Drive-Thru Lane.
- Talks about Chick-Fil-A site on Route 73 and Baker Boulevard. Original approval was for a single stacked lane.
- Notes that the success of the restaurant has created a problem with single stacked lane. Cars wait on Route 73. Applicant has temporarily created two lanes.
- Applicant is proposing to use striping to create 2 drive-thru lanes; will change where employees park to accommodate peak-time use.
- Applicant will have employee-parking only sign remain near employee parking.

Brian Bowman Testimony:

- Franchisee of Chick-Fil-A
- Problem with car stacking: add second land for cars to go side by side, learned they needed a revised site plan.
- Discusses 2 Lanes:
  - Operate from 11am to 2/2:30pm and 5:30pm-7:30pm.
  - Use during peak hours; 2 ordering stations to avoid stacking on Rt. 73
- Discusses how ordering will work.
  - Use speaker post; staff will also use I Pads for ordering. Discusses use of cones, station with red light/green light to alert customers when in use.
- Discusses employee-only parking.
  - 25-30 employees during busiest shift. Not all drive so the 12 spots are sufficient.
  - Most shifts end around 2:30pm and begin again around 4pm.
  - Applicant will work it so it will not disrupt the second lane.

Leah Furey Bruder Testimony:

- Asks if the applicant needs to install a new light post to add the second lane? Applicant responds yes. Notes that the applicant did not show this on the site plan. Applicant responds that they have a general location, but are waiting for corporate approval.
- Asks if there will be a separate menu board? Applicant says yes, and it will be identical to the first. Applicant shows on site plan where it will be.
- States that she is not sure if there is adequate room for second menu board. Mr. Lazaropoulos answers with the removal of parking, notes that it will fit.
- Notes that she is not sure if additional variance is needed; will need to install conforming sign of 24 ft; applicant says okay.
- Mr. Rehmann notes that he too had similar concerns regarding the sign as Ms. Furey Bruder.

Stacey Arcari Testimony:

- Asks about narrowing of drive aisle: if the applicant needs a design waiver.
- Notes that applicant does have issue currently and this will resolve issue of traffic on Rt. 73.

**Board Comment:**

Mr. Levenson:

- Asks applicant to show traffic flow if someone wants to park on the East side of the building? Applicant addresses. Mr. Levenson asks if it is sufficient to drive around? Applicant responds yes. Mr. Rehmann states that the two sites have cross-access easements, which includes parking.

**Public Comment: None**

**Board Attorney Summary:**

- Applicant is seeking a minor site plan; amend existing plan.
- Add additional drive-thru lane.
- Applicant will show menu on the site plan to the Township's satisfaction.
- Mr. Lazaropoulos asks for variance with sign. Mr. Platt says if details are satisfactory they will approve. Discussion ensues.
- Condition of Approval: applicant will submit revised site plan to satisfaction of board approvals.
  - Ms. Furey Bruder notes one additional sign; not size. Second sign can be permitted if approved.

Motion to Approve PB 18-04

Motion: Parikh

Second: Levenson

Ayes: Levenson, Parikh, DiEnna, Dave, Marrone

2. **Route 73 Property, LLC. PB 18-01. Preliminary & Final Major Site Plan.**

*200 Route 73, Block 20, Lot 1.01 (C-1/EVCO Zone District)*

*Applicant proposes to construct a new 7,225 sq. Ft. diner & related improvements.*

*Robert Baranowski, Attorney for Applicant*

Witnesses:

Nathan Mosley, Traffic Engineer

Bill Dovas, Owner

Chris Kolovos, Owner

Peter Lazaropoulos, Planner/Engineer

Exhibits:

A1: Existing conditions plan dated 12-19-2017. Last Revised 5-2-2018.

A2: Colored rendering of site layout. Last revised 2-9-2018.

A3: Colored elevations of proposed building.

A4: Highlighted version of site layout to show truck circulation.

