

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, Mrs. Kerr, Mayor Mignogna, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz

Absent: Mrs. DeMesquita, Mr. Waters, Mr. Dinatale

Also present was CherylLynn Walters, Board Solicitor and Rakesh Darji, Board Engineer

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APPROVAL OF MINUTES

Mr. Nicini motioned to approve the minutes dated September 10, 2014; seconded by Mr. Ravitz. Motion carried by the assenting voice vote of all board members present, with the exception of Mayor Mignogna, Mrs. Kerr and Mr. Vandegrift, who abstained.

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CORRESPONDENCE

CARLYLE MANAGEMENT/DEL COOP LLC
BLOCK 272; LOTS 5
PC 14-014

Appearing before the board was Mr. Frank Tedesco, attorney, Mr. Gerald Simon, applicant.

Mr. Tedesco stated the application is for the property located at Cooper's Plaza on Route 73. The new tenant, Dollar Tree, will be moving into the addition that was constructed next to the Marshall's store. The store has an existing 10ft x 13ft trash dumpster that is encased in the required enclosure with gate. The Dollar Tree has the need for an additional dumpster for cardboard. He explained the applicant is proposing an additional trash enclosure that is connected to the existing enclosure. There will two trash dumpsters with individual gates on each one.

Mr. Darji stated he was concerned about the access to the dumpster. He feels due to the orientation of the dumpster a truck could not directly access it.

Mr. Fanelli stated there is concern that considering the proposed dumpster will not be permanent like the existing dumpster and will be rolled out, will there be an issue in the future of the dumpster being left outside of it's enclosure. Mr. Simon states it will be the tenant's responsibility to ensure the dumpster is not left out in the drive isle. Mr. Tedesco states it will be a condition of the approval that the dumpster remains inside of it's enclosure other than when being accessed.

The application was opened for public comment.

Seeing none Mr. Nicini made a motion to close public portion; seconded by Mayor Mignogna. Motion carried by the assenting voice vote of all board members present.

Mr. Murray motioned to grant correspondence application to amend the preliminary and final major site plan approval to permit the installation/construction of a second trash enclosure directly connected to the existing enclosure behind the 10,000 square foot addition subject to the following condition:

1. The dumpster to be located inside the new trash enclosure shall remain inside the trash enclosure at all times except when being accessed for trash pickup. It shall be the responsibility of the property owner and the applicant to ensure compliance with this condition by any tenant located within the 10, 000 square foot addition.

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

AYES: Mr. Fanelli, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mayor Mignogna, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz.

NAYS: None

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NEW BUSINESS

GOOD TO GO INC. T/A SWEET EATS BAKERY
AMENDED FINAL SITE PLAN
BLOCK 26; LOT 2
PC 14-012

Appearing before the board were, Mr. Jordan Goldberg, attorney, Mr. Ron Faul, architect, and Mr. Mr. Doug Davdowich, applicant.

Mr. Goldberg stated the applicant is seeking Amended Final Site Plan approval to include two variances. A Bulk variance for the side setback in a residential zone of 50 feet where they are proposing to install an emergency generator setback approximately 22 feet. The second variance requested is for the required buffer with a 50 foot setback from the proposed installation of a refrigeration box/cooler.

Mr. Faul gave a brief description of the site. He states the proposed diesel generator is located at the northwest side of the building and will be mounted to a concrete pad. It will be screened by a guardrail on one side and plantings on the north side which is the residential side. Located on the residential side are three apartment buildings with the closest building about 150 feet away from the generator. The most distant building is located about 195 feet away from the proposed generator.

Mr. Faul presented a photo (A1) showing the rear of the building looking at the northerly side of the property and stated the generator would be installed against the existing chain link fence. He presented photo (A2) which shows looking across the back of the building looking north showing the existing trees which would act as a buffer to the apartments behind. He stated the applicant is proposing a new 8' x 32' cooler to be installed on the side of the building and be mounted to a concrete slab and be located over an existing sidewalk area. Mr. Faul also stated that the sidewalk is rarely used by customers.

Mr. Faul presented photo (A3) which is the southerly side of the building which shows the yellow bollards which protect the existing gas meter. Photo (A4) is a clearer image of the location of the gas meter and bollards. The cooler would be enclosed in a masonry wall that matched the existing building and could only be accessed from the inside of the bakery. Employees would access from the inside of the building.

Mr. Faul provides generator specifications from Kohler Power Systems (A5) and Enclosure and Subbase Fuel Tank Specifications (A6).

Mr. Fanelli stated there is concern on the sound levels that the generator will give off when running and maintained. Mr. Faul stated the generator will be purchased with an acoustic sound enclosure that provides an additional 2 inches of additional insulation to mitigate sound. The sound rating published in the manufacturer's literature is taken 23 feet from the generator. And from that distance the proposed generator has an output of 75db whereas NJDEP regulations and Voorhees Township Code allow a maximum of 65 decibels at the property line during the day and 50 decibels at night. The applicant is proposing the installation of a wood board on board fence to direct sound upwards rather than a masonry enclosure which may further echo the sound.

Ms. Walters stated that the applicant must satisfy DEP requirements for decibel levels and that would be a condition of the approval.

Mr. Davdowich explained that this generator would be used only in an emergency situation. He stated the generator would have to be tested for about 15 to 20 minutes once a week. He explained that every time there is an accident involving the utility pole, which averages once a month, the bakery loses power and runs the risk of losing the hundreds of prepared cakes stored in the refrigerators at any given time.

