



PLANNING BOARD
Monday, May 20, 2013
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Carole Roskoph at 7:33 PM.

PLEDGE OF ALLEGIANCE: Led by Chairperson Roskoph.

OPMA Statement: Read by Chairperson Roskoph in compliance with the Sunshine Law.

ROLL CALL

- Members in Attendance: Carole Roskoph, Chairperson; Kevin McCormack; Carolyn Jacobs; Hugh Dougherty; Larry Terry, Sr.; Sangeeta Doshi; Brian Bauerle; Raymond Benitez.
- Professionals in Attendance: Paul Stridick, Secretary; James Burns, Esq, Planning Board Solicitor; Jacob Richman, Planning Technician.

COMMENTS FROM THE PUBLIC:

No comments from the public were received.

ADMINISTRATIVE ITEMS:

The Planning Board reviewed and voted on the adoption of the following meeting minutes:

Minutes for the Planning Board meeting on May 6, 2013 were motioned for adoption by Hugh Dougherty and seconded by Carolyn Jacobs. Affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Terry, and Doshi. Bauerle and Benitez abstain. The minutes are adopted.

Agenda Items:

No agenda items were scheduled for this meeting.

RESOLUTION 1:

13-P-0011

Block(s) 342.01 Lot(s) 4

Zone: Shopping Center Business (B3) Zone

Relief Requested: A site plan waiver for various façade and sidewalk improvements.

Federal Realty Investment Trust (Whole Foods)

Route 70 & Kings Hwy

Cherry Hill, NJ

Motion to Ratify: The Board considered the conditions set forth within the Resolution to approve a site plan waiver for various façade and sidewalk improvements for the proposed Whole Foods store at the Ellisburg Circle Shopping Center. Hugh Dougherty made a motion to ratify, seconded by Larry Terry. Affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Terry, and Doshi. Bauerle and Benitez abstain. The resolution is ratified.

RESOLUTION 2:

13-P-0012

Block(s) 285.02 Lot(s) 7

Zone: Highway Business (B2) Zone

Relief Requested: A minor subdivision with bulk (C) variances to create two (2) lots from one (1) lot.

PR Cherry Hill STW, LLC (Nordstrom's)

Cherry Hill Mall

Cherry Hill, NJ

Motion to Ratify: The Board considered the conditions set forth within the Resolution to approve a minor subdivision with bulk (C) variances to create two (2) lots from one (1) lot for the Nordstrom's property at the Cherry Hill Mall. Hugh Dougherty made a motion to ratify, seconded by Carolyn Jacobs. Affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Terry, and Doshi. Bauerle and Benitez abstain. The resolution is ratified.

EXECUTIVE SESSION (CLOSED)

Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01, Civil Action (Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill, et al (Defendants) regarding Dwell at Cherry Hill).

Motion to enter closed executive session for Litigation: Motion was made by Carolyn Jacobs and seconded by Hugh Dougherty, with affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Terry, Doshi, Bauerle, and Benitez. The Board entered closed executive session at 7:40pm. The Board discussed litigation with the Planning Board solicitor during the closed session.

Motion to exit closed Executive Session and re-enter open session : Motion was made by Kevin McCormack and seconded by Hugh Dougherty, with affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Doshi, Bauerle, and Benitez. Larry Terry recuses himself from the vote. The Board re-entered open session at 7:56pm.

Note that Larry Terry, Sr. has recused himself and stepped down from the dais.

Resolution to enter closed executive session for litigation: Motion was made by Hugh Dougherty and seconded by Brian Bauerle, with affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Doshi, Bauerle, and Benitez. The resolution is ratified.

Resolution Authorizing the Endorsement of Amended Consent Order:

Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01, Civil Action (Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill, et al (Defendants) regarding Dwell at Cherry Hill; and authorizing Zeller & Wielizcko to enter into the Amended Consent Order on behalf of the Zoning Board of Adjustment).

Motion was made by Carolyn Jacobs and seconded by Raymond Benitez, with affirmative votes by McCormack, Jacobs, Dougherty, Roskoph, Doshi, Bauerle, and Benitez. The resolution is ratified.

Meeting adjourned at 8:02 PM.