

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. Waters, Mr. Rashatwar, Mr. Vandegrift

Absent: Mr. Nicini, Mr. DiNatale, Mr. Ravitz, Mrs. Ayes

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

APPROVAL OF MINUTES

Mrs. DeMesquita motioned to approve minutes dated April 9, 2014; seconded by Mr. Vandegrift. Motion carried by the assenting voice vote of all board members present, with the exception of Mr. Fanelli and Mrs. Kerr, both of whom abstained.



MEMORIALIZATION OF RESOLUTIONS

KHMER TEMPLE HUMANITARIAN ASSOCIATES
BLOCK 262; LOTS 6 & 6.01
CORRESPONDENCE – EXTENSION OF APPROVAL
PC 14-005

SJF CCRC, INC.
BLOCK 199.06; LOT 35
WAIVER OF SITE PLAN
PC 14-004

MORI PROPERTIES, LLC
BLOCK 225; LOT 6
AMENDED FINAL SITE PLAN
PC 14-006



CORRESPONDENCE

POWELL, MARIANNE
BLOCK 150.04; LOT 8.03
PC 14-009

Appearing before the board, Marianne Powell, owner of Mariachi San Lucas Restaurant and applicant.

Mrs. Powell stated that, she has owned and operated a Little Café for 18 years and she is now operating the restaurant as Mariachi San Lucas Mexican Cuisine. She is here tonight seeking approval for outdoor seating from March through October for four tables with four chairs at each table. Two of the four tables will be equipped with umbrella stands and solid color bistro umbrellas. The tables will be used for patrons to sit and eat or wait to be seated inside. There will be no trash receptacle outside as all of the tables will have full waitressing service, bussing and cleaning. All objects will be removed from the tops of the tables at the close of business and the tables will stay outside for the season and they will be locked in place. During the winter season the tables and chairs will be placed in storage.

Mr. Vandegrift asked if there would be bumpers to stop cars from jumping the curb and running into people.

Mrs. Powell stated that, there is no side drive aisle on the side of her building and they want to install a decorative fence in that area.

Mrs. DeMesquita stated that, she would like to see at least a parking bumper that would be in front of the parking stall.

Mr. Murray stated that ADA requires at least 5% or 1 seat of the outdoor eating area be handicap accessible.

Mrs. Powell stated that, she will make sure that a wheelchair will fit at the first table. She also agreed to put in the parking bumpers.

The application was opened to the public.

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

Mrs. DeMesquita motioned to grant approval to a previously approved site plan to allow outdoor seating subject to the following conditions and stipulations:

1. There will be 4 tables with 4 chairs at each table for a total of 16 chairs.
2. Compliance with all items contained in the May 14, 2014 letter submitted by the applicant that the tables will be used from March thru October and will be constantly bussed and serviced.
3. The applicant agreed that there would be parking bumpers installed immediately adjacent to the outdoor seating area.
4. The applicant agreed that the first table will be able to accommodate a wheelchair.

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

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

NAYS: None

NEW BUSINESS

VSC-EE, LLC
AMENDED FINAL SITE PLAN – PHASE 2
BLOCK 229; LOT 7
PC 14-008

Mr. Waters recused himself from this application and left the meeting.

Appearing before the board were Mr. Frank Tedesco, attorney, Mr. Jim Miller, Planner, Mr. Michael Jeitner, engineer and Mr. Brian Aldefer, with Trefoil Properties.

Mr. Tedesco stated that, they are seeking approval to amend the approval received in December, 2006 for a 10,800 square foot pad site that will include a 1,800 s.f. Starbucks with a drive-thru, a 2,000 s.f. PNC Bank with a remote ATM in the parking lot, a 3,000 s.f. Vitamin Shop and (3) 1,333 s.f. retail stores.

Mr. Jeitner showed exhibit A-1, an aerial photo of the site dated May 28, 2014. Phase 2 of the development is situated between the signalized traffic light and to the right by Lowes. Exhibit A-2, sheet C-2 showed the 10,800 square foot building located in front of Lowes and BJ's, dated March 17, 2014, and Exhibit A-3, sheet C-3, dated March 17, 2014 showed the prior approved 12,000 square foot retail strip store. Exhibit A-4, sheet C-3, dated March 17, 2014 is the circulation plan showing 2 access points. Starbucks will be on the end, then PNC Bank, then 3 empty retail stores and the Vitamin Shoppe will be on the other end. Starbucks is planning to have outdoor seating at the front of the store with 6 – 10 seats. With the streetscape and the berm some of the building will sit down anywhere from 2 to 4 feet.

