

TOWNSHIP OF EVESHAM

Planning Board

Minutes

7:00 pm

November 26, 2018

Municipal Building

Call to Order

Chairwoman Marrone made the call to order at 7:04pm

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: Foster, Levenson, DiEnna, McGoey, Zeuli, Marrone, Parikh

Also Present: Arcari, Loughney, Snee, Furey-Bruder, Kinney, Boulton

Absent: Mondini, Cortland, Menichini, Maratea

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

Meeting Minutes

November 8, 2018

Motion: McGoey

Second: Foster

Ayes: Foster, McGoey, Zeuli, DiEnna

UNFINISHED/NEW BUSINESS

1. RB Marlton Investors LLC

PB 15-15F

11-30-18

Major Site Plan – Final

841 & 871 Route 73 South, Block 36, Lots 4, 4.01 (C-1 Zone District)

Applicant is requesting Final Site Plan approval to permit a 21,150 sq. ft. retail building, a 5,166 sq. ft. Royal Farms convenience store & 8-pump (16 vehicle station) gasoline service station. Applicant received Preliminary Site Plan approval at the 3/3/16 Planning Board meeting.

Richard Hoff, Jr., Attorney for Applicant

Witnesses:

- Richard Hoff, Attorney

Exhibits:

- Exhibit A1- Site Plan Comparison Overlay Dated November 26, 2018

Applicant Attorney Overview:

- Preliminary and Final Major Site Plan approval
- Previous plan approved March 2016
- 7 acre site approved for Royal Farms convenience store with gas station and retail next store
- Major Final Site Plan approval predicated upon installation of the traffic light at Sunbird and Rt. 73
- Received approval from DOT and can now move forward
- Final approval, certain changes and here to discuss provisions
- Most of interior remains unchanged
- Implication and installation of the traffic light revisions

Witnesses sworn in by CherylLyn Walters, Board Solicitor

- Chirag Thakkar, Civil Engineer, ARNA Engineering
- Dave Horner, Traffic Engineer, Horner and Canter Associates

Chirag Thakkar, Civil Engineer Testimony

- Accepted as expert witness
- Previously approved convenience store 5,166 sq. ft., 8 pump gas canopy, and 2 retail outlets (A)1,900 sq. ft. and (B)1,650 sq. ft. with 300 sq. ft. room in the back of smaller retail outlet B
- 148 parking spaces
- Referring to Exhibit A1, the red lines represent the new or final site plan
- Black lines on the Exhibit represent the previous preliminary plan approved by the Planning Board; red accentuates what has changed
- Site plan changes being proposed are very few
- Exit off 73S in the preliminary plan had ride in/ride out access
- Exit off 73S is now only ride in movement
- Internal circulation has changed; cars can't go out on Rt. 73 anymore
- Striping changes
- Stormwater basin has been expanded
- Added a retaining wall and trash enclosure on the back side
- Pedestrian access added from C store building to gas canopy
- Configuration of underground storage tanks changed slightly for truck movements
- Canopy and footprint hasn't changed
- Traffic light on Rt. 73 will allow access to the site from north and south lanes
- From Rt. 73S two options: right turn directly into lot or go further down and turn right on Sunbird
- From Rt. 73N, make right at traffic light into lot; aligns driveway across the street
- Faint gray line on Exhibit is Indian Cultural Center driveway currently; when light is constructed driveway will be reconstructed to tie into ICC driveway
- Needs to come back to the Board, requires site plan amendment from ICC and working on timing and process currently

Leah Furey-Bruder, Township Planner

- Review letter dated 11/26/18
- March 2016 for preliminary approval
- Back in July 2016 for a sign variance approval separately
- Confirmed that nothing changing to the sign variance
- Needed 2 bulk variances for the application granted and not changing
 - Parking setback from Rt. 73 and Sunbird and granted
- Loading space for Royal Farms granted at preliminary – one has been added
- Use operation at the Site remains the same
- Lot consolidation; 2 lots Voorhees and 2 lots Evesham
- Lot consolidation in Evesham; Tax Assessor will assign a new lot number to be shown on final plan
- Applicant agreed to the above
- DOT approved realignment of the driveway for the Indian Cultural Center (ICC) and two other commercial sites who haven't yet received approval
- ICC required to come back for final site plan approval before we go forward
- Lighting adequately addressed; address Sunbird Dr. when time comes
- Agreeable to sidewalks and crosswalks
- Indicate exterior of trash enclosures as a Condition of Approval
- Landscape plan; separate Landscape Architect
- Shade trees along the frontage; agree to add 3
- Street trees required at 40-50ft intervals
- If trees are adequate, no need to add more unless texture and depth need to be addressed
- Architecture meets the design requirements of the Ordinance
- No revisions since preliminary approval; Condition of Approval to provide full architectural package prior for approval before building permits are submitted

Applicant Attorney Overview

- Applicant has no objection to any of Township Planner's requests regarding landscaping except greenery across the back; unknown until stormwater basin is cleared
- Area of trees in back needs to be cleared for the basin and completed before it can be determined where additional evergreens will be required
- Question regarding A and F; shade trees and street trees; limited space on 73 frontage
- Agreeable to adding trees if necessary