Mr. Faul stated the size of the site restricts the moving of the generator further away from the property line.

Ms. Walters asked for clarification whether in emergency situations are the DBA requirements waived or relaxed.

Mr. Rashatwar asked the applicant if they could mitigate by installing an engineered 3 sided enclosure instead of fence. Mr. Faul stated the applicant would consider enclosure. Mr. Murray and Mr. Darji suggested installing dense plantings. Mr. Murray stated Camden County performs the monitoring of the levels in the Township if a complaint is received. Mr. Murray suggested the applicant would have to provide testing results from an acoustical engineer. Mr. Murray also asked if the unit had a security basin. Mr. Davdowich stated it does.

There was discussion that in an attempt to reduce the noise levels and that the applicant consider relocating the proposed generator. The applicant agreed to relocate the generator and will resubmit plans. As a result of the relocation/revision, the generator would be outside the 50 foot buffer area requirement and therefore the 2 variances requested are no longer required.

Mr. Murray stated that in regards to the cooler he suggests the compressor face the rear parking lot and install some type of protection. He suggests bollards.

The application was opened for public comment.

Seeing none Mr. Nicini motioned to close public portion, seconded by Mr. Rashatwar. Motion carried by the assenting voice vote of all present board members.

Mr. Nicini motioned to grant amended final site plan to permit the installation of an emergency generator and the construction of a 32 x 8 foot cooler subject to the following conditions and stipulations:

1. The applicant will comply with the Board Engineer's review letter dated September 5, 2014.
2. Upon the installation of the generator and enclosure the applicant shall submit a report prepared by a licensed acoustical engineer clarifying the noise levels at the property line.
3. The testing and /or weekly running of the emergency generator shall be limited to once per week and shall be conducted only on weekdays (Monday through Friday) and only during the hours of 10:00 AM and 2:00 PM.
4. The applicant will coordinate with the Board Engineer to satisfy landscaping requirements.
5. The applicant will submit revised plans to show the new location of the generator.

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

AYES: Mr. Fanelli, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mr. Mignogna, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz

NAYS: None

SHERWOOD FOREST HOMES
AMENDED FINAL SITE PLAN
BLOCK 46; LOTS 24.02 & 24.03

Appearing before the board were Mr. Vincent D'Elia, attorney, Mr. John Kornick, engineer, Gerald Pacella, applicant.

Mr. D'Elia stated the applicant was appearing before the board to resolve a compensatory tree planting issue and introduced Mr. Kornick who gave a brief description of the site particularly the properties located at 5 and 7 Hedwig Place. Mr. Kornick submitted an amended subdivision plan for 5 and 7 Hedwig Place (A1). He stated they combined the collaboration between the developer and Township Engineer to agree on the replacement trees.

Ms. Walters explained that due to the fact the trees were already removed it would be difficult to calculate the requirement for the compensatory planting.

Mr. Kornick stated he was not on the site before clearing. He submitted an aerial photograph (A2).

Mr. Pacella stated they have been working alongside with Remington & Vernick engineers to rectify this situation.

Mr. Wendell Bibbs of R & V stated he is satisfied.

The application was opened for public comments:

David and Nicole Stout
5 Hedwig Court

Mrs. Stout stated she is concerned with the replanting. She stated at the time of purchasing of their home they were told by the builder that a few trees would be replanted and the majority would be on the neighbor's property at 7 Hedwig. She stated the developer was staking out her property to show the locations of the trees to be planted and there were 16 trees proposed to be planted in her backyard. She stated she is unhappy with this resolution and wants the developer to relocate those trees.

Mr. Stout stated they have not seen the plan presented at the meeting.

There is discussion between Mr. & Mrs. Stout, Mr. Pacella and Mr. D'Elia. Mr. Pacella stated they have agreed to relocate the trees on the Stout's property and has agreed to coordinate with Mr. Murray and R & V regarding the location of all required compensatory planting on site.

Seeing no further public comments Mr. Nicini made a motion to close public portion, seconded by Mayor Mignogna.

Mr. Nicini motioned to grant amended final subdivision approval for the property located in Block 46; lots 24.02 and 24.03 subject to the following conditions and stipulations:

1. The applicant shall be required to plant a total of 55 compensatory plantings to be comprised of a variety of trees and shrubs, which shall be completed by November 15, 2014 and/or such later date as the Voorhees Construction Officer may permit.
2. The applicant shall coordinate with the Board Engineer and Voorhees Construction Officer regarding the location of the on-site plantings.
3. No more than 3 trees shall be replanted on Lot 24.02.
4. If unable to plant all of the required compensatory plantings on-site and off-site the applicant shall make an appropriate monetary donation in lieu of planting.

Seconded by Mr. Ravitz; motion carries by the following roll call vote:

AYES: Mr. Fanelli, Mr. Murray, Mrs. Kerr, Mr. Nicini, Mrs. Mignogna, Mr. Rashatwar, Mr. Vandegrift, Mr. Ravitz

NAYS: None

The board motioned to enter into an Executive Session to discuss Riddhi Siddhi Associates V. Voorhees Township Planning Board.

The board returned to the regular meeting.

NOMINATION AND ELECTION OF PLANNING BOARD SECRETARY

Mr. Rashatwar made a motion to nominate Wendy Flite as Planning Board Secretary, seconded by Mayor Mignogna. Motion carried by the assenting voice vote of all board members present.

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

Wendy Flite, Secretary