

**TOWNSHIP OF EVESHAM**

**Planning Board**

**Minutes**

**7:00 pm**

**August 16, 2018**

**Municipal Building**

**Call to Order**

Chairwoman Marrone made the call to order at 7:19 pm

**Flag Salute**

**Statement of Conformance with Open Public Meetings Act**

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

**Roll Call**

**Present:** Levenson, DiEnna, McGoey, Marrone, Parikh, Mond

**Also Present:** Ward, Ford, Baron, Malinowski, Meyer, Platt, Noll, Loughney, Furey-Bruder, Snee, Kinney, Boul

**Absent:** Zeuli, Cortland, Maratea, Menichini

Professionals were sworn in by Mr. Stuart Platt, Attorney:

William Loughney, ARH Associates, Professional Engineer

Christopher Noll, Environmental Resolutions, Professional Engineer (standing in for S. Arcari)

Eric Snee, CME Associates, Township Environmental Engineer

Mark Malinowski, Stout Caldwell Engineers

**APPOINTMENTS**

**1. Recording Secretary – Sharon Boul**

Motion: Parikh

Second: DiEnna

Ayes: Marrone, DiEnna, Parikh, Mond, McGoey, Levenson

**2. Assistant Recording Secretary – Loretta Hort**

Motion: McGoey

Second: Parikh

Ayes: Marrone, DiEnna, Parikh, Mond, McGoey, Levenson

**Meeting Minutes**

**July 19, 2018**

Motion: Mond

Second: Levenson

Ayes: Marrone, DiEnna, Parikh, Mond, McGoey, Levenson

## UNFINISHED/NEW BUSINESS

### 1. Planland, LLC PB16-12EX

#### *Extension of Minor Subdivision*

*Kenilworth Road, Block 50, Lot 13, Block 50.02, Lot 18*

*Applicant is requesting extension of time to file subdivision plans*

*Michael J. Ward, Attorney for Applicant*

#### Witnesses:

- Michael Ward, Attorney
- Ralph Ford, Land Surveyor, Manager of Planland Development

Exhibits: None

#### Applicant Attorney Overview:

- Minor Subdivision of Kenilworth Lake granted by Board Resolution 550-47 with an expiration of 190 days after the date of the adoption of Resolution
- Encountered pushback from Burlington County Planning Board
- Waiting for County approval who had jurisdiction because there was a variance
- It took more than 190 days due to complexities after Resolution and we received a letter from the County stating it was incomplete
- Variance needed due to the County Road and additional monumentation was required
- Ralph Ford met with County explaining that it didn't coincide with the Evesham Township Boards approval and Engineer approval
- Requirements being imposed were not those of a minor subdivision
- Went on for months and realized time was running out and additional costs would be incurred if they set monuments
- County ran it back through the review process after monuments were set
- Brought plans to Administrative Officer, however, there was no owner signature on the plans; everything was ready to go, with the exception of the required signatures
- Plans are ready and complete; all agencies approved them
- Original was set to expire on June 23, 2018
- 90 day extension requested – not to exceed 90 days

#### Regina Kinney, Administrative Officer

- Signatures are required from Chairperson and Administrative Officer
- If Board adopts tonight, it will be on agenda for the next meeting scheduled September 20, 2018
- Extension of 120 days is reasonable

#### Motion to Approve PB16-12EX

Motion: Parikh

Second: McGoey

Ayes: Marrone, DiEnna, Parikh, Mondy, McGoey, Levenson

2. **Marlton MJ Associates PB17-04SUBD**

***Minor Subdivision/Bulk Variances***

*17 Cooper Ave., Block 4.09, Lot 17 & 18*

*Applicant proposes to reconfigure lot line and to redevelop the property*

*Jeffrey I. Baron, Attorney for Applicant*

Witnesses:

- Jeffrey Baron, Attorney MJ Associates LLC
- Mark Malinowski, Stout Caldwell Engineers

Exhibits:

