

The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Fanelli, Mr. Murray, Mr. Nicini, Mr. DiNatale, Mr. Rashatwar, Ms. Stroemel

Absent: Mr. Ravitz, Mr. Vandegrift, Mayor Mignogna, Mr. Waters, Ms. Nocito

Also present were Stuart Platt, Board Solicitor; Rakesh Darji, Board Engineer

NEW BUSINESS

VOORHEES E.A., LLC (AMERICAN GLOBAL)

BLOCK 229; LOT 4 & 4.01

CORRESPONDENCE

PC 15-005

Appearing before the board was Mr. John Morelli, applicant's attorney and Mr. Randy Whitt, applicant's construction manager.

Mr. Morelli states the applicant is seeking a change to the water service system and how it is supplied to the property.

Mr. Whitt explains that NJ American Water requested that the previously approved plan that included a single loop that went behind the building be separated between domestic and fire suppression.

Mr. Darji states that when the Board previously approved the plan the water lines looped behind the buildings and there were individual water connections that came off the line to each one of the condominium units for the offices. The applicant met with NJ American Water and our Fire Department Official and determined a separate that a separate fire service and separate domestic service was more appropriate with one single meter up front and individual services from the back of each unit. NJAW and the Fire Department have approved the change. The layout will not be changed and it does not create any waivers or variances. Mr. Darji states that the portion of the water line that will not be constructed by New Jersey American Water will have to be bonded by the Township.

Mr. Fanelli opens the meeting up to the public. Seeing no public comments Mr. DiNatale motions to close public portion, seconded by Ms. Stroemel. Motion carried by the assenting voice vote of all board members present.

Mr. Nicini motions to grant correspondence approval for revisions to the water service system subject to the following conditions:

1. The applicant has agreed to comply with the Board Engineer's review letter dated July 14, 2015.

Seconded by Mr. Murray; motion carried by the following roll call vote:

AYES: Mr. Murray, Mr. Nicini, Mr. DiNatale, Mr. Rashatwar, Ms. Stroemel, Mr. Fanelli

NAYS: None

ZALESKI ICES, LLC (RITA'S WATER ICE)
BLOCK 142; LOT 2
MINOR SITE PLAN
PC 15-002

Appearing before the board was Mr. Frank Tedesco, applicant's attorney, Mr. Stan Zaleski, applicant, Mr. Matthew Connors, engineer, Mr. Wayne Ingram, applicant's planner, Mr. David Shropshire, applicant's traffic engineer, Mr. Larry Kirby, Delcrest Signs. .

Mr. Tedesco states that the property is half an acre site and has been owned and operated as a Rita's Water Ice for the last 9 years when purchased by the current owner Mr. Zaleski. It is located at 106 Haddonfield-Berlin Road and located in the Business Zone. He states the applicant is seeking Minor Site Plan approval for the construction of a service window located at the rear of the building with an associated drive isle along with the rearranging of some parking and drainage. He explains that the project will require 8 variances. Mr. Darji states the applicant will no longer require the variance for the changeable copy sign.

Mr. Zaleski informs the board that they are open from March 1st to the end of September 7 days a week. The hours of operation in March are from 12:00 PM to 9:00 PM. From April to September 1st the hours are 11:00 AM to 10:00 PM then throughout September back to 12:00 PM to 9:00PM. He states there are three service windows. Two people work throughout the day and a third person comes in for the later shift and at that time all three service windows are utilized. The store averages around 200 transactions a day with as many as 300 to 400 on a busy day. He explains the new drive-thru would alleviate parking issues. He feels the customers would move through the lot quicker if they used the drive thru. He states they are estimating an average of 40 transactions per day through the proposed service window. He also states they are requesting a menu board in the drive thru.

Mr. Tedesco distributed a sign detail for the proposed signage (A-1, 2 pages).

Mr. DiNatale states that he has some concerns regarding the requested variance for the setback. Mr. Tedesco states they will be providing testimony regarding that.

Mr. Tedesco distributes a picture of the freestanding existing sign and proposed signage. (A-2, 2 pages). Mr. Zaleski confirms that exhibit A-1 is the menu board, if approved, will be the one installed.

Mr. Zaleski explains that the reason for the LED sign is due to the fundraising and advertising that Rita's Water Ice provides will be more clear on the new sign. The sign would also show new flavors and the time of the day.

Mr. Tedesco states the applicant will comply with the changeable copy sign ordinance.

Mr. Platt asks Mr. Zaleski if he expects the number of transactions to increase due to the drive through. Mr. Zaleski explains that based upon other Rita's stores located in Manayunk and Edison he believes the increase in customers will utilize the drive thru and no longer park on the site.

Mr. Connors is the engineer for the project. He presents a power point of the plans that were submitted with the application. He gives a brief description of the site including existing conditions. He states there is an existing 6 foot fence and trees that act as a buffer to the residential properties at the rear of the Rita's Water Ice. He states there is no change to the utilities. The applicant is proposing to construct a single lane drive thru to the rear of the existing Rita's Water Ice which would require removing 2 parking spaces from the existing 17 spaces taking them down to 15 spaces if approved. The drive thru will exit onto Mercer Avenue but there will be no right turn permitted. He informs the Board that the menu board will be on the opposite side of the drive thru window and will not have a speaker system. The drive thru will stack 3 cars.

