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PLANNING BOARD
Monday, July 16, 2018
APPROVED MINUTES

OPENING: The meeting was called to order by Vice-Chairman Hugh Dougherty at 7:35 PM.

PLEDGE OF ALLEGIANCE: Led by Hugh Dougherty.

OPMA STATEMENT: Read by Hugh Dougherty in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Kevin McCormack; Carolyn Jacobs; Hugh Dougherty; Sam Kates; Moly Hung; William Carter; Marlyn Kalitan; Alise Panitch; and Sheila Griffith.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Community Development; James Burns, Esq., Solicitor; Cosmas Diamantis, Esq., Alternate Solicitor; and Jacob Richman, PP, AICP, Planner.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from June 18, 2018. Carolyn Jacobs made a motion, which was seconded by Marlyn Kalitan, to adopt the Meeting Minutes from June 18, 2018. Affirmative votes by Jacobs, Kalitan; and Griffith. Minutes are approved.

Prior to the start of the first agenda item, Solicitor Burns and William Carter recused themselves from the proceeding. Solicitor Burns was replaced by Solicitor Diamantis.

Agenda Item 1:

18-P-0017

Block(s) 468.03 Lot(s) 6
Zone: Industrial Restricted (IR)

TD Bank, N.A.
2059 Springdale Road
Cherry Hill, NJ

Relief Requested: A site plan waiver with bulk (C) variances and design waivers to construct a 39.5' X 12.5' canopy with a loading zone on the east elevation of the existing building. The application also proposes the removal of two (2) ADA parking spaces.

Applicant's Representatives: Laura D'Allesandro, Esq. – Applicant's Attorney; Tony Bonpasteur – TD Bank Operations Manager; and Dave Wisotsky, PE – Applicant's Engineer.

Exhibits Submitted: A-1: Aerial Photograph; A-2: Demolition Plan; and A-3: Lighting Plan.

Ms. D'Allesandro introduced the application and noted that the loading zone and proposed 39.5' x 12.5' canopy are to be installed at an existing rear entrance to the building. Ms. D'Allesandro noted that the applicant is also proposing new pole-mounted lights along Carnegie Plaza. Ms. D'Allesandro stated that this TD Bank is the location of its central mailing office. Ms. D'Allesandro explained that deliveries to the site already exist and this proposal would just provide a designated loading zone and a canopy to protect employees from the weather. Ms. D'Allesandro stated that the proposed canopy requires variances for its size (it is larger than 5' x 8') and its location (does not have street frontage). The canopy will be located along the east elevation of the existing building. Ms. D'Allesandro stated that the applicant will address lighting and trash concerns. With regard to trash pickup, TD Bank has notified its private hauler to make sure that they only pick up trash between 8am and 6pm. The applicant stated that they will also comply with the prior lighting plan approval pertaining to putting lights on timers, turning off certain lights at 10pm, and reducing lighting to 40% at night for security purposes. The prior approvals stem from application 03-P-0026 for Commerce Bank.

Mr. Wisotsky submitted exhibit A-1 and gave an overview of the site location and noted the proposed location of the canopy as well as the proposed location of the additional lights. Mr. Wisotsky referred to exhibit A-2 to show the elimination of two (2) ADA spaces which will be replaced by a designated loading zone and canopy. Mr. Wisotsky confirmed that the applicant will still comply with ADA parking regulations as seven (7) spaces are minimally required and that the reduction will be from nine (9) to seven (7) ADA parking spaces. Mr. Wisotsky stated that the purpose of the

loading zone is to keep delivery vehicles out of the drive aisle. Mr. Wisotsky affirmed that there will be no change to site lighting in the loading zone area and no changes to residential buffer. Mr. Wisotsky also affirmed that there will be no lights installed underneath the proposed canopy. Mr. Wisotsky testified that the purpose of the proposed canopy is to provide weather protection while loading and unloading the delivery vehicles.