A1: Minor Subdivision Plan with boundaries colorized. Dated March 14, 2018

A2: Colorized rendered version with landscaping. Dated August 16, 2018

A3: Colorized version of front and rear elevation. Dated March 14, 2018

A4: Left (North side) and right side elevation. Dated March 14, 2018

A5: First Floor Plan, colorized version. Dated March 14, 2018

A6: Third Floor Plan (same layout as First Floor Plan colorized), Dated March 14, 2018

A7: Stow/Evans House showing 4 elevations and 2 floor plans. Dated March 14, 2018

A8: Color rendering of Stoke Evans House, Dated August 16, 2018 (colors are incorrect)

A9: Documents showing numerous attempts to reach the property owner at Lot 18 to address and seek resolution to the joint access issue with the emergency exits

Applicant Attorney Overview:

- Completion of 54 additional apartments with parking
- Renovation and movement of Stokes/Evans House (aka Harvest House)
- Unusual application as the lots are configured today; couldn't obtain a site plan at this point
- 2 minor Subdivisions which need to be cleaned up in order to move to Site Plan
- If approved, we can move into a Site Plan

Stuart Platt, Township Attorney

- Vote altogether on both or first vote on Subdivision and then move to vote Site Plan separately?
- Agreed to vote on Subdivision first and then on Site Plan separately

Mark Malinowski, Stout Caldwell Engineer

- Showing Exhibit A1 which displays three (3) Lots involved (Lots 15, 17 & 18)
- Lot 15 on East Main Street on corner of Cooper Avenue the site of the Historic building known as the Stokes Evans House (aka Harvest House)
- Proposing to subdivide Lots 17 & 18 on same block; front on Cooper Avenue and are to the rear of Lot 15
- Proposing to take portions of Lots 17 and 18 and consolidate with Lot 15
- Lot 18 is an existing residential home; little over 20,000 sq. ft.
- Portion taken from the rear of Lot 18 to add to Lot 15 is a little over 7,000 sq. ft.
- Need to take out small area in rear of Lot 17 to consolidate the two (2) properties (a little over 311.5 sq. ft.)

- Once consolidated, Site Plan will be Stokes Evans House relocation of Lot 15 and redevelopment
- Exhibit A2 shows a general idea of what is being proposed for landscaping
- Lot 15 will be the apartment building and relocation of the Harvest House and the minor subdivision enables us to provide the storm water control facility on rear of Lot 18 and small portion on Lot 17 allows us to provide a storm basin
- Storm pipe will run through the whole development to access the basin
- Currently no storm system to connect into as seen on original design for development
- Acquiring Lot 18 gave us opportunity to connect into storm sewer system on Cooper Avenue and the ability to do some utility connections
- 2 variances will need to be obtained with Subdivision going back to Exhibit A1
- Lot 18 needed the basin to comply with Ordinance and State regulations
- Stipulates a minimum rear yard setback of 25 ft. required
- As a result of this design, there is a minor deviation rear yard setback of 20 ft.
- A different client owns Lot 18, so setback variance will be from a property we own to another property we own (currently)

Jeffrey Baron, Attorney

- A flexible C Variance is being requested, therefore, must show that benefits outweigh the detriments

Mark Malinowski, Stout Caldwell Engineer

- The proposed development makes the space more usable and by moving the basin away from main property it enables us to move the apartment building further away creating some open space between the 2 structures
- Also better streetscape perspective
- Main apartment building further back provides better aesthetic view from the street
- Water basin offsite will eliminate any issues of residents being too close; a recognized safety issue by doing this
- No detriments to these setbacks, all benefits to minor setback variations
- All uses are consistent with the Redevelopment Plan
- Small lot variance is rear yard setback of Lot 17 which will be 12.9 for the setback. Current setback is a little over 25ft.
- All utilities will be underground, so nothing will be seen

Leah Furey-Bruder, Township Planner

- Review letter dated August 10, 2018
- Section on Minor Subdivision (pages 1-3), all variances identified
- Not proposing to build anything new, no substantial detriment
- In order to mitigate any potential confusion with Lot 18, and eliminate any future confusion to potential new owners, provide a Point of Sale disclosure that all potential owners are aware there is a basin behind the fence