Applicant Attorney Overview:

- Applicant is seeking development of a diner of 7,225 sq. ft. Building is smaller than former site which was 13,000 sq. ft.

- Application meets parking requirements.
- Sign variances are requested, as well as variance for loading dock.

Mr. Dovas and Mr. Kolovos, Testimony:

- Applicant has sold liquor license; proposing new family-style restaurant that will serve breakfast, lunch, and dinner.
- Plan to bring back Olga's name.
- Classic Family Restaurant proposed: no late nights; notes the change in diners.
  - 6am to 12 am (Monday to Sunday).
  - Diner fare (maybe smaller menu).
- Discuss the delivery schedule.
  - Few times per week (7am-10/11am): early in the morning.
  - Delivery days: extra staff on hand to assist.
  - Cargo van or large box truck for deliveries; no tractor trailers.
- Discusses trash collection.
  - Pick-ups 2-3 times per week.
  - Enclosed area in back exists; will place all trash in there.
  - Pick-ups will occur in the am (7-9am).
  - *Ms. Marrone asks what other diners they operate?* Applicant states they own Colonial Diner in Woodbury; Oregon and Pennrose Diner, and Metro Diner.
- Discusses employees.
  - Approximately 65-75 total.
  - 20-23 employees will be on busy shifts (lunch/dinner).
  - Shift changes around 3 to 4pm.

Peter Lazaropoulos, Testimony:

- Already accepted as expert witness in previous application.
- Shows what previously was located at site. Former building was recently demolished. Notes that the previous building had paved area with limited space; 3-4 elevations; on the 2nd floor was a non-working elevator. The former building had poor circulation; difficult building to renovate. Thus, applicant wanted to demolish building and create something smaller.
- Discusses driveway on Route 73 and Baker Boulevard and notes variances.
- Increase aesthetics on the site: add more landscaping.
- Shows location of proposed building.
- Discusses setback of building; as far back from road as possible. Propose an upscale building with surrounding landscaping.
- Discusses ADA accessible ramps.
- Notes that driveways had to remain for circulation and site; discusses need for variances based on size and location.
- Discusses materials for building; will use same sign script of the old Olga's.
  - Architectural treatment: similar to old Olga's on three sides.
  - Loading area: have fridge systems insulated with stucco patterns to screen and install landscaping. Propose evergreen trees: 5-6 ft. tall.
- Discusses loading zone.

- Discusses existing storm water retention basin.
- Notes that the impervious coverage is less than what was there.
- Notes that the lights will be upgraded to the promenade series required by the Township.
- States that all dead or dying trees will be removed and replanted.
- Discusses about truck circulation on site: accommodates all uses on the site.

Nathan Mosley, Testimony

- Gives qualifications; accepted as expert witness.
- Discusses traffic report on January 16, 2018.
- Talks about existing conditions of traffic.
  - right-in/right-out driveways on Rt. 73.
  - Full movement driveway on Baker Boulevard.
- Discusses NJDOT approval on Rt. 73: has previously granted approval.
- Discusses trip generation rates.
- Notes that traffic counts were done at Rt. 73 and Baker Boulevard.
  - Baker Boulevard: no issues even with proposed location.
  - Rt. 73: some delay during peak hours which already exists.
- No changes in service levels from proposed uses.
- On site circulation: no issues. Vehicles can maneuver in and out safely.
- Did do parking counts: notes that they meet parking requirements.
  - 110 spaces proposed; 108 required.
- Letter of no interest from DOT. Applicant is currently working to receive this. Hopefully will be approved in future, and will provide letter to Board professionals.

