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PLANNING BOARD
Monday, March 5, 2018
APPROVED MINUTES

OPENING: The meeting was called to order by Planning Board Member Samuel Kates, Acting Chairman at 7:31 PM.

PLEDGE OF ALLEGIANCE: Led by Samuel Kates.

OPMA STATEMENT: Read by Samuel Kates in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Betty Adler; Kevin McCormack; Marlyn Kalitan; Samuel Kates; Moly Hung; William Carter; Alise Panitch; and Sheila Griffith.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Planning; James Burns, Esq., Solicitor; Natalie Barney, Community Development Supervisor; and Stacey Arcari, PE,PP, PTOE, CME, Planning Board Engineer.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from February 20, 2018. Betty Adler made a motion, which was seconded by Marlyn Kalitan, to adopt the Meeting Minutes from February 5, 2018. Affirmative votes by Adler, McCormack, Hung, Kates, Kalitan, Panitch and Griffith. Minutes are approved.

Agenda was changed to vote on resolutions first then hear the applications.

Resolutions:

17-P-0011

Block(s) 471.01 Lot(s) 6
Zone: Institutional (IN) Zone

Saint Bartholomew's Episcopal Church

1989 Route 70 East
Cherry Hill, NJ

Relief Requested: A site plan waiver with bulk (C) variances to construct a 20 SF monument sign with a 12 SF LED changeable copy area.

Motion to Ratify: Following the review of the resolution, William Carter made a motion which was seconded by Marlyn Kalitan, to memorialize the resolution for Saint Bartholomew's Episcopal Church. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Panitch, and Griffith recused. The resolution is memorialized.

17-P-0007

Block(s) 470.10 Lot(s) 7 & 8
Zone: Highway Business (B2) & Institutional (IN) Zone

TJH Automotive Co., LLC

2000 Route 70 East
Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan with bulk (C) variances to expand the existing 34,488 SF Cherry Hill Jaguar dealership with a 2,197 SF showroom addition, as well as relocate the existing driveway on Route 70 to align with Old Orchard Road as the fourth leg of the signalized intersection, modernize signage and reconfigure automobile display and parking areas along Route 70.

Motion to Ratify: Following the review of the resolution, Betty Adler made a motion which was seconded by Marlyn Kalitan, to memorialize the resolution for TJH Automotive Co., LLC. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Panitch, and Griffith. The resolution is memorialized.

12-P-0022

Block(s) 287.07 Lot(s) 9
 Zone: Residential (R2) Zone

Delaware Valley Torah Institute

31 Maple Avenue
 Cherry Hill, NJ

Relief Requested: A request for two (2) of the three (3) remaining one (1) year extensions of site plan approval per Resolution #12-P-0022. The subject of the extension of approvals request is to extend the temporary approvals for the two (2) modular trailers as well as a proposed third modular trailer (part of Phase 1 and 2 of application #16-P-0022) which would run synchronously with the timeframe of approvals for the two (2) existing trailers.

Motion to Ratify: Following the review of the resolution, William Carter made a motion which was seconded by Marlyn Kalitan, to memorialize the resolution for TJH Automotive Co., LLC. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Griffith and Panitch recused. The resolution is memorialized.

16-P-0022

Block(s) 287.07 Lot(s) 9
 Zone: Residential (R2) Zone

Delaware Valley Torah Institute

31 Maple Avenue
 Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan with bulk (C) variances and lot consolidation for a three-phase development and expansion of the existing religious school to accommodate up to 150 students with a 72-student capacity dormitory, gymnasium and various site improvements.

Motion to Ratify: Following the review of the resolution, William Carter made a motion which was seconded by Marlyn Kalitan, to memorialize the resolution for TJH Automotive Co., LLC. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Griffith and Panitch recused. The resolution is memorialized.

Agenda Item 1:**8752.2B6**

Block(s) 54.01; 54.02 Lot(s) 5; 5, 5.03 & 5.04
 Zone: Regional Business (B4) Zone

Cherry Hill Partners at Haddonfield Phase III, LLC

Garden Park Boulevard
 Cherry Hill, NJ

Relief Requested: An amended General Development Plan (GDP) to construct 66,523 SF of various commercial uses (retail and restaurant) along with various site and signage improvements.

Applicant's Representatives: Doug Wolfson, Esq. – Applicant's Attorney

This application was withdrawn as no amendment was required due to the prior GDP amendment approved in 2016 (8752.2B5).