**Public Comment:**

No Public Comment

**Board Comment:**

- Mr. Mondì asked if the fence was a solid privacy style fence that you cannot see through
- It was decided that a 4ft. high split rail fence would be installed, with non-climbable mesh attached to it to open up the area for the residents
- Also provides a way of seeing if someone is in basin area that shouldn't be there
- For liability issues and aesthetic reasons, this type of fence made more sense
- Proposed basin is a dry basin
- If approved, intent is to file the Subdivision by Plan rather than Deed
- Intention to consolidate the 3 Lots if the subdivision is granted
- Call it a lot line adjustment or consolidation; new Lots will be 15.01, 17.01 and 18.01

**Motion to Approve PB17-04SUBD**

Motion: Levenson

Second: McGoey

Ayes: Levenson, McGoey, Parikh, Marrone, DiEnna, Mondì,

**3. Marlton MJ Associates, LLC PB17-04SITE**

***Major Site Plan – Preliminary/Final***

*52 East Main St., Block 4.09, Proposed Lot 15.01*

*The applicant proposes to redevelop the “Harvest House” site that is compatible with the mixed-use building at 42 East Main St.*

*Jeffrey I. Baron, Attorney for Applicant*

**Witnesses**

- Mark Malinowski, Stout Caldwell Engineers
- David Horner, Horner and Canter Associates, Traffic Engineer
- Steve Jaffe, Member of Marlton MJ Associates
- Bob Meyer, Member of Marlton MJ Associates
- Robert Cogan, Barton Partners, Architect

**Bob Meyer, Marlton MJ Associates**

- Prior project on corner of Cooper and Main Street was designated a redevelopment area
- Acquired a vacant bank for demolition
- Constructed 24 unit apartment building with 4,000 sq. ft. commercial space
- Project was completed August 1, 2018
- 24 apartments occupied and 4,000 sq. ft. of commercial space leased on 2 sections
- Happy with speed of absorption of 1<sup>st</sup> project; very difficult to do pre-rents/pre-leases
- 2 bedroom apartments are generally what you see most

- Enormous inquiry for 1 bedroom apartments; changed the product mix in the new project as a result
- Fully leased on residential and commercial at this time
- New development proposes (2 stages)
  - Stokes Evans House - historic
  - Residential area in the back - non-historic
- Stokes Evans House relocation proposed for better view on Main Street
- Proposal to demolish the non-historic portion
- 52 Unit new building behind the historic site with 16 attached garages
- Stokes Evans House will have 1000 sq. ft. commercial space on the first floor and second floor will consist of 2 apartments renovated and rehabilitated
- Building behind the Stokes Evans House; proposing 52 Units, 8 of which would accommodate COA obligation, 50/50 mix of 1 and 2 bedrooms
- Access to buildings will be part of the same complex
- Relocating entrance on Main Street slightly to the East
- Access onto Cooper will remain as is and will be exit for both buildings
- New building will also accommodate an exercise facility on the 1<sup>st</sup> level
- Both buildings will have access and use of the facility
- Architectural integrity and elements/finishes will be consistent with the existing building
- Amenities planned are an elevator, lobby, common hallways and upscale finishes inside (hardwood flooring, granite, etc.)
- Expect project to take a little longer to finish than the 1<sup>st</sup> project due to scale
- More units, relocation and preservation/restoration of the Stokes Evans house should take about 16 months

Mark Malinowski, Engineer

- Modified entrance will be closer to the apartment building allowing parking to be closer
- Appearance more like a residential driveway / one-way in
- Entrance on Cooper Avenue will be two-way
- A designated parking space assigned to every unit
- Total of 138 parking spaces required
- Main Street Apartments; 48 are required (8 garage spaces, 39 on-site spaces and 5 on-street parking spaces)
- As part of development, proposing 16 garage spaces, 105 on-site spaces, 2 additional
- Required spaces are 135 according to new Redevelopment Plan
- We will have 136
- LED lights are proposed throughout parking area, historical fixtures and wall mounted on the buildings
- Color of LED lights should be 3000 kelvins per Leah Furey-Bruder
- Storm water will drain via a series of storm sewer inlets, taken to proposed basin; controlled and discharged off of Cooper Avenue

