

**TOWNSHIP OF EVESHAM  
Planning Board**

**Minutes**

**7:00 pm**

**February 1 2018**

**Municipal Building**

**Call to Order**

Vice Chairman Parikh made the call to order at 7:05 pm

**Flag Salute**

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

Vice Chairman Parikh made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

**Roll Call**

**Present:** Parikh, Cortland, Zeuli, Menichini, Levenson, DiEnna, Foster

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

**Absent:** Marrone, Mondì, Dave

**Meeting Minutes**

**December 7, 2017**

Motion: Levenson

Second: Foster

Ayes: Parikh, Zeuli, Levenson, DiEnna, Foster

**Unfinished/New Business**

1. **JVN Venture, LLC. PB 17-05. Minor Site Plan**

*25 East Main Street, Block 4.06, Lot 2 (C-3 Zone District)*

*Applicant proposes a change of commercial use for a Wellness Center & health foods shop, update site with ADA parking access, lighting, landscaping & signage.*

*Betty Mon, Attorney for Applicant*

**Witnesses:**

- William Gilmore, Civil Engineer
- Marilyn Gilmore, Environmental Engineer
- Wai-Ling Cheung, Owner

**Exhibits:**

A1: Rendering of Site. Dated January 31, 2017

A2: Site survey dated February 20, 2017. Revised June 20, 2017.

**Attorney Overview:**

- Applicant purchased property at 25 East Main Street.
- Site is roughly 1600 sq. ft with two buildings on property. One property is located close to Main Street, the other building is a Carriage House set back.
- Application to legalize property; no site plan was ever done.

- Proposed use for a single family occupation on second floor; remaining property to house a wellness center and food store.
- Applicant will update parking, lighting, landscaping, signage.

#### Bill Gilmore, Testimony

- Gives qualifications; accepted by board as expert witness
- Discusses Existing Conditions of property.
  - Floor Area Ratio
  - Minimum Lot Width: 75 ft permitted; 67.32 ft. exist
  - Minimum Front Yard Setback: 25 ft permitted; 16.3 ft. exist
  - Minimum Side Yard Setback: 20 ft. permitted; 2 ft. exist.
- Applicant requesting variance for parking in front yard setback at Oak Avenue. 25 ft is required, and 3.4 ft. is proposed. This will allow the applicant to accommodate more parking spaces, and improve the lot.
- No change to site circulation; just improving the site. Discusses traffic flow on oak.
- 12 Parking spaces created with 1 ADA space as required. 18 spaces are required.
- Requests Variance for Drive Aisle Width:
  - 15 ft. required. 10 ½ and 13 ft. proposed. This will allow cars to park.
- Proposed Signage:
  - One Way/Do Not Enter Sign
  - 2 ID Signs: one located on East Main Street. One located on Oak Avenue.
- Discusses Deliveries: Site will be serviced by small van deliveries; trash truck will be largest vehicle on site.
- Trash enclosure will be 6 x 8.
- Fencing along the East side of property will be 6 ft tall, and 4 ft. around Oak Avenue. Fencing will be vinyl material.
- Discusses lighting on property and enhancements that will be made.
- Discusses landscape area. Landscaping is looking for shade trees; screen plantings; decorative shrubs, etc.
- Discusses drawings regarding stormwater management. No increase in impervious coverage; remove some pavers to assist site.
- Applicant is truly just looking to pave parking lot and add additional landscaping to improve overall site.

#### Mary Ann Gilmore Testimony:

- Gives qualifications; accepted as expert witness.
- Received letter from CME Associates; went to the site and made appropriate recommendations.
- Applicant will comply with most items in review letter; address storage tanks.
- Prior tank spill was recorded, and applicant has reached out to consultant regarding prior uses (possibly Greenhouse), and will comply.
- Historic spill was investigated and remediated. DEP has no issues with site.
- Comply with everything from CME.

*Ms. Mon states that Ms. Cheung's testimony be entered into evidence and that they*

*request the board approves variances. Ms. Walters states that she would like to hear from Ms. Cheung regarding the businesses that will be on site, hours of operation, etc.*

Wai-Ling Cheung Testimony:

- Owner of property at 25 E. Main Street (Applicant).
- Wellness center will be operated by Kan Kit Kong who is a certified massage therapist. He is qualified in profession and works with those who have injuries. This will also include reflexology, micro-current electrical therapy, etc.
- Food center will be operated by a certified nutritionist. Ms. Walters asks if there will be any food made on site? Ms. Cheung notes that there may be some things prepared such as smoothies or bubble tea, but nothing beyond this.
- Hours of Operation: 7am to 10pm.
- Wellness Center will have under five employees and food center will also have under five employees.