8752.2B6

Block(s) 54.01; 54.02 Lot(s) 5; 5, 5.03 & 5.04
 Zone: Regional Business (B4) Zone

Cherry Hill Partners at Haddonfield Phase III, LLC

Garden Park Boulevard
 Cherry Hill, NJ

Relief Requested: An amended preliminary and final major subdivision to adjust lot lines around the clubhouse in Phase 2A (Village Place Apartments) and subdivide Phase 2B residential from 66,523 SF commercial component.

8752.2B6

Block(s) 54.01; 54.02 Lot(s) 5; 5, 5.03 & 5.04
 Zone: Regional Business (B4) Zone

Cherry Hill Partners at Haddonfield Phase III, LLC

Garden Park Boulevard
 Cherry Hill, NJ

Relief Requested: An amended preliminary and final major site plan with bulk (C) variances to construct 66,523 SF of various commercial uses (retail and restaurant) along with various site and signage improvements.

8752.2B6 amended preliminary and final major subdivision and 8752.2B6 amended preliminary and final major site plan were presented to the board concurrently.

Applicant's Representatives: Doug Wolfson, Esq. – Applicant's Attorney; John Taikina, PP – Director of Real Estate Development for M&M Realty Partners; Bradford A. Bohler, PE – Applicant's Engineer; and Justin Auciello – Applicant's Planner, Cofone Consulting Group; Bradford Aller, PE, Chief Engineer for Edgewood Properties, LLC.

Exhibits Submitted:

- A-1: Aerial photograph showing entirety of 2B section of Garden State Park
- A-2: Overall site plan (color) for 8752.2B6
- A-3: Subdivision Plan – (Schemel: 12/12/17)
- A-4: Site Plan (color) of Commercial Area of 8752.2B6 only
- A-5: Bldg. A Elevations
- A-6: Bldg. B Elevations
- A-7: Bldg. C Elevations
- A-8: Bldg. D Elevations
- A-9: Material Boards for Bldg. B
- A-10 Material Boards for Bldg. C
- A-11 Material Boards for Bldg. D

Mr. Wolfson introduced the application for the proposed subdivision and site plan and requested that the Planning Board solicitor recognize that all notices for the application were completed in conformance with MLUL notice requirements. Mr. Burns accepted the documentation of notice and verified compliance with the MLUL notice requirements.

Mr. Taikina was then sworn in as a Professional Planner and accepted by the board as an expert.

Mr. Taikina presented exhibit A-1 identifying the portion of 2B that they call 2B west which contains the townhouse and condominium development and 2B east, which currently contains PNC Bank and Pier One Imports and is the area of the proposed amended preliminary and final major site plan.

Mr. Taikina presented exhibit A-2 showing the proposed plan (in color) for the overall site (identified as sheet 3 in the plan sets provided to the planning board. He indicated that the demonstration townhouse that had previously sat at this location had been relocated to the other side of the property. He also noted that the preliminary approval for this site included 5 buildings with 5 tenant spaces and that had been changed to 4 buildings with 5 proposed tenant spaces. Since this led to a decrease in the total square footage of 8 sf so there was no necessity to amend the previously approved GDP.

Mr. Taikina presented exhibit A-3, the proposed subdivision plan. The purpose of the subdivision was to separate the commercial portion of the property from the residential portion of the property and leave the landscape buffer on the residential side of the property. It would also straighten the lot line at the driveway location and fix the lot line for the clubhouse. They are submitting as a preliminary and final major subdivision so they would be permitted to file a map with the County.

Mr. Taikina presented exhibit A-4, the color site plan of the commercial parcel, sheet 2 of 35 of the site plan package presented to the board. He identified "Building A" as a 3,000 sf restaurant with no drive thru component; "Building B" as a 13,317 sf retail building for one tenant; "Building C" as a 24,733 sf retail space for one tenant; and "Building D" as a 25,338 sf building with a 22,538 sf retail unit and a 2,800 sf retail unit. He noted that access to the site would be from the existing entrance to the Pier 1 Imports building on Haddonfield Rd which has full ingress but only right out egress, from a new entrance to be constructed off of Garden Park Blvd that would allow for all turning movements, from Park Lane Blvd that would connect at a 4-way intersection with the Town Center development, and from a service entrance off of Park Lane Blvd that would provide access behind buildings D and C. He stated that the signal intersection at Haddonfield Road and Garden Park Blvd would remain the same. In providing additional detail about the buildings, Mr. Taikina indicated that Building A would have 4-sided architecture and outdoor seating with a trash enclosure (dumpster) and loading area located on the west side of the building. Building B would have an entrance at the southeast corner of the building, full circulation around the building, with a loading zone and enclosed trash compactor on the west side of the building. Building C would have access on the east side of the building and an enclosed trash compactor and loading zone on the west side of the building. Building D (both units) would also have an east facing entrance and trash compactor and loading zone, for each retailer, located behind the building.