### Robert Cogan, Architect

- Exhibit A3 shows 4 story structure facing the parking lot
- Colors and materials are same as existing structures
- Grand floor (first floor) brick veneer; entranceway covered by roof overhang
- 1100 sq. ft. fitness area accessed within the building (entrance also via the side of the Stokes Evans House)
- Gables on the front
- Exhibit A4 is North Elevation (far end) brick gets taller because land drops down
- Bland wall shows where the gas meters will be located
- Dormers (brought scale of the building down) to respect the scale of the Stokes Evans House
- Exhibit A5 shows entrance way; 16 individual framed garages and door that leads directly into the corridor
- Yellow signifies one bedroom units and Orange signifies two bedroom units
- Exhibit A6 shows same representation as first floor
- Third Floor Plan same color representation; 8 COA units, one 1 bedroom, five 2 bedrooms and two 3 bedroom units dispersed throughout the building
- Storage specifics; cubic feet per unit are satisfied as demonstrated on the plan
- 16 balconies to meet requirements
- Exhibit A7 shows Stokes Evans House; 1,066 sq. ft. of tenant space on first floor
- 2 suite doors on back; ramp constructed to provide access for commercial space
- Upstairs are two 1 bedroom units
- Main building is 4 stories; wood frame; meets all requirements; fully sprinklered
- After renovation, Stokes Evans House will have new roof, windows potentially replaced, front porch will need to be reconstructed to match the existing
- Roof will be dark gray to match building behind
- All brick structure
- Exhibit A8 is not part of the original package submitted
- Old drawing updated for the purpose of showing the relationship of the building behind the Stokes Evans House

### Leah Furey-Bruder, Township Planner

- Review letter dated August 10, 2018
- Site Plan Comments; page 4 / many already addressed by applicant
- Stokes Evans House is on national and state historic registry
- Redevelopment plan suggested and recommended this house be preserved
- Current owner had gone through the effort to get it on the registry in 1994
- Applicant agreed to move the historic building forward and fill in the voids
- Improve the streetscape
- Historic architect established a protocol to preserve artifacts found when moving the site
- Compliance with this protocol should be a condition of the approval
- Confirmation that everyone agreed to Affordable Housing intentions
- Trees and landscaping should be along the frontage and not on the property; place between sidewalk and the curb
- County doesn't want trees in the right of way

- Defer resolution of the street tree issue until we come to some solution with the county
- Trash enclosures and commercial dumpsters cannot be sitting in the parking lot
- Emergency access from Northern side of the property needs to be addressed

Steve Jaffe, Marlton MJ Associates

- Exhibit A-9 is a 4-5 page document, dated August 20, 2018
- This document details attempts to reach Lot 18 property owner requesting joint access from the rear portion of building for emergency purposes
- Request from Captain Bittenbender, Fire Marshall and Subcode Official, asking for us to obtain such an access
- Letter sent to the adjoining owner attaching a plan showing where the access would be, as well as an email
- Exhibit A-10 is the email displaying our attempt to seek some kind of response from Mr. Fanning who is the property owner
- Property owner ignored all requests and phone calls
- Capt. Bittenbender is aware of the property owners lack of response
- Captain said to construct a way to leave the access open

Leah Furey-Bruder, Township Planner

- Review letter dated August 10, 2018
- Utility meters should be on short end of the building; ½ the meters are facing toward Main Street
- Signs will be added to the plan
- Small recreation fee as required by the Redevelopment Plan

Eric Snee, Township Environmental Engineer

- Review letter dated August 6, 2018
- Archeological Consultant developed protocol which should be a condition as part of the approval
- Agreed to waiver request of cultural resource survey
- Applicant agreed to comply with all comments