*Applicant Ends Formal Testimony.*

Leah Furey-Bruder, Township Planner

- Original letter from November 2017. Updated letter for January 31, 2018.
- Most things have been addressed in the letter.
  - Talks about C-3 Zone; Main Street needed for rehabilitation.
  - Consistent with vision for downtown area.
  - Applicant is looking to clean-up/tidy property.
- Parking is an informal lot. Driveway is shared with the adjacent property, which is why the driveway is configured how it is.
- Graded Driveway: 12 spaces, 18 required.
  - Allowed crediting for shared parking; if crediting given, then they'd be compliant.
- Reduce Residential from 2 units to 1 unit.
- Discusses variances: some don't fit into a downtown area.
- ADA space close to building B: break between pavement of space and sidewalk for Building A. Wants to make sure there is proper access. Mr. Gilmore clarifies; will check for compliance.
- Applicant requests for 2 freestanding signs and 1 facade sign.
  - Applicant will need variance if both signs.
  - Asks for notifications for no excessive signage. Applicant agrees.
  - Variance needed for facade sign.

Environmental Engineer Testimony:

- Applicant has complied with all comments in letter and NJDEP regulations.

Bill Loughney, Township Engineer Representative:

- Buffers in area: not as applicable. Added landscaping so good.
- Stormwater drainage= minimal. No grading concerns. Will check plans to ensure conformance, but all good.

Stacey Arcari, Traffic Engineer:

- Review dated February 1st, 2018
- East Main Street: County Road. Need letter of “no interest.” Applicant has submitted letter and is just waiting to hear back.

Board Attorney Follow-Up:

- Notes that the notice didn’t contain the “catch-all” language. Ms. Furey-Bruder will check if conditions granted before; if not, will come back.
- Applicant has requested various submission waivers. No objection by professionals.
- Four existing non-conforming Conditions
  - Permitted to continue as no difference. (If increase, will need to go to Zoning Board).

**Public Comment:** None

**Board Comment:**

- Mr. Menichini asks if the entrance off of Main Street needs to be paved, and if there would be any confusion entering and exiting the lot? Ms. Furey-Bruder clarifies that once the adjacent lot is purchased or chooses to revitalize the site, then they will coordinate.
- Mr. Zeuli asks if the existing store against asphalt will add any detail? Mr. Gilmore replies yes. Mr. Zeuli asks which way the trash truck will come in? Ms. Furey Bruder says small businesses will use Township Services, most likely place trash at curb. Discuss trash collection.
- Mr. DiEnna asks about the dumpster issue and buffer? Ms. Furey Bruder replies applicant is good. Asks that if it is in the board’s jurisdiction to request that employees park elsewhere? Ms. Walters says that the board cannot enforce such.

Board Attorney Summary:

- Minor site plan approval for site at 25 East Main Street. C-3 Zone/Historic Zoning District. Rehabilitation area.
- Applicant has requested submission/design waivers.
  - Variances Requested.
  - 12 parking spots available/18 requested.
  - Front yard setback on Oak Avenue where no setback allowed.
  - Acknowledgement of nonconforming conditions (no variance).

**Motion to Approve PB 17-05**

Motion: Cortland

Second: Menichini

Ayes: Cortland, Foster, Levenson, Menichini, Zeuli, DiEnna, Parikh

*Meeting paused at 7:55pm. Resumed at 7:59pm.*

*Mr. DiEnna recused himself from meeting. As the Mayor’s designee, he is sitting out for the next application.*

2. Evesham Owner Urban Renewal, LLC. PB 14-25SPF2. Final Major Site Plan for Phase 1B.

*Route 70 East & N. Locust Ave., Block 27.01, Lots 2.01-2.11*

*Tri-Towne Redevelopment Project Area- Renaissance Square*

*Applicant is seeking final approval of Phase 1B containing 2 freestanding restaurants and a minor amendment to the prior approvals to finalize the bedroom mix of the market rate apartments.*

*Timothy Prime, Attorney for Applicant*

**Witnesses:**

- Chirag Thakkar, Engineer
- Jason Tronco, Landscape Architect
- Robert LaScala, Owner of Restaurant
- William Campbell, Architect

**Exhibits:**

A1: Rendering January 31, 2017.

A2: Site survey dated February 2017. Revised June 20, 2017.