Mr. Wolfson noted that there had initially been three monument signs proposed, two on Haddonfield Road and one on Garden Park Blvd, but they were withdrawing those without prejudice, so they can continue to work with the Township with

regard to location and they would seek approval for freestanding signage under a separate application. Mr. Taikina noted that the existing monument sign at the PNC bank would remain.

Mr. Taikina noted that there were no variances need for the subdivision, however, the subdivision does create variances for impervious coverage and open space for the parcel where the commercial development will be constructed (lot 5.05) with 85.3% of the lot becoming impervious where only 70%, however this does bring the adjacent residential lot into conformance with these requirements. It also creates a variance for a rear yard setback of 0.5' from Building C and 7.4' from Building A the lot line to the rear of buildings C and D, but that was done to keep the landscaped buffer on the residential side of the lot. He noted that the lighting and landscaping is compliant with the ordinance except for a small amount of light spillover at the roadway, but none at the residential lot line. They have reviewed the letters issued by both the Department of Community Development issued on March 1, 2018 and Environmental Resolutions, Inc. issued on March 2, 2018. Finally, he noted that the proposed subdivision and site plan are consistent with the approved General Development Plan.

Ms. Luciani clarified for the record that there were additional waivers and variances approved with the preliminary site plan approval and variances created by the subdivision that should be recognized including allowing 30' light poles where only 20' poles are permitted, an open space variance to permit 14.7% open space where 25% is required, a rear yard setback (Bldg. C) of 0.5' where a minimum of 20' is required and a parking lot setback to a structure (Bldg. A) of 6' where a minimum of 10' is required.

Mr. Taikina continued his testimony with exhibit A-5 showing elevations of building A. He indicated that the building would have 4 sided architectural features since there is no rear to the building. It would have a lot of large glass windows, an angled roof, and unique signage that still fell within the 150 sf maximum permitted size. He did not that they would require relief for the secondary façade signage as both the location and size were non-conforming.

Mr. Taikina presented exhibit A-6 showing the elevations of building B. He once again noted that all the elevations of this building would be visible to the public. He noted that the architecture would be predominantly masonry, brick and glass and that the signs on the north and east façade were permitted and conforming to the sign ordinance requirements, but the signs on the south and west elevations would require variances since they do not front on a street.

Mr. Taikina presented exhibit A-7 showing the elevations of building C. He noted that this building would use brick and have large glass windows, similar to the architecture of Town Place. He noted that the east side of the building faced Garden Park Blvd, and to improve the visual identity of the building along that roadway they added elements to break up the façade as recommended by the Department of Community Development. He also indicated that the loading dock would be located behind the building and a brick wall would be erected to screen the area from the roadway.

Mr. Taikina presented exhibit A-8, the elevations of building D. He indicated that there would be two entrances on this building with some unique architectural features including cornices and that are also on building C and that the west corner of the site would relate to the Town Place portion of the development since it is the first corner you will approach as you cross over Park Lane Blvd.

Mr. Taikina moved on to exhibit A-9, which was a materials board for building B, which would be a predominantly masonry building with brick and prefinished metal elements.

Mr. Taikina presented exhibit A-10, the materials board for building C, which would be very similar to building D with masonry, hardy plank, precast stone and stucco elements.

Mr. Taikina presented his final exhibit A-11, the materials board for building D, which was predominantly the same as building with some additional fiber cement for color.

The A-4 Site Plan was placed back on display and Justin Auciello, PP of Cofone Consulting Group was sworn in and accepted as an expert.

Mr. Auciello testified to the need for the variances as listed on page 8 of the Community Development review letter, dated March 1, 2018. He noted that the variance to locate building C 0.5' from the property line was being done in order to

maintain the buffer location on the residential portion of the property. They are requested a c(2) flexible variance because it is not being necessitated by the topography or site conditions but because it is better planning and design to place the buffer on the residential site.

