

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, Mrs. DeMesquita, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mr. Lovallo, Mr. Waters, Mr. Rashatwar

Absent: Mr. DiNatale, Mr. Reitano, Dr. Sherbine

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

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APPROVAL OF MINUTES

Mrs. DeMesquita motioned to approve the minutes dated September 12, 2012; seconded by Mrs. Kerr. Motion carried by the assenting voice vote of all board members present.

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BUSINESS

CONGREGATION BETH EL
BLOCK 207; LOT 4.19
MAIN STREET
PC 12-020

Appearing before the board were Mr. Stephen Samost, attorney, Mr. Burton Nussbaum, Vice President of the Congregation, Ms. Hanina Ruttenberg, Executive Director of Congregation Beth El and Mr. James Mancini, engineer.

Mr. Samost stated that, they are here tonight seeking approval for 2 changeable copy signs; one on Kresson Road and one on Evesham Road. He asked Ms. Ruttenberg to verify that the signs in question are the same as depicted on the display board.

Ms. Ruttenberg stated that, Beth El offers a variety of social and educational events. All events that they advertise are open to the community. The signs are attractive and easy to read. The signs are located on their property near the synagogue so people know where to go. The two monument signs identify Beth El and the two temporary signs are for announcements and advertisements. The signs are done professionally, the posts are permanent and the sign area is changed most times once a month.

Mr. Fanelli stated that, the sign on Kresson Road is very close to the monument sign and asked if this was a problem.

Ms. Ruttenberg stated no, you are able to see both of them and she has never had any complaints.

Mr. Mancini confirmed the variances being sought. The signs are not in the site triangle and are not distracting to anyone. The property distance on Kresson Road is 850 feet and on Evesham it is 535 feet so he feels two signs on each road will not create a negative impact.

Mr. Murray asked if they ever considered increasing the size of the existing monument signs.

Mr. Samost stated that, they serve somewhat different functions and if they were larger, the sign on Evesham could possibly divert a driver's attention away from the road because it is close to the road.

Mr. Darji referred to his review letter and stated that, according to our code different copy of two sides of the sign would count it as 2 signs.

Mr. Samost stated that, the sign on Kresson Road will sometimes have a different message on each side.

The application was opened for public comment.

Seeing none, Mrs. DeMesquita motioned to close the public portion, seconded by Mrs. Kerr. Motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to approve the conversion of the two temporary 4' X 8' signs to become permanent. Both signs are changeable copy with the sign on Kresson Road being changeable copy on both sides at times, subject to the following conditions and stipulations:

1. Compliance with the board engineer's review letter dated October 19, 2012.
2. When changing the copy of the sign, the size of the sign area shall not exceed 4' X 8' or 32 square feet.

Seconded by Mr. Rashatwar, motion carried by the following roll call vote:

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mr. Lovallo, Mr. Waters, Mr. Rashatwar

NAYS: None

PLANLAND, LLC
AMENDED PRELIMINARY &
AMENDED FINAL SITE PLAN
BLOCK 206; Lot 12
PC 12-022

Appearing before the board were, Mr. Barry Lozuke, attorney and Mr. David Denton, engineer.

Mr. Lozuke stated that, they are back before the board to amend their final approval of 23 lots received in April, 2012. They are looking to delete 2 lots. They have found from a marketing standpoint that a few of the houses could use a larger lot and this would also allow for side entry garages. They also agree to comply with the review letter prepared by Environmental Resolutions dated October 18, 2012.

Mr. Denton submitted a drawing of the subdivision marked A 7; last revised August 20, 2012. This plan revised the lot configuration and expanded some of the lots. They layout remains the same except Haddonbrook Lane has been shifted 30 feet. The storm water management basin is the same as what was approved. With regard to outside agencies they have received Soil Conservation and are now working on sewer and water.

Mr. Lozuke stated that, they have been working with Mr. Ben Blair, Churchill Engineers and the Township on sewer issues. The applicant is funding the entire cost of the testing that needs to be done on the Las Brisas pump station.

Mr. Platt stated that, there were a number of conditions in the prior approval and asked if this were approved tonight are there any conditions that would change. One immediately comes to mind and will be a reduction of \$50,000 to the open space fund.

Mr. Lozuke stated that, the plan is showing a 10 foot access easement to Voorhees Park between lots 12.02 and 12.03.

Mr. Murray asked how it would be delineated.

Mr. Lozuke stated that, they have not given consideration to that and are going to work with the group from Rutgers, who will probably be the ones who will maintain it. They are also working with the homeowner who maintains the dam and he will have an access easement.

Mr. Lozuke stated that, they have no objections to the comments in the sewer review letter dated October 19, 2012.

Mr. Murray stated that, since there has already been some extensive clearing done that was not authorized, there should not be any more trees coming down with Haddonbrook Lane being shifted 30 feet.

Mr. Darji stated that, they have a plan showing what trees have been removed so there is a plan of record.

The application was opened for public comment.

Helen Arvin
8 Canterbury Court

She questioned the easement to the park and asked who would be responsible to maintain it. She also asked if the developer would be responsible to put the path in. There are specifications for bike/pedestrian paths available and the Township should adopt them.

Mr. Platt stated that, these are things that are going to have to be worked out with the Township and the Governing Body. He urged Mrs. Arvin to get a copy of those specifications to Larry Spellman, Administrator.