**Applicant Attorney Overview:**

- Mixed-use development underway at Renaissance Square.
- Coffee Shop; 2 New Buildings for approval
- Applicant is seeking approval for the last phase: 2 pad site restaurants (Mexican and Italian).
- Minor amendment to site plan; adjust bedroom mix for market-units. Create more 2 bedroom units as opposed to 1 bedroom.
- 2 Variances Applicant is Requesting:
  - Signs for Restaurant: 2 signs permitted, 1 sign is larger than required.
  - Parking on Site: Original approval received variance for parking. Propose the same amount of parking, the restaurant will have outside seating area, which will require an additional 11 spaces. Applicant doesn't believe they will need additional 11 spaces if the center area is not enclosed. Agrees as a condition of approval that if the center area is enclosed, they will come back for approval.

**Chirag Thakkar, Testimony:**

- Has testified to board prior; accepted as expert witness.
- Site layout has not changed.
- Perimeter curb around the restaurants have not changed. Only changes to internal plan.
- Truck Circulation plan= no impacts to site plan.
- Drainage: no impact from previous site plan.

**William Campbell, Architect:**

- Gives qualifications; accepted as Fact witness only.

- 2 Restaurants in Site: Mexican- La Vez, and Italian- La Scala Fire. Architecture relates to the theme of both restaurants.
- Shows backside of site: windows placed to decorate facade; incorporate greenery.
- Site has shared characteristics.

Mr. Prime discusses the sign variances need. Flame will put over the square footage.

Ms. Walter asks about the materials for the buildings? Applicant responds materials will be fiber cement, metal, wood, glazing post. Ms. Furey-Bruder asks about the fiber cement and illumination. Applicant clarifies.

*Applicant ends formal testimony.*

Leah Furey-Bruder, Township Planner

- Review letter dated January 3rd, 2018
- Applicant has agreed to most comments made in review.
- Architecture is not the same, but has unifying characteristics.
- Outdoor space as a private restaurant; is closed off due to liquor license. Will have a green wall with gate so you can see through. Applicant must address Township and follow all laws.
- Discusses paving treatment and landscaping. Moving forward, asks if the same landscape architect will be used for all the sites to tie together? Applicant says yes.
- No concerns about sign variance.
- Applicant has agreed to show utility meter locations so they're properly screened.

CME Associates, Environmental Engineer

- Review letter dated June 9, 2017
- Only issue is the remediation of the former tailor site. This is not in vicinity of pads. Will continue to monitor and remediate site.

Stacey Arcari, Traffic Engineer:

- Review letter dated December 9th, 2017
- No comments from traffic standpoint
- Parking/change of bedroom mix.
- No issues with 11 parking spaces: don't add bigger draw; just disperse people.

Bill Loughney, Engineer Representative

- Letter December 27, 2017
- Most areas are being taken care of under previous approvals.
- No other comment

Board Comment:

- Mr. Cortland asks clarifying question about liquor licenses and common ownership? Ms. Walters clarifies, that two facilities can share the same license, as its same parking lot and location. Mr. Parikh notes that it is not in our board's purview to oversee this.

- Mr. Zeuli asks what is the space between the two restaurants? Applicant responds about 2,000 sq. ft. or about 150 seats.

Public Comment:

Matthew Downing, 4 Abington Avenue

- Delighted at the restaurants coming in to the site.
- Comment that he lives near the old Superfresh area, and neighbors are concerned. It is hard for them to get any information. Looking to see if they can get information on what's going in the site and when?
- Ms. Furey-Bruder says that with tenants, if they are compliant, then they do not need to come to the board. Building permits/zoning permits are not always a public process if compliant.
- Mr. Downing rephrases question and asks that if there is anything that prohibits a supermarket? Mr. Baron says they are trying to lease space actively to potential tenants. Mr. Downing asks about Burger King. Ms. Furey-Bruder responds that the existing Burger King is closed, new site plan near heritage village, but they haven't made an application. Suggests that someone from RD Management contacts Mr. Downing to discuss the site. Mr. Zeuli notes to put the coming soon/ribbon cuttings in newsletter.

Board Attorney Summary:

- Notes that applicant did not provide testimony for bedroom mix. Mr. Prime notes that there is no change in numbers. Will have 156 1-Bedroom Units and 248 2-Bedroom Units.
- Application is for final major site plan Phase 1B.
- Applicant requests variance for oversized sign, and the additional deviation of 11 deficit parking spaces.
- Application is for approval of the restaurant pad sites.
- Parking variance is appropriate unless the site becomes enclosed. Then applicant will come back for approval.
  - 938 parking space included; 958 required.

**Motion to Approve PB 14-25SPF2**

Motion: Cortland

Second: Foster

Ayes: Cortland, Foster, Levenson, Menichini, Zeuli, Parikh

**Public Comment:** None

**Board Comment:** None

**Communications/Organization:**

Next Meeting: February 15th, 2018

**Resolutions:**

PB 93-16A

Motion: Foster

Second: Parikh

Ayes: Foster, Parikh

**Meeting adjourned at 8:40pm.**