Mr. Auciello testified that the setback variance of 6' from the parking lot to building A is actually a c(1) variance because a drainage ditch located between the building and the existing Pier 1 building necessitates the location of the building where it is proposed. He noted that both the setback variances cause no negative substantial detriment to the public.

Mr. Auciello testified that the lot coverage of 85.3% where the maximum lot coverage permitted is 70% is a flexible c(2) variance that is only being caused by the proposed subdivision. This variance makes sense because it is better to have the buffer on the residential side, the lot coverage on the residential side goes down, the overall lot coverage does not change, and there is no negative impact to the public. This is also the same argument for the 14.7% open space variance where a minimum of 25% is required.

Mr. Auciello testified to the sign variances stating that the west and south facade signs of buildings A & B that do not front on a roadway, serve the practical purpose of identifying the building from every approach since they are accessible from all four sides. The signs are attractive and cause no substantial detriment to the public good. He noted that the signs on the east and west facades exceed 150 sf (204.4 sf and 236.4sf, respectively) but the size of the signs relate better to the façade size and the signs do not contribute to visual clutter. They are of good design and have no negative detriment to the public good or the zone plan. He also noted that the signage is consistent with the signage across the rest of the site.

Mr. Auciello noted that all of the design waivers noted were approved by preliminary site plan approval.

Both Mr. Kates and Ms. Luciani noted that the signage on Bldg A was confusing because the elevations were poorly labeled. To clarify, Ms. Luciani noted that the sign on the east façade of the building did not require a variance as the sign is only 142 sf, however, the signs on the south and west side of the building need location variances and the sign on the north elevation of the building is 158.4 sf exceeding the 150 sf maximum size.

Ms. Kalitan asked if a portion of the sign was changeable copy, to which Mr. Taikina replied that it is not.

Mr. Taikina noted that on building B, there are 4 signs of 87 sf each, one on each façade, instead of two signs of 150 sf. This variance is necessitated due to the need to identify the building from each visual approach.

Ms. Kalitan noted that the combined square footage of all the signs on the building should not be permitted to exceed the size of all the permissible signage which would be 300 sf.

Mr. Taikina agreed that they would keep the total square footage of all signs to 300 square feet.

Ms. Luciani asked the applicant to confirm that there were no changes to the site that necessitated a change in the Traffic Impact Study.

Mr. Karl Pehnke, PE, PTOE, of Langan Engineering and Environmental Services (sworn in later) testified that the Traffic Impact Study prepared as part of the preliminary application did not change despite the minor changes made to the plan.

Ms. Arcari asked that the study just be brought up to date to include the current site plan configuration.

The applicant accepted this as a condition.

Public Discussion:

Ms. Carol Finkelstein-Laskin of 2031 Crescent Way, located at the Plaza Grande development, asked if there would be additional crosswalks provided across Garden Park Blvd for residents of the Plaza Grande. She said she was concerned about the safety of these residents because many of them have restricted mobility and get not easily get across the street.

Mr. Taikina noted that sidewalks are already constructed along both sides of Garden Park Blvd and that there is an existing crossing at the light at the intersection of Haddonfield Road and Garden Park Boulevard and a crossing between the light and the traffic circle.

Ms. Luciani stated that a crossing at the entrance to the commercial development from Garden Park Blvd would not be advisable because of the number of turning movements happening at that location. She also noted that, while it is currently happening, parking on Garden Park Blvd will be prohibited, so no vehicles will obscure the view of a person waiting to cross the street at delineated crossing locations.

Mr. Burns clarified that the crosswalks were at the entrance to the development and at Citation Lane.

Mr. Hung asked if there was any consideration of providing shuttle service to residents within the site to the shopping area.

Mr. Taikina noted that the shuttle is available to the residents of the Garden State Park residential units, but that the age restricted portion is owned by a different developer and that they do not have any agreement to provide the same shuttle service, but that sidewalks and crosswalks were provided to create the connection between the two developments.

Ms. Martha Wright of 200 Munn Lane stated that she had concerns about the residents seeing the light from the signage on the buildings at night. She also noted that she was concerned about parking spots being reserved for to-go pick-ups from the proposed restaurant.

Mr. Taikina noted that the signage from building B would be visible to residents located to the west and north of the building and that there would be to go spots at the proposed restaurant.