Mr. Jeitner added that, the remote ATM would have stacking for maybe 3-4 cars and the parking spaces will not be impacted. It could be that employees will be instructed to park in those spaces so there won't be much traffic movement.

Mr. Jeitner explained the signage and stated that, there is a pre-menu board proposed to illustrate some of their new items. The second menu board is a changeable copy sign that will not be changed too frequently. Starbucks will be open 7 days a week from 5:30 a.m. to 10:30 p.m. Deliveries will be made

at the rear of the store between the hours of 6:00 a.m. and 9:00 a.m. Off peak hours there will be 2-3 employees and during peak time there will be 5-7 employees. There is a by-pass lane for those who get in line then decide they need to get out. Starbucks directional signs do show their logo, which is not allowed as per the ordinance. They are not proposing any monument signage for this building so that is why they are proposing the signage as depicted.

Mr. Miller stated that, he is going to discuss the factors that apply to the general nature of the sign package. This is a unique situation because the bulk of the building will be below grade and also because of the streetscape design in front of the property. More signage is required because of the location within a large shopping center. The directional signs have the logo on them and that is necessary because you notice the logo before you recognize text. They are also aesthetically pleasing because the logo allows them to have smaller print. The menu board is essential with a drive through and can only be seen by people who are already in line and in a stationary position. The Vitamin store signage is in scale with the character of the building and is smaller than what is allowed by ordinance. There are no discernable detriments to the signage as the center is large enough to absorb any impact from the signage and the overall signs are consistent with the size of the building. The sign package enhances the safety of the project and the way finding aspects of the circulation plan. They provide appropriate identification of the businesses.

Mr. Tedesco stated that, they understand that they have to satisfy the Churchill letter dated May 22, 2014 with regard to their fair share contribution. They agreed to comply with the Fire Chief's memo dated May 27, 2014.

The application was opened for public comment.

John Fredericks
12 Barclay Lane

He has concern with the construction of a new building and the water run-off. He has 3 sump pumps that run every 5 minutes. He has only lived here a year but understands that the basin blew out with Hurricane Irene.

Mr. Platt explained to Mr. Fredericks that he understands there are some issues with flooding or drainage concerns out there. This plan had to be designed to meet all of our site plan requirements, one of which is to have an effective storm water management system. Our board engineer does an independent review to make sure that is the case. This phase is closer to Route 73 and there are basins dedicated to this phase of development.

Mr. Darji stated that this phase was designed with the overall development of this project. This is an amendment to the original plan and there is no increase in impervious coverage therefore the runoff has not changed. His firm has looked at this basin in the past and they also reviewed the repair plans after the hurricane damage. They also supervised the reconstruction of the retaining wall. The overall drainage was designed to reduce the runoff from the pre-existing condition before construction started.

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

Mrs. DeMesquita motioned to grant amended approval for Phase 2 of this development subject to the following conditions and stipulations:

1. Compliance with the Board Engineer's review letter dated May 22, 2014.
2. Compliance with the Township Sewer Engineer's review letter dated May 22, 2014.
3. Compliance with the one request of the Fire Marshall in his memo dated May 27, 2014.
4. Any conditions for the total development as well as this particular phase that are not inconsistent with this approval.
5. The applicant is subject to any non-residential development fee as required by law.
6. The applicant shall obtain any 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. Rashatwar, Mr. Vandegrift

NAYS: None

HALE TRAILER BRAKE & WHEEL
PRELIMINARY & FINAL SITE PLAN
BLOCK 303; LOTS 6 & 21
PC 14-007

Appearing before the board were Ms. Patricia Talcott, attorney, Mr. Cliff Quay, engineer, Mr. Barry Hale and Mr. Scott McBride, Hale Trailer.

Ms. Talcott stated that, in November 2012 an affiliate of Hale Trailer purchased the property previously occupied by Verizon. The building is across Cooper Road from the eastern portion of Hale Trailer. This building was constructed in the late 1960's and added on to in 1975. The building is 33,400 square feet and of that 23,900 had been used as a warehouse by Verizon and warehousing is not a permitted use in the MB Zone. It is Hale Trailer's intent to use some of that pre-existing non-conforming use but they will reduce it. It is also their intention to open a new commercial retail portion at this site. There will also be some work done on the trailers. They want to clean up the landscaping and fencing and are also making renovations to the building.