Mr. Murray asks if there will be any issues of a backup in the drive-thru lane due to the fact there is not a separate order window or speaker system. Mr. Tedesco states that Mr. Shropshire will be providing testimony on any traffic concerns.

Mr. Connors provides testimony with regard to the buffer variance from the 50 foot minimum buffer. The existing buffer is approximately 24.4 feet which will be reduced in half to 12.4 feet with the drive-thru. The applicant is adding an additional 8 foot high vinyl fence and plantings to help alleviate any impacts as a result of the reduction in the buffer which will step down to 6 then 4 feet as it gets closer to Mercer Avenue. The applicant will not have a speaker system and the order and pick-up window is approximately 55 to 60 feet from the nearest residence. He states the highest point of the fence will be blocking the adjoining residential property. He also states that the applicant will provide additional planting in the buffer area. Mr. Connors also stated the applicant is converting the existing free standing sign to a LED changeable copy sign and the applicant will comply with all the requirements in the Ordinance.

Mr. Tedesco informs the Board that the applicant is requesting both a C1 and C2 variance. Mr. Platt explains that in order for the C1 bulk variance to be granted the applicant must establish a hardship due to the size and shape of the property. He then explains that to be granted a C2 variance the applicant must show a planning benefit, not an economic benefit, and prove it outweighs any detriments. For both types of variances they also have to establish it will not result in substantial detriment to the surrounding neighborhood and it will not substantially impair our Zoning requirement of a 50 foot buffer.

Mr. Fanelli asks Mr. Zaleski if he has spoken to the neighbor not only behind the site but also behind and across the street. Mr. Zaleski states he has only spoken to the property owner directly behind the site.

Mr. Rashatwar asks for the distance from the drive-thru window to the garage. Mr. Connors states it is about 55 to 60 feet.

Mr. Shropshire introduces himself as the traffic engineer for the project. He summarized his memo dated May 6, 2015. He states the drive-thru lane can hold 5 vehicles. He evaluated the peak business hour for the Rita's Water Ice which is Sunday nights between 8:00 pm and 9:00 pm with approximately 60 transactions. He believes the drive thru will reduce the parking demand onsite by 20%. Mr. Shropshire also informs the Board that the applicant will make an application for Title 39 Motor Vehicle authority to the Governing Body. He also states that the onsite circulation is safe and the outdoor seating area is adequately separated from the parking area. The drive-thru is more of an amenity to the site rather than a necessity. Mr. Shropshire also states he doesn't believe the addition of a drive-thru will not result in any air quality or noise issues.

Mr. Wayne Ingram introduces himself as the applicant's planner. He explains the reduction in the buffer is a result of the installation of the drive-thru lane. It is his opinion that the drive-thru lane will improve traffic flow, make more parking spaces available and will provide a safer site to customers. He explains that the proposed fence and landscaping will mitigate any negative impacts. Mr. Ingram indicated the menu board sign is of the appropriate size and is not visible from wither Haddonfield-Berlin Road or Mercer Avenue. With respect to the existing free-standing the applicant is proposing to convert the same sign to an LED changeable copy sign to help better identify the site. He explained the design waiver for the driveway length provides better lane organization.

Mr. Darji stated the applicant has provided adequate testimony regarding his review letter dated May 6, 2015

Mr. Fanelli opens the meeting up to the public:

Maryann Osifchok
1112 Mercer Avenue
Voorhees, NJ

Ms. Osifchok testified that she lives directly behind the Rita's Water Ice and believes that the drive-thru is an excellent idea. She feels the drive-thru lane would alleviate some of the on-street parking demands on Mercer Avenue and believes the 8 foot fence and additional plantings would provide an adequate buffer.

Seeing no further public comments, Mr. Dinatale makes a motion to close public portion; seconded by Mr. Rashatwar. Motion carried by the assenting voice vote of all board members present.

Mr. DiNatale motioned to grant minor site plan approval along with the proposed variances for the property located at Block 142; Lot 2 subject to the following conditions and stipulations:

1. The applicant will comply with the Board Engineer's review letter dated May 6, 2015

2. The applicant has agreed to comply with the Voorhees Fire Districts Memorandum dated July 21, 2015.
3. The applicant shall maintain its current hours of operation which are between noon and 9:00 p.m. in March and September and 11:00 a.m. to 10:00 p.m. between April and August.
4. The applicant shall comply with all the changeable copy sign regulations in the ULDO.
5. There shall be no right turn exit onto Mercer Avenue.
6. There shall be no speaker system in connection with the drive-thru lane.
7. The applicant shall apply for Title 39 Motor Vehicle authority to the Township governing body.
8. The applicant shall provide additional signage for the drive-thru lane with regard to safety and noise subject to the Board Engineer's review and approval.
9. The applicant shall perform post-construction noise testing of the drive-thru lane at its first peak operation time and provide those written test results to the Board Engineer for its review and evaluation.
10. The applicant shall provide a stormwater management maintenance plan and shall record same as deed restriction subject to Board Engineer and Solicitor's review and approval.
11. The applicant shall obtain all outside agency approvals.

Seconded by Mr. Nicini; motion carried by the following roll call vote:

AYES: Mr. Nicini, Mr. DiNatale, Mr. Rashatwar, Ms. Stroemel, Mr. Fanelli

NAYS: Mr. Murray

There being no further business before the Board, the Chairman adjourned the meeting.

Wendy Flite, Secretary