Mr. Bob Pendergrast of 1002 Pacer Court (GSP Townhouses) stated that the road through the entire development is treated like a racetrack and he was concerned about truck traffic through the up Garden Park Blvd from Route 70 and around the circle. He wanted to know if there would be a limitation on truck size and times for deliveries. He noted that the traffic in the area keeps increasing and getting much worse. Finally, he stated that he was concerned about the drainage of the lot because there have been a lot of drainage problems at the Townhouses. He asked if additional stop signs could be located along Garden Park Blvd to slow traffic down or if speed bumps could be employed.

Ms. Luciani noted that truck delivery times are somewhat limited by noise ordinance limits. She also noted that the police will not likely approve additional stop signs because they are an impediment to traffic flow. She stated that when Garden Park Blvd becomes a township road upon completion of all improvements at the site, the township can restrict truck traffic. She indicated that additional crosswalk signs may be needed and that we would work with the applicant to identify appropriate locations.

Mr. Taikina noted that truck deliveries are typically directed to come from Haddonfield Road and Route 70. Ms. Arcari noted that stop signs are not tools to control speed and cannot be used as such.

Mr. Taikina agreed that the applicant will work with Community Development to identify safe crossing locations for residents.

Mr. Lou Cattuna of 39 Cooper Run Drive stated that he did not believe that this development represented smart growth despite it being presented that way to the Planning Board back in 2003. He stated that there should be more safety devices to slow down traffic and make walking around the development safer including more crosswalks and speed humps, limiting trucks, and not allowing them to over park the site.

Ms. Arcari noted that speed bumps are not supported by the fire department, but that we could explore speed tables or neck downs, and that we cannot prohibit trucks completely from the site because they have to make deliveries to both commercial and non-commercial properties.

There were no further public comments.

Motion: Following the reiteration of the conditions by Solicitor Burns, this included:

1. Update the Traffic Impact Study to represent current conditions on the site.
2. Clarify the fence location.
3. Comply with comments in Department of Community Development review of March 1, 2018 and the Environmental Resolutions, Inc. report of March 2, 2018.
4. Façade treatment will wrap all the way around Building C and the applicant will continue to work with Community Development on architectural improvements.
5. They will comply with all final review requirements of the Department of Community Development.
6. The four signs on Building B would not exceed a total of 300 SF.
7. They will work with the Department of Community Development to identify additional safe crossing locations from the Townhouses to the clubhouse area.

The Building A east elevation sign variance for size was removed and the monument sign variances were withdrawn without prejudice.

William Carter made a motion, which was seconded by Betty Adler, to approve the preliminary and final major subdivision application. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Panitch, and Griffith. The preliminary and final major subdivision is approved.

Betty Adler made a motion, which was seconded by Samuel Kates, to approve the final major site plan. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Kalitan, Panitch, and Griffith. The amended preliminary and final major site plan with bulk (C) variances is approved.

Agenda Item 2:

8752.3A4

Block(s) 54.02 Lot(s) 3 Qual: C0001
 Zone: Regional Business (B4) Zone

Cherry Hill Towne Center Partners

901-957 Haddonfield Road
 Cherry Hill, NJ

Relief Requested: An Amended General Development Plan (GDP) to construct a 14,770 SF retail building addition as an extension of Building D (end cap is DSW Shoes) at Towne Center at Garden State Park, as well as various site and signage improvements.

8752.3A4

Block(s) 54.02 Lot(s) 3 Qual: C0001
 Zone: Regional Business (B4) Zone

Cherry Hill Towne Center Partners

901-957 Haddonfield Road
 Cherry Hill, NJ

Relief Requested: An amended preliminary and final major site plan to construct a 14,770 SF retail building addition as an extension of Building D (end cap is DSW Shoes) at Towne Center at Garden State Park, as well as various site and signage improvements.

Applicant’s Representatives: Doug Wolfson, Esq. – Applicant’s Attorney; John Taikina, PP – Director of Real Estate Development for M&M Realty Partners; Bradford A. Bohler, PE – Applicant’s Engineer; and Justin Auciello – Applicant’s Planner, Cofone Consulting Group; Bradford Aller, PE, Chief Engineer for Edgewood Properties, LLC, Karl Pehnke, PE, PTOE, Langan Engineering and Environmental Services.