*Applicant ends formal testimony.*

Leah Furey Bruder, Township Planner

- Review letter dated March 20, 2018.
- Applicant addressed most of comments in overview.
- Discusses big picture of site: applicant will revitalize site; severity of variances diminished by proposals.
- Discusses pedestrian amenities, open space, and recreation. Notes that ordinance does provide for crosswalk, which could be used for Baker Boulevard. Mr. Lazaropoulos talks about Baker Boulevard. States applicant will look to provide pedestrian access in certain location. Ms. Furey Bruder satisfied.
- Notes that applicant agrees with comments regarding bike rack and benches.
- Discusses architecture. Talks about shielding HVAC and facade treatment of the ice/fridge boxes.
- Discusses LED overhang lighting over facade.
- Discusses landscaping.
- Applicant has agreed to lighting.
- Discusses trash enclosures; applicant has agreed to comments in letter.
- Asks if applicant proposes facade sign? Applicant says yes. Discussion ensues regarding proposed signs and variances needed. Applicant provides testimony

regarding lighting: notes that they will be channel letters with internal illumination. Ms. Furey Bruder says she supports sign variances and it is justified.

- Mr. Platt asks if applicant agrees to comments contained in the review letter? Mr. Lazaropoulos says yes.

Chris Rehmann, Township Engineer:

- Discusses stormwater basin. Suggests that applicant clean basin to ensure that it will function when they have heavy equipment on site. Applicant agrees.

Stacey Arcari, Township Traffic Engineer:

- Notes that applicant has issue with number three in her review letter.
- Mr. Lazaropoulos says it is the entrance that has a “calming strip.” Discusses why this is a problem, it would close Chick-Fil-A. States that it would be impossible to close driveway for three days. Ms. Arcari says okay.

**Board Comment:**

Mr. Cortland:

- Asks about the size of trucks and fresh meat deliveries? Applicant responds, continues to talk about operation and deliveries. Applicant notes it will fit in large box trucks.

**Public Comment: None**

Board Attorney Summary:

- Applicant is seeking preliminary/final major site plan approval to construct a 7,225 sq. ft. family restaurant.
- Discusses the variances and waivers requested.
- Applicant has reduced the severity of variances in the previous site, and has explained that they are existing due to constraints.
- Agree to most comments in the review letters.
- Notes that applicant will add additional signs and striping.
- Ms. Furey Bruder notes that the Board Environmental Engineer was not in attendance; but the applicant will comply with the CME review letter. Applicant is agreeable to comments.
  - Mr. Cortland asks about Title 39, and the lack of a Fire Marshal Report. Ms. Furey Bruder says that she believes the Fire Marshal did have a review, and had no comments.
  - Mr. Platt says that board can ask Township Council to recommend Title 39 if they think it is necessary for site. Ms. Furey Bruder says that in the Township Code; there aren't that many areas included in Title 39. Discussion ensues. Ms. Marrone says she will table it as it is a small site.

Motion to Approve PB 18-01

Motion: Parikh

Second: Cortland

Ayes: Cortland, Levenson, Parikh, DiEnna, Dave, Marrone

**Board Comment:** None

**Public Comment:**

**Bridget Nelson, 1504 Jonathan Lane:**

- Discusses Planning Board approval of the Royal Farms application in April.
- States that her property backs up to site. Mr. PLatt says that the Royal Farms application has been approved; action tonight is to memorialize resolution. Board cannot make decisions, but Ms. Nelson can talk.
- Mrs. Nelson talks about Township PLanner letter and service station requirements. Notes that association playground is 400 ft. away. Discussion ensues.
- Mrs. Nelson talks about buffer. Ms. Furey Bruder says this was addressed extensively.
- Asks about appeal process? Mr. Platt says you would have to get an attorney.
- Ms. Furey Bruder talks about buffer and discussion from meeting. Applicant has agreed to pay for/install landscaping in front of the homes.

**Communications/Organization:**

Next Meeting: June 7, 2018

**Resolutions:**

PB 17-13

Motion: Cortland

Second: Parikh

Ayes: DiEnna, Parikh, Cortland, Levenson, Dave

**Meeting Adjourned at 8:28pm**