Mr. Wisotsky stated that the canopy will match the other green awnings on the TD Bank building and that the canopy will be made out of metal. Mr. Wisotsky stated that a conforming 5' x 8' canopy is meant for a typical pedestrian entranceway and that it would not adequately cover the loading zone where the deliveries will take place. Mr. Wisotsky stated that adding the loading zone brings the site more into conformance with loading standards and that the size of the proposed loading zone, while slightly undersized, is commensurate with the area needed to make the deliveries. Mr. Wisotsky stated that the loading will be greater than 50' from the residential property line and that the loading zone will only be utilized during regular business hours. No idling signs will also be posted at the loading zone. Mr. Wisotsky stated that he does not see deleterious impacts if the proposal is approved. Mr. Wisotsky submitted exhibit A-3 and stated that the provided lighting is for the on-street parking area in front of the building along Carnegie Plaza. The lights will be LED and that the requested design waiver is to permit more than 0.25 footcandles at the property line and that this is justified as the purpose is to adequately light the on-street parking area. Mr. Wisotsky affirmed that these lights will not impact the residential area and that the proposed lights are recessed.

Ms. Luciani stated that employees are parking near the intersection of Springdale Road and Carnegie Plaza and this is creating a safety issue as the cars are within the sight triangle. Ms. Luciani requested that the applicant paint a no parking stripe on the curb within the sight triangle so that cars do not park there. The applicant agreed to this condition.

Mr. Bonpasteur stated that the hours of operation are 7:30am to 6:30pm/7:00pm from Monday through Friday. Mr. Bonpasteur said that the last employee typically leaves around 7:00pm. Mr. Bonpasteur stated that there are about six (6) deliveries per day (12 total ins and outs) and that deliveries are typically by UPS/FedEx trucks and TD Bank vans. Mail deliveries take place between 7:30am and 10:00am and pickups are from 5:00pm to 6:30pm. TD Bank vans come by 6 to 8 times per day to pick up the mail and deliver it to other TD Bank locations in the area. Mr. Bonpasteur stated that the largest truck to come to the site is a W.B. Mason box truck. Mr. Bonpasteur affirmed that no tractor trailers will be coming to the site. Mr. Bonpasteur believes the proposed canopy will improve their operations. Mr. Bonpasteur stated that the off-street parking is for employees only.

Public Discussion: Mr. Premal Parakh of 1910 Birchwood Park Drive North stated he has concerns about the intensity of the existing lights and doesn't see the benefit to have a permanent canopy. Mr. Parakh stated that there is also noise coming from site at night and that there are no evergreen trees in the residential buffer. Ms. Luciani stated that the applicant will be addressing pickup of trash (through their private hauler, and DPW, if necessary), the lighting issue (through a Night Light Function test), and landscaping (by providing infill landscaping in accordance with the prior approved site plans).

Ms. Ivanna Cooper-Starling of 1914 Birchwood Park Drive North stated that she is concerned about the lack of evergreen trees in the buffer and that TD Bank was holding a training session with said buffer and making a lot of noise. Ms. Cooper-Starling also asked how long construction would take, to which the applicant replied that it would take approximately two (2) weeks.

Ms. Luciani responded to the applicant's statement that they have a parking agreement with the neighboring Hindu Temple, with Ms. Luciani noting that parking agreements must first be approved by the Department of Community Development to ensure the sharing of parking is compatible with the operations of the uses.

Motion: Following the reiteration of the conditions by Solicitor Diamantis, Carolyn Jacobs made a motion, which was seconded by Moly Hung, to approve the application. Affirmative votes by McCormack, Jacobs, Dougherty, Kates, Hung, Kalitan, Panitch, and Griffith. The application is approved.

Following the vote, Solicitor Burns and William Carter returned to the dais. Solicitor Diamantis excused himself from the remainder of the meeting.

Agenda Item 2:

18-P-0023

Block(s) 426.01 Lot(s) 17

Zone: Neighborhood Business (B1)

Relief Requested: A site plan waiver for the construction of a new 12' x 32' walk-in freezer at the rear of the building.

Arnie's Butcher & Gourmet Shop

219 Berlin Road

Cherry Hill, NJ

Applicant's Representatives: Jen Johnson, Esq. – Applicant's Attorney; Arnie Madrigale – Applicant, Arnie's Butcher & Gourmet Shop; and Frank Radey, RA – Applicant's Architect.

Exhibits Submitted: None.

Ms. Johnson introduced the application to construct a walk-in cooler behind the existing store in order to accommodate additional cold storage for the butcher shop. Ms. Johnson stated that the applicant will correct the submitted Plan in order to correct the zoning district. Ms. Johnson stated that the proposed walk-in cooler will eliminate the need for the storage trailer on site which is currently used for food storage.