Exhibits Submitted:

- A-1 GDP: Overall GDP site plan for section 3A
- A-1 Site: Site Geometry Plan
- A-2 Site: Proposed addition floor plan
- A-3 Site : Site Elevations
- A-4 Site: Site Landscaping

Mr. Wolfson introduced the application for the proposed subdivision and site plan and requested that the Planning Board solicitor recognize that all notices for the application were completed in conformance with MLUL notice requirements. Mr.

Burns accepted the documentation of notice and verified compliance with the MLUL notice requirements and that the planning board has jurisdiction.

Mr. Taikina presented the Amended General Development Plan for Phase 3A (Block 54.02 lot 3) stating that it currently consists of 340,000 sf of retail, restaurant and office space. The GDP approval allowed in excess of that amount and then placed a cap on it. It had permitted 200,000 square feet of retail space, 95,000 square feet of office/fitness space, and 155,000 square feet of office, for a total of 400,000 square feet (this is the testimony that was put on the record, however, the amounts presented total 450,000 square feet). However, there was a cap placed on the GDP saying that there should be no more than 320,000 sf. This application is to expand the plan to permit for a total of 352,800 square feet which includes the proposed 15,000 square foot expansion at the north end of the development. He stated that the applicant believes that this expansion is consistent with the General Development Plan and the B4 zone to permit for a mix of uses. He stated that this will continue the process of creating a more walkable environment and connect this portion of the site to the portion that was just approved on the 2B6 portion of the property.

Mr. Taikina represented that they are in compliance with the ratio requirements for the mix of uses in the B4 zone. Retail A which includes uses in excess of 60,000 square feet is at 14% of the site where 20% is permitted, proposing a total of 17.8% of Retail B which is uses that are smaller than 60,000 square feet where 20% is permitted, office uses are at 4.1% where up to 20% is permitted, and restaurant uses are approximately 1% where 20% is permitted. Residential totals 49% of the site. Overall as it relates to 3A they are fully within the prescribed percentages.

The board chose to hold off on voting on the GDP and hear the preliminary and final major site plan application then vote on both applications.

Mr. Taikina presented exhibit A-1 the overall GDP Plan that included all of the uses within phase 3A, with the proposed expansion adjacent to DSW. He noted that the area of the proposed expansion is currently a parking lot that they will infill with a building of 14,770 that will extend the entire building to the corner of Park Lane Blvd and connect across that road to the 2B6 site. The intent is to continue the pedestrian environment across the street to the new development with a shorter road crossing than what would currently exist if they did not infill the area.

Mr. Taikina stated that there are 1,514 parking spaces 675 in the parking deck and the rest are distributed in the south, north and west parking lots. The parking analysis showed that at the busiest time of day which is Saturday at 2pm, 48% of the parking is empty. The south and north lots are constantly full, the west lot is at 50%, and the parking garage is only at 10%, indicating a distribution issue. He noted that tenant employees, as part of the lease agreement, are supposed to be parked in the garage or in the west lot. He stated that the employee count on a Friday and Saturday night is in excess of 150 employees that are mostly parking in the north and south lot. He noted that they would work with their tenants to make sure that employees are parking where they are supposed to so that spots are available in the front lots for customers. Though, he noted that they are compliant with the parking requirements and that they have not had any traffic safety issues arise at the site.

Mr. Taikina presented A-1 site exhibit, the site geometry plan. He stated that the parallel parking spaces would continue along the roadway in front of the building. The sidewalk would continue along Park Lane Blvd to the existing apartments. The trash wall behind the building will be lengthened to match hide the dumpster area and match the wall on the opposite end of the building. He noted that there will be no drainage changes since the area is already impervious.

Mr. Taikina presented exhibit A-2 site, the floor plan of the proposed addition. He noted that it would contain two retail spaces, one 3,770 square feet and 11,000 square feet.

Mr. Taikina presented exhibit A-3, site elevations. He indicated that they added more arch windows after discussions with Community Development and that the architectural elements of the existing site will be continued onto this portion of the building.

Mr. Taikina noted that there is a sign variance request to have two façade signs on the north elevation of the building that would include a 104 sf façade sign for DSW and a second tenant sign for the 11,000 sf space that would be approximately 70 sf, for a total of 174 sf.

Mr. Taikina presented exhibit A-4 site, landscaping renderings. He noted that new landscaping would be added along the side of the building, there would be brick crosswalks and sidewalks, and new lighting would be carried around the side of the building with wall fixtures.