William Loughney, Engineer

- Review letter dated August 14, 2018
- Site description comments refer to size of handicap spaces to provide enough space
- Emergency vehicle and trash pickup turning plan for site to make sure vehicles can get through
- Update driveway apron for site and add detail for it the construction detail sheet

Christopher Noll, Engineer

- Parking lot in rear where emergency car easement was a concern will not have any impact on K-turns
- Parking spaces are sufficient



- Garages are included in calculation and recommendation by Board of additional use of garage for storage
- Per Jeff Baron, a restriction will be put in lease that every proposed tenant would be aware that storage of various types of materials are not permitted
- Main Street driveway shifted to East to provide for better circulation and alignment with minimal impact on traffic and intersection

**Public Comment:**

William Stein, 11 Marni Court

- Parking concern – 4.5 spaces per 1000 sq. ft. commercial space – is a restaurant considered commercial because that would require more spaces? Per Leah, as this isn't a stand-alone restaurant and per the Redevelopment Plan, it is 4.5 for any commercial use

Eugene Gatti, 54 East Main Street

- Movement of Stokes Evans House is very good, very happy about it
- Main Street driveway will be ingress only? Yes
- Is gym for public use or just building use? Just for the occupants of the buildings
- When Stokes Evans House is moved, will there be disruption on Main Street?
- Will I have ability to be notified about 4 weeks prior, so I can allow my patients information about how to get into office? Per Jeff Baron, Dr. Gatti can provide his contact details and they will give him prior notification
- Do you foresee much disruption on Main Street / how long will it take? Jeff Baron stated that he doesn't see much disruption, perhaps a couple of hours

**Board Comment:**

- Perspective drawings were very helpful to see Stokes Evans House is about 35 ft.
- Sidewalk in front of Stokes Evans House; is a planting bed in between building and the sidewalk? What is it going to look like in front of the House? Per Leah, Redevelopment Plan requires the sidewalk to be 10 ft. wide. Proposal is for 6 ft. so that it connects with what is already in place. Dr. Gatti's Office is about 4 ft. wide. It will be consistent with the rest of the street.
- Referring to emergency access discussion and radius for access of oversized equipment in event of emergency, if any detail comes back as a problem from Fire Marshall, how does that affect the application?
- If Fire Marshall says it doesn't work, Jeff Baron agrees to a condition of approval requiring satisfaction of the Fire Marshall for the Fire and Emergency vehicles on the site
- Template of fire apparatus to the rear of the building was sent to the Fire Marshall
- Commend the project saving this historic site and would like to see this announced to the public
- Anyone interested could come see it and promote Evesham Township
- Time lapsed photography of relocation and rehabilitation would be interesting
- Please clarify the utility banks
- 2 locations, one on south wall and 1 on the north wall. On the south side, separated walkway and provided landscaping to better screen them and make them less visible

Motion to Approve PB17-04SITE

Motion: McGoey

Second: Parikh

Ayes: Levenson, McGoey, Mond, Parikh, DiEnna, Marrone

*Meeting paused for 5 minutes. Meeting resumed at 9:09 pm*

**Resolutions**

PB18-12

Motion: DiEnna

Second: Parikh

Ayes: Levenson, McGoey, Mond, Parikh, DiEnna, Marrone

Approved settlement and approved and memorialized resolution at the same time  
(concludes pending 3<sup>rd</sup> round of Affordable Housing litigation)

- Mr. DiEnna commends the professionals for doing everything within the law and for the benefit of Evesham, guiding us through this dynamic and going above and beyond to do the best job possible in a professional, effective manner in which the township will not be disrupted in any way. Leah and her team did a phenomenal job considering the benefit of the Township of Evesham. Congratulations and thank you.

JP Morgan – PB18-02

Motion: Parikh

Second: Mond

Ayes: Levenson, Mond, Parikh, Marrone

St. Joan of Arc – PB18-07

Motion: McGoey

Second: Parikh

Ayes: Levenson, McGoey, Mond, Parikh, DiEnna, Marrone

**Communications/Organization**

- No meeting September 6, 2018
- Next meeting: September 20, 2018

**Meeting adjourned at 9:20 pm**