Seeing no other public interest, Mrs. DeMesquita motioned to close the public portion; seconded by Mrs. Kerr. Motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to grant amended subdivision approval to reduce the subdivision to 21 building lots and 1 open space/basin lot subject to the following conditions and stipulations:

1. The applicant has agreed to comply with the Board Engineer's review letter dated October 18, 2012.
2. The applicant has agreed to comply with the Sewer Engineer's review letter dated October 19, 2012.
3. There are on-going issues relating to sewer that will have to be worked out with the Township.
4. The applicant has provided a pedestrian access way to the Voorhees Environmental Park and the demarcation and improvements are to be determined with Township Committee.
5. The applicant has provided an access easement with the homeowner of Block 206.08; Lot 4 for the maintenance of the dam.
6. The applicant shall comply with Resolution Numbers 11-037 (preliminary approval) and 12-012 (final approval) to the extent they are not inconsistent with this approval.
7. The applicant shall obtain any and all outside agency approvals as may be required.

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

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mr. Lovallo,
Mr. Waters, Mr. Rashatwar

NAYS: None

CHICK-FIL-A
PRELIMINARY & FINAL SITE PLAN
BLOCK 150.18; LOT 7.12
PC 12-023

Appearing before the board were Mr. Duncan Prime, attorney, Mr. Matthew Stellmaker, Development Manager, Mr. Russell McFall, engineer, Mr. Nick Verderese, traffic consultant, and Mr. James Kyle, planner.

Mr. Prime submitted color renderings of the existing site, the proposed site, the proposed signage, elevations and a use and operation statement; marked A1 through A8. They are proposing to demolish the existing vacant Fuddrucker's and construct a 5,154 square foot masonry building with a sophisticated drive thru service and 162 total seats; 142 inside and 20 outdoor.

Mr. Prime added that, the first Chick-Fil-A opened in the Georgia Greenbriar Mall in 1967. In 1986 the first freestanding store was built and they have been focusing on them. Chick-Fil-A maintains ownership and franchises them out.

Mr. Stellmaker confirmed the use and operations statement.

Mr. Prime stated that, there are cross easements in place with Smoothie King and the vacant Bally's gym.

Mr. McFall stated that, they are planning to construct a Chick-Fil-A with a drive through. The site will be accessed by the existing drive. They are proposing numerous signs and he explained each one, exhibit A-4. The board engineer has a concern with one of the parking spaces that is up against the building near the outdoor seating and they have agreed to remove it, taking them from 48 spaces to 47 spaces.

Mr. Fanelli expressed concern that there was no cross walk access from the Bally's or Smoothie King parking lot to the Chick-Fil-A.

After a brief discussion the applicant agreed to install a cross walk.

Mr. Verderese stated that, the projected traffic counts were taken as if the existing vacant building was occupied. He identified some signal timing adjustments and has submitted them to the County. The traffic analysis was done assuming everyone would access the site at the traffic light location. Circulation is a one way aisle with a very sophisticated dual drive through that feeds into one lane. 60% of their business is drive through. There will be 2 people working inside taking orders and there is a stacking area for 22 cars.

Mr. Murray wanted to ensure that there will be bollards protecting the outdoor seating area.

Mr. Stellmaker stated that, what they use now is a metal fence to keep children from falling in to the parking area and it works at all of their restaurants.

Mr. Darji stated that, there are bollards shown on the plan to protect the menu board so why can't they put the same in the area in question.

Mr. Murray asked who would be responsible to maintain the drive aisle at the traffic light. There are quite a few pot holes there now.

Mr. Prime stated that, he will have to look at the maintenance agreement but Chick-Fil-A will repair them during construction and get reimbursement

Mr. McFall agreed to use bollards in the outdoor seating area.

Mr. Kyle provided testimony for the variances. Many of them are needed because of the configuration of the lot and the desire to separate the traffic from the building.

Mr. Prime agreed to the balance of the engineers review letter dated October 19, 2012 with the exception of item 10 on page 5 regarding bumper stops at the 6 angled parking spaces.

Mr. Prime also stated that, they were not in agreement with the impervious coverage buy down on page 2, item 3. Their feeling is that the site is vacant and they are coming in to make it more aesthetically pleasing, they are not doing any clearing and they are putting back more green space than what is there now.

Mr. Stellmaker stated that, there are no plans to close the Chick-Fil-A in the mall and are hoping to open the new one in the fall of 2013.

The application was opened for public comment.

Seeing none, Mrs. DeMesquita motioned to close the public portion; seconded by Mrs. Kerr. Motion carried by the assenting voice vote of all board members present.

Mrs. DeMesquita motioned to grant preliminary and final site plan with variances for the construction of a 5,154 square foot restaurant with 160 seats; 20 of the seats being outdoor subject to the following conditions and stipulations:

1. The applicant has agreed to comply with the engineers review letter dated October 19, 2012 with the exception of item 10 on page 5 with regard to the angled parking spaces is deleted and item 3 on page 2 with regard to the impervious buy down is waived.
2. The applicant has agreed to comply with comments contained in the Fire Chief's memo dated October 17, 2012.
3. The applicant has agreed to comply with the comments contained in the sewer review letter dated October 22, 2012.

4. The applicant has agreed to install bollards to the outdoor seating which is immediately adjacent to the building. The bollards will be mixed in with the fencing and the design is subject to the Board Engineers review and approval.
5. The applicant has agreed to outline and stripe a pedestrian crosswalk area in one or more locations subject to the Board Engineers review and approval.
6. The applicant shall install a stop sign at an approved location when you exit the drive thru.
7. The applicant shall obtain any and all required outside agency approvals.

Seconded by Mrs. Kerr; motion carried by the following roll call vote:

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mr. Lovallo,
Mr. Waters, Mr. Rashatwar

NAYS: None



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

Carole Pfeffer, Secretary