Mr. Taikina stated that a shared parking calculation was completed to determine the need for total parking at the site. He noted that during the week there are varied parking peaks based on usage, with office peak during the day and restaurant peaks at 1pm and later. He also noted that retail and restaurant hours peak again at night when the office uses are closed. He stated that taking all uses independently we would need 1,526, with the shared parking calculation they require 1,353 parking spaces, a reduction of 170 spaces. The study was conducted from 11am to 6pm on Friday and Saturday. He responded to concerns that the study should have been carried on to a later time at night, stating that the drop in the demand for office parking goes from 468 to 170 between noon and 6pm on a Friday, which is so significant that the parking usage would never go back up after 6pm.

Ms. Arcari noted that ERI accepted the shared parking calculations and she requested an update to the traffic study to reflect the addition.

Mr. Taikina accepted the request to update the traffic plan. He was asked what the total loss of parking space was to which he responded the total loss of spaces was 46 spaces.

Ms. Luciani noted that despite the loss of parking spaces with the use of the shared parking calculation there was no parking variance being requested.

Mr. Taikina identified a 7.7' side yard setback variance created by the addition where 20' is required, but argued that this side yard setback is a better plan to shorten the distance between the buildings located at the intersection. There was a request for a variance for impervious coverage which was found to be made in error through a miscalculation on the plans, so this variance request has been removed, as well as the associated open space variance request.

Ms. Luciani noted that of the bulk c variances identified on page 7 in the Community Development report dated March 1, 2018 the only ones still applicable to this application were numbers 2 and 9.

Ms. Adler asked why the stores were configured as shown.

Mr. Taikina responded that they had a tenant in place that wanted the 11,000 sf store so they left the proposal the way it was even though they no longer have that tenant. However, they have found through their leasing of the rest of the site that most tenants bring with them another smaller tenant that they want to be located adjacent to.

Mr. Auciello testified to the need for the 7.7' side yard setback variance where 20' is permitted, arguing that the location of the building as proposed is a better layout and design for the site and it improves the pedestrian safety and circulation at the site particularly in relationship to the new development that will be across the street and it therefore meets the standards of a c(2) flexible variance.

Mr. Auciello testified that the sign variance should be granted to provide adequate identification of the tenants in the building and that permitting the variance advances the purpose of the zone plan. He also noted that there is no substantial detriment to the public good by locating two tenant names on the side of the building and that the effect is de minimis.

Ms. Panitch asked if DSW is no longer going to be the corner tenant why there sign has to stay.

Mr. Taikina noted that the signage on the side of the building is an obligation to that tenant under the lease agreement.

Mr. Burns asked if there was any concern of removing the second sign if the lease obligation with DSW went away.

Mr. Taikina replied that he would have no concern removing the second sign if the lease obligation went away.

Ms. Kalitan stated that she believed that this whole application is being misrepresented to the board and that the parking calculation and expectation is unrealistic. She also stated that she does not believe that the side yard setback is necessary since they could easily just make the building shorter and that the addition is too big.

Mr. Taikina reiterated his belief that it is better planning and design to carry the building as far as it can go to the intersection of the street to shorten the pedestrian crossing and improve walkability.

Ms. Panitch indicated that she was concerned that they would not be able to reasonably enforce the parking of employees in the lot behind the building or in the garage.

Mr. Taikina replied that it is a win-win for both the property owner and the tenants to enforce this policy with the employees because it will improve sales.

Mr. Kates asked that if this has been an ongoing issue why would they enforce it any differently now.

Mr. Taikina noted that they have never had any complaints from tenants about the inability of their patrons to find parking but that this expansion will act as an impetus for them to work with the tenants to encourage this agreement within the lease. He also added to his earlier response regarding the side yard setback that the variance only exists because of the lot lines that were created for financing purposes. The lot lines really hold no relevance as far as property ownership or the overall comprehensive use and design of the site.

Mr. Hung agreed with the other board members concerns about the parking and the ability to enforce the employee parking.

Mr. Taikina and Mr. Wolfson both agreed that enforcement is difficult but they believe that they can convince the tenants that they would benefit by enforcing this parking requirement with their employees.

Mr. Burns asked if they would be willing to make this enforcement a condition of the approval.