Eric Snee, Environmental Scientist, LSRP:

- Letter dated 11/8/18
- Requested additional Phase 1 Environmental Site Assessment for Lot 4 on southern portion of the site, previous approval conditions
- Supplemental letter dated 11/16/18
- Additional Phase 1 Site Assessment and potential Asbestos inspection and abatement has been approved
- Supplemental documents have been submitted

- Generally agreeable to all as follows
- Provide documentation of permits and approvals from outside agencies
- Permit required for stormwater basin and gas station
- Need to determine any heating/oil tanks identified during demolition of Scaturro's; lot 4.01
- Chirag responded that they do not know for sure but will provide details
- Condition of Approval to provide surveys for potential lead base paint associated with 4 structures on the property
- Provide documentation and inspection reports
- Building connected to Public Water Supply around 2000; review property records need to research and locate the well to have properly decommissioned by licensed well driller
- Certificate of Approval provided for removal of 275-gallon heating tank; noted by construction official, need to verify there were no leaks
- According to Chirag, tank is already removed but will verify there are no leaks from Phase 1 (2016); removed in 2007
- Request that Applicant retain LSRP to address and sign off on geophysical investigation or soil sampling and provide documentation that was removed and no leaks or discharge when tank was removed
- LSRP will follow regulations and determine route to take further if necessary
- Township Official noted tank removed; Certificate of Approval issued 10/22/2018
- LSRP could address leak issue if any, in accordance with guidelines
- 3/16 and 11/18 review letters; property was historically used for agriculture LSRP could provide option of how to address potential for pesticides and provide appropriate notices
- Septic systems need to be properly decommissioned and provide documentation
- During demolition, provide documentation on the source and quality of the imported backfill material provided to fill the lot

William Loughney, Board Engineer:

- Initial review of the site in 2016
- Design Engineer agreeable to all of the comments being addressed
- The area around the store is not curved as required and needs a waiver from Board; bollards proposed may eliminate the curbing around the Retail C
- Consistency of Landscape Plans to show pedestrian connection in front of Retail A to traffic island
- Handicap parking sign detail needs to show NJ handicap penalty on site plan
- As Condition of Approval, project will have rights to use and update Sunbird Drive; when rights to use confirmed, provide a more detailed with regard to repair plan; depth and material to be used in repair
- Plan is sound with stormwater, but inconsistency between design plans and stormwater narrative; make sure consistent
- Chirag commented that Sunbird Dr. pavement plan exists; area to be reconstructed does exist
- If a waiver is needed for curbing, it was unknown, it has always been this way; concrete pavement around; series of bollards around the building

Stacey Arcari, Traffic Engineer:

- Difference between removable bollard is screw and unscrew; not permanent; allows for maintenance
- Provides same amount of safety as permanent
- Requesting waiver for that provision; not providing any curbing
- Review letter dated 2/26/16 and current letter 11/5/18
- Biggest change is the elimination of the out bound driveway
- Created circulation changes on that site; everyone now exits out Sunbird Dr.
- Queuing needs to function properly with all traffic going out Sunbird Dr.
- Concerns about how all the traffic will flow

Dave Horner, Applicant Traffic Engineer:

- Removing dedicated south exit; changes direction in / out of site
- Dumps more traffic onto Sunbird Drive
- DOT impetus behind removing exiting driveway; once signal installed would serve ICC
- Had to convince DOT there would be no safety issues
- Volume on Sunbird even with increase is minor and traffic coming out of site will have no issue
- ICC needs to amend plan for connection to drive

Stacey Arcari, Traffic Engineer:

- Ensure additional striping and signage to force cars into the right direction
- As some point, Township taking jurisdiction of Sunbird
- Maintenance of striping; come up with agreement
- DOT/Township not faced with having to replace striping with trucks going in and out of site
- DOT has to approve what striping goes and what doesn't
- DOT usually maintains to the end of an intersection
- Before any construction happens on Sunbird Dr; Resolution to ownership of the road (Sunbird Drive), and terms and conditions need to be addressed
- Maintenance is TBD until agreement with ICC
- Fuel/Delivery trucks – will there be any additional noise that will impact neighborhood?
- Chirag responded that there would be no additional noise; some truck activity for gas tankers and deliveries but all go towards 73; no disruption or noise
- Already a “No Trucks” sign on Sunbird, however, recommend that Applicant seek Title 9 Enforcement of the site preventing trucks from turning right onto Sunbird
- Condition of Approval to check with Evesham and Voorhees Police Department to make sure they don't want to see any other signs
- Requesting that driveways on Sunbird (proposed and existing) be lined and shown
- Driveway is wider than the drive aisle; various alternatives – maybe add some striping to push people over
- Add mountable curb to provide physical alternative to give trucks ability to align driveways