Mr. Radey stated that the proposed walk-in cooler will have inside and outside access. The cooler's dimensions are 12' x 32' x 9' and it will be attached to the back of the existing store. Mr. Radey affirmed that the cooler will be placed on existing impervious coverage. Mr. Radey explained that the existing buffer includes a combination of fencing and landscaping at the property lines. Mr. Radey stated that the walk-in cooler will have two (2) rooftop condensers and that they will give off 73 decibels of sound which is comparable to regular air conditioning units which give off 74 decibels. Mr. Radey referred to the submitted Plan to show exactly where the walk-in cooler will be located (within a rear loading area). Mr. Radey noted that the existing walk-in freezer will be relocated to the left wing of the building but that the storage trailer will be removed entirely. The applicant stated that they will update the plans to fix the zoning schedule and to show the new location of the walk-in freezer. Ms. Johnson added that there will be no changes to lot coverage, drainage, or traffic flow as a result of the present application.

Mr. Madrigale stated that the proposed walk-in cooler will store their product and that goods will continue to be unloaded at the rear of the building. Deliveries will occur between the hours of 10am and 2pm from Monday through Friday and that this is consistent with their current delivery schedule. Mr. Madrigale stated that they are considering the possibility of installing a generator in the future for the purposes of ensuring the integrity of their products that require cold storage. Ms. Luciani noted that the applicant will need to obtain separate approvals for the generator.

Public Discussion: None.

Motion: Following the reiteration of the conditions by Solicitor Burns, Sam Kates made a motion, which was seconded by Moly Hung, to approve the application. Affirmative votes by McCormack, Jacobs, Dougherty, Kates, Hung, Carter, Kalitan, Panitch, and Griffith. The application is approved.

Agenda Item 3:

Cherry Hill Township Zoning Ordinance Amendments

*Consideration of Recommendations to Council for revisions to **Article IX – Fees, Guarantees, Inspections & Off-Tract Improvements**, specifically Section 903 and Section 904, to amend various requirements for performance and maintenance guarantees consistent with the amendments promulgated by P.L. 2017, c.312.*

Ms. Luciani stated that the Planning Board has a directive from Township Council to review proposed amendments to Article IX of the Zoning Ordinance pertaining to performance guarantees; the purpose of which is to bring the Zoning Ordinance into compliance with the new bonding standards as promulgated by P.L. 2017, c.312. Ms. Luciani detailed the new bonding regulations/changes and new inspection escrow collection requirements. Ms. Luciani noted that the Township is removing the 10% cash bond requirement for residential development as this was a discretionary measure and the removal helps lessen the confusion with regard to keeping of multiple bonds. Ms. Luciani stated that there is a need to update the Zoning Ordinance in order to ensure compliance with State law and so that the Township can continue collecting bonds and inspect site work.

Public Discussion: None.

Motion: Following the overview of the process of Zoning Ordinance Amendment approval by Solicitor Burns, Carolyn Jacobs made a motion, which was seconded by Sam Kates, to recommend to the Township Council of Cherry Hill the adoption of the proposed amendments to Article IX of the Zoning Ordinance. Affirmative votes by McCormack, Jacobs, Dougherty, Kates, Hung, Carter, Kalitan, Panitch, and Griffith. The recommendation is approved.

Resolutions:

Cherry Hill Township Zoning Ordinance Amendments

*Consideration of Recommendations to Council for revisions to **Article IX – Fees, Guarantees, Inspections & Off-Tract Improvements**, specifically Section 903 and Section 904, to amend various requirements for performance and maintenance guarantees consistent with the amendments promulgated by P.L. 2017, c.312.*

Motion to Ratify: Following a review of the resolution, Sam Kates made a motion which was seconded by William Carter, to memorialize the resolution to recommend to the Township Council of Cherry Hill the adoption of the proposed amendments to Article IX of the Zoning Ordinance. Affirmative votes by McCormack, Jacobs, Dougherty, Kates, Hung, Carter, Kalitan, Panitch, and Griffith. The resolution is memorialized.

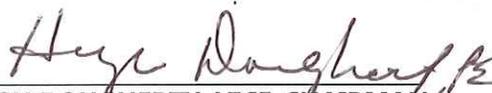
Meeting Adjourned: at 9:34 PM.

ADOPTED: 8/6/18

ATTEST:



**LORISSA LUCIANI, PP, AICP
PLANNING BOARD SECRETARY**


HUGH DOUGHERTY, VICE-CHAIRMAN