Mr. Wolfson agreed that they would share the language of a letter that would be sent to the tenants regarding the importance of having their employees park their vehicles in the garage or the west parking lot. Mr. Wolfson also noted that the request for the variance be granted since the denial of the variance serves no real purpose in regard to the Board's concerns regarding parking.

Public Discussion:

Ms. Martha Wright of 200 Munn Lane stated that she spent most of her career running retail stores and that the reason why this site is not pedestrian friendly is that nobody really wants to walk when they are shopping. She noted many reasons for this but specifically in this area, there are long periods of time when the weather is not conducive to walking and therefore people always look to park as close to their destination as possible, employees don't care if they are told not to, so she thinks that the parking calculation is incorrect. She also thinks that the side yard setback variance is against the municipal land use requirement that states the development should not hinder access to light, air, and open space.

Mr. Burns noted that the side yard setback and the sign variance are the only two things that do not make this a by-right application. He stated that the parking calculation is permitted by ordinance and therefore is in compliance.

Mr. Wolfson also stated that other than the two variances being requested, the rest of the application is compliant with the Township's zoning ordinance.

Ms. Luciani noted that she understands the board's concerns about parking but agreed that the parking at the site is really a management and signage issues and that the site provides sufficient parking.

Ms. Arcari stated that the shared parking analysis was done in conformance with the Urban Land Institute requirements and that the problem is not with the parking calculation but the location of the parking spaces and making sure that people understand where parking is available.

Mr. Burns again reiterated that the variance requests had no relationship to the board concerns regarding parking.

Ms. Panitch asked if they would be willing to wait 60 days to show that they can enforce the employee parking requirements.

Mr. Wolfson noted that, once again, these issues are not really related to the variance requests, and that waiting 60 days would really equate to waiting 6 months and that the applicant would not be willing to do that.

Mr. Burns noted that the conditions as he understands them is that the board really wants to require that the applicant do all they can to enforce the lease agreement terms and investigate improved safety measures for employees that must walk long distances when returning to their vehicles, especially after hours.

Mr. Wolfson noted that it is his understanding that any employee can presently request a ride to their car after hours. They are acutely aware of the need for safety and would be fine with including that as a condition because they already do that now.

Mr. Carter clarified that if they required the applicant to comply with variance setback that they would gain no parking spaces, so denying that setback doesn't make any sense.

Mr. Kates stated that the only variances being considered are the setback and sign variance request.

Mr. Hung noted that the development of the new space might provide an opportunity for the management to promote the additional parking at the site.

Mr. Wolfson agreed.

Mr. Burns noted that the GDP proposal was consistent with past approvals and with the master plan and that there are no variance requests associated with the GDP change.

Motion: Following the reiteration of the conditions by Solicitor Burns, including:

1. Install more arch windows and continue to work with the Department of Community Development regarding the architecture of the building.
2. Work with the Department of Community Development with signage design.
3. Landscaping and lighting will require final approval by the Department of Community Development.
4. The traffic study will be updated to reflect the changing conditions and all approvals to date.
5. Applicant shall ensure conformance with all density standards on the plan.
6. Applicant shall ensure conformance with all open space standards on the plan.
7. Applicant shall meet with tenants to advise of them of the requirement that employees park in the garage or the west lot within thirty days.
8. Applicant must investigate and employ safety and security measures for employees parking in the garage and west lot.

Moly Hung made a motion, which was seconded by William Carter, to approve the Amendment to the General Development Plan. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Panitch, and Griffith. A Negative vote from Kalitan. The Amendment to the General Development Plan (GDP) is approved.

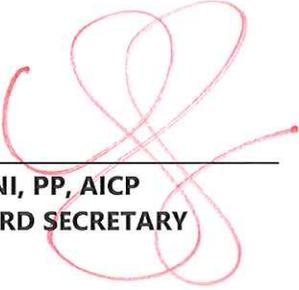
Betty Adler made a motion, which was seconded by Moly Hung, to approve the preliminary and final major site plan. Affirmative votes by Adler, McCormack, Hung, Carter, Kates, Panitch, and Griffith. A Negative vote from Kalitan. The preliminary and major final major site plan is approved.

Meeting Adjourned: at 11:00 PM.

ADOPTED: 3/19/18

Hugh Dougherty, P.E.
HUGH DOUGHERTY, VICE CHAIRMAN

ATTEST:



LORISSA LUCIANI, PP, AICP
PLANNING BOARD SECRETARY