- Applicant asked where it would be located.
- It would be the inbound driveway, the right turn driveway from Sunbird into the site; as you come in
- Applicant advised they are leery about reducing the width of the inbound lane
- If open to discuss, happy to provide information; important to have driveways aligned
- Add additional striping on Sunbird Drive as approach to intersection
- Recommend that parking spaces in drive aisle mark as Employee Parking to keep turnover low
- Applicant said lessee will determine parking spaces; and decided to pass on the marked Employee Parking signage
- Crosshatch ADA crosswalk away from gas tanks
- Change in ITE trip generation when in front of the Board last
- Book used to direct traffic went from 9th edition to 10th edition – no effect or conclusions
- DOT accepted based on current edition
- Traffic signal under jurisdiction of DOT and will include access to ICC; DOT permit will be required in addition

Board Solicitor:

- Longterm Township maintenance of road and striping
- Township responsibility from that point forward, but up until that point is the Applicant's responsibility
- Present as a Condition of Approval that the road be improved prior to turnover to Township and that they ensure DOT does all of the maintenance
- Applicant said there may be a bond posted for Sunbird (related to Carabbas and Outback)
- Owner – stamped payment in middle, acknowledge protection across subdivision (cross access/cross parking) documents would need to be provided but not proposing at the current time due to one owner currently
- Site triangle easement on Sunbird; document needs to be provided to Cheryl and Leah for approval prior to recording
- Bollards around the building will be black; Applicant agrees

Leah Fury-Bruder, Township Planner

- No formal request yet, but yes dedication of street; still uncertainty
- Township wants it brought to the highest standards before accepted

Public Comment:

No Public Comment

Board Comment:

- Mr. Parikh asked about the circulation and left turn to 73S; inquiring where is the entrance on the Exhibit

- Mr. Horner showed on the Exhibit, designated in red; a left out, a straight through and a sweeping out; not separate entry lanes
- A triangle separating the straight thru exit from the right turn as there is on the Sunbird side.
- No island or median; Northbound right turn should not be a safety issue
- No safety issue according to DOT
- Existing driveway pavement will be removed and will reconnect from the ICC further back
- Board Solicitor advised that movement of those changes need to be worked out with ICC and they will need to come in for amended approval for both of those sites

Board Solicitor:

- Applicant is here for an amended preliminary Major site plan approval and final site plan with respect to proposed Royal Farms convenience store and 2 additional retail stores
- No variances; 1 waiver for curbing and replacement is bollards
- Various Conditions of Approval:
 - Lot consolidation of 2 lots in Evesham
 - Compliance of all CME Reports regarding decommissioning of wells, septic, underground and above ground storage tanks, asbestos surveys, lead based paint surveys for 2 lots
 - Apply for Title 39 Enforcement and will comply with states no idling laws
 - Reassess lighting along Sunbird Drive
 - No dumpsters placed outside of trash enclosures
 - Tree compensation needs to be reviewed; at time of preliminary agreed to make a payment to the equivalent of 100 trees
 - Contribution of tree compensation fund of 100 trees less any that are able to be replanted on the site
 - Provide architectural for review and approval of the Township Planner prior to issuance of permits
 - Same materials will be used on both trash enclosures
 - Same stone will be used on the Royal Farms store and retails stores A & B
 - Note in Resolution that changes to ICC driveway will require amended approval on that side of the highway
 - Roof mounted equipment will be adequately screened from street view
 - No Right Turn onto Sunbird Drive for delivery vehicles
 - Full depth reconstruction of Sunbird Drive will be provided
 - Applicant will obtain property owner consent regarding Sunbird Drive prior to final sign off of plans
 - Applicant will work with Board Engineer at time of site planting of evergreens along the rear of the site
 - Work with Township Planner regarding street trees
 - Site triangle easement will be provided and legal distribution will be provided to the Board Solicitor for review and approval
 - Bollards will be black

- Applicant will work with Board Traffic Engineer regarding alternatives to assist with circulation making the right turn into the site on Sunbird Drive
- At the time of the dedication of Sunbird Drive, the roadway will be brought up to then current standards prior to dedication along with complying with all other professional reports and obtaining all outside agency approvals

Motion to Approve PB15-15F

Motion: Parikh

Second: Foster

Ayes: Levenson, McGoey, Zeuli, Foster, Parikh, DiEnna, Marrone

Chairwoman Marrone acknowledged Steve Zeuli and Jay Levenson for the good work they have done on the Board and for putting their names on the recent ballots. She stated what a pleasure it has been working together and they have always been professional. She thanked them for their dedication in that regard. She also acknowledged that when she lobbied to move the elections in 2009 from May to November, she did it with the explicit intent of engaging greater voter participation. It was clear from last election that it was successful and Chairwoman Marrone congratulated the incoming administration and wished them luck. She looks forward to collaborating with the administration and the Board. The Board and Professionals do not serve a party they serve a town. Transparency is encouraged as well as public comment and public discourse and she hopes that won't change. A plan of smart growth has been executed directed by a professional planning staff that has made this town the top town in South Jersey. We hope to continue the momentum.

Resolutions

No Resolutions

Communications/Organization

- Next meeting December 6, 2018

Meeting adjourned at 8:13pm