Mr. Hale stated that he acquired Hale Trailer in 1977 and at that time Cooper Road was a dirt road. Verizon had multiple vehicles coming in and out of the site and they stored delivery vehicles and large cables of wire. They have a parts accessory business at Hale Trailer and they would like to expand on that.

Mr. Hale will modify the storage area to 19,900 square feet and will store materials related to transportation, such as brakes, brake lining, wheels. These parts will be delivered to the site. 4,000 square feet will be devoted to selling these parts and 9,500 square feet had been devoted to office space but they have no use for this area at this time. He addressed parking and stated that, they do not intend to use this for trailer parking. They may use it as overflow parking in off peak times. Trailers can be anywhere from 20 feet long to 100 feet long. Hours of operation will be 7 am to 5 pm with a half day on Saturday, closing at noon. Maximum number of employees will be 10-12.

Mr. Quay stated that, there is frontage on both Route 73 and Cooper Road with three separate accesses with rolling gates. They will be making improvements to the drive way at the northern end of the site on Cooper Road. The southern end on Cooper Road will be kept closed unless it is being used by an employee. If approved, there will be 29 parking spaces on site. There is an area designated on the plan for trailer parking. They intend on installing a couple landscaped islands in the parking lot to break up some of the asphalt. They are proposing fencing on 3 of the 4 sides and the 4th fence will remain. They are showing an area for future road widening on Cooper Road. They will be removing a significant amount of paving on Cooper Road and will be making improvements to the drainage area up front. The landscaping plan showed the proposed monument sign and the façade signage. All signs will be internally illuminated.

The board went through the review letter prepared by ERI, dated May 23, 2014. There were a few issues that needed clarification but they agreed to comply with the comments.

There was a discussion regarding the storage of trailers and the amount that can be stored on site. Mr. Hale stated that, they purchased a site a couple miles down the road in Berlin so that helps alleviate some of the problem with the storage of trailers. It was agreed that the storage of trailers on this site will be limited to the areas delineated on the site plan.

Mr. Quay discussed the variances and stated, they are seeking a 4% increase, or a little over 10,000 square feet in impervious coverage. 3,500 of that square footage is for the path that is required as part of the streetscape and they are running the sidewalk back in to the basin area and they are mitigating the runoff which is helping to improve the drainage. The old sidewalk was outside of their property so it wasn't counted as impervious coverage. To the extent possible, they have also cleared some impervious coverage.

Mr. Quay addressed signage and stated that, they are seeking approval for a monument sign with changeable copy. It is similar to the one at the other property except they would like the message to be able to change more frequently. The other sign variance is for a third sign but even with a third sign they are less than the total allowed. The variance with regard to the parking and fence setbacks are pre-existing and with both they will be improving the situation on site.

Seeing that there was no public in attendance, the application was not opened for public comment.

Mr. Murray questioned the switch gear shed that Verizon has on the property and the plantings around it.

Mrs. DeMesquita motioned to grant preliminary and final site plan approval for Block 303; Lot 6 and amended final site plan approval for the access drive on Block 304.01; Lot 21 subject to the following conditions and stipulations for:

1. The applicant's approval is for a multiuse building with 19,900 square feet dedicated to warehousing/storage of trailer parts and that is the limitation for warehousing for this facility; 3,999 square feet dedicated for the retail sale trailer parts and the balance of space previously used as office space is not dedicated at this point.
2. The applicant shall comply with the review letter prepared by Environmental Resolutions, Inc. dated May 23, 2014.
3. The applicant agreed to install additional deciduous trees on the site subject to the review and approval of the Board Engineer.
4. The storage of trailers is limited to the areas designated on the site plan.
5. The applicant agreed to comply with the Township Sewer Engineer's letter dated May 23, 2014.
6. The applicant agreed to comply with the Environmental Commission comments in their memo dated May 20, 2014.
7. The applicant agreed to maintain the plantings around the Verizon shed.
8. The driveway at the southern end of the site will have limited access for employees only.
9. The changeable copy sign message shall not change more frequently than 15 seconds.
10. The applicant shall obtain any required outside agency approvals.

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

AYES: Mr. Fanelli, Mrs. DeMesquita, Mr. Murray, Mrs. Kerr, Mr. Rashatwar, Mr. Vandegrift

NAYS: None

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

Carole Pfeffer, Secretary