VOORHEES TOWNSHIP PLANNING BOARD MINUTES May 24, 2017\_\_\_\_\_

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, Ms. Stroemel, Mr. Ravitz, Mr. Rashatwar, Mr. DiNatale, Mr. Waters, Mr. Nicini, Mr. Vandegrift, Ms. Sytnik

Absent: Mayor Mignogna, Mr. Kleiman, Ms. Nocito

Also present was Mr. Eric Riso, Solicitor, Mr. John Palm, Conflict Solicitor and Mr. Rakesh Darji, Engineer

APPROVAL OF MINUTES

Mr. Rashatwar motions to approve minutes dated May 10, 2017; seconded by Mr. Nicini. Motion carried by the assenting voice vote of all board members present.

Mr. Fanelli opens the meeting to the public.

Nicole Gilbert

246 Jefferson Ave.

West Berlin, NJ

Ms. Gilbert informs the board she has a petition she would like to submit. The petition is signed by the residence of Jefferson Avenue who are requesting that Voorhees Township and Berlin Township prohibit the construction vehicles from Cudeyro Construction Company and DPI LLC from using Jefferson Avenue as an access road to enter the back of the property located at 43 Lafayette Avenue.

She states the safety of the residences on Jefferson Avenue is in jeopardy with these companies using the street. With the lack of sidewalks, the children are now walking along the street with the enormous construction vehicles constantly going down the street. The unknown effect of the weight of these vehicles is also a major concern. Being a residential and no outlet street they believe these companies need to stop using Jefferson Avenue.

Mr. Fanelli informs Ms. Gilbert that he believes Berlin Township is working on prohibiting construction vehicles from utilizing Jefferson Avenue. Mr. Ravitz informs Ms. Gilbert that the petition will be forwarded to the Voorhees Township Administrator, Larry Spellman.

Public portion is closed.

NEW BUSINESS

RAJ KAMAL, LLC

PRELIMINARY SITE PLAN

BLOCK 100; LOT 26

PC# 15-001

Appearing before the board was Mr. John Morelli, attorney; Mr. Rajiv Patel, applicant and Mr. William Nicholson, applicant’s engineer.

Mr. Morelli gives a brief overview of the application. He gives a brief update on the site since the last meeting.

Mr. Patel informs the board that the bus and excessive amounts of vehicles have been removed and that he has cleaned up the site of debris and trash. The paving will be reduced and the remaining portion of that will be soiled and seeded.

Mr. Patel informs the board that he is proposing adding a body shop to the rear and a paint booth. He explains the current size cannot accommodate the paint booth. He states the business now offers full body repairs and also has a small section of retail space inside for car accessories.

Mr. Patel states that a loading area is not necessary due to the fact deliveries are made by FedEx and UPS, there are no tractor trailer deliveries.

Mr. Patel has agreed to comply with the ordinance regarding the storage of vehicles. The ordinance allows only six (6) inoperable vehicles to be stored at a time. He also informs the board that he enforcing a strict storage policy of 3 days.

Mr. Morelli states that Ms. CherlLynn Walters has approved the language of the deeds regarding the vacating of Haddon Avenue but they still need to be signed by Mayor Mignogna and the Township Solicitor Howard Long. Mr. Riso states that a condition of approval will be that the deeds need to be filed by July 31, 2017. Haddon Avenue will also not be used as a means of ingress/egress and will be a locked gate. Trucks are prohibited.

Mr. Patel has agreed to resurface and repair the existing pavement and will provide full detail on the final plan. The impervious coverage has been reduced from 78.5% to 63.5 %. Mr. Morelli informs the board that the original approval in 1999 allowed 80% impervious coverage. Mr. Patel has also agreed plant an additional 4 trees on site.

There is discussion regarding the existing fence that encroaches on the adjacent lot. Mr. Patel agrees that if the fence is his he will take responsibility and move the fence.

Mr. Fanelli opens the meeting to the public. Seeing no public comments Mr. Nicini makes a motion to close public portion, seconded by Mr. Rashatwar.

Mr. Rashatwar motions to grant Preliminary Site Plan approval of Block 100 Lot 26 subject to the following conditions:

1. The applicant shall comply with all comments/ recommendations in Mr. Darji’s (Environmental Resolutions Inc.) engineer review letter dated May 18, 2017.
2. The applicant has agreed to file deeds by July 31, 2017.
3. The applicant has agreed to resurface and repair the existing pavement.
4. The applicant is required to submit a performance guarantee
5. Has agreed to relocate the existing fence if he is owner.
6. The applicant will reseed rear area.
7. The applicant will plant 4 trees on site.

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

AYES: Mr. Rashatwar, Mr. DiNatale, Mr. Waters, Mr. Nicini, Mr. Vandegrift, Ms. Stroemel,

 Ms. Sytnik, Mr. Fanelli

NAYS: None

VSC-5, LLC (ALDI Supermarket)

AMENDED PRELIMINARY SITE PLAN (SITE)

FINAL SITE PLAN (PHASE 7)

BLOCK 229; LOT 7

PC #17-003

Mr. Eric Riso and Mr. Jason Ravitz recuse themselves from this application stating a conflict of interest.

Conflict Solicitor Mr. John Palm is now present.

Appearing before the board is Mr. Frank Tedesco applicant’s attorney.

Mr. Jeff Baron also appears as an objector’s attorney and states the notice that was published in the newspaper is defective. Mr. Baron states the notice is not correct because it references CS005 and CSoo5 is not indicated on the submitted site plan. He also informs the board the notice reads a proposal of 114 parking spaces where the revised plan that was submitted only indicates 110 parking spaces. He states the notice can pose confusion to the public. He states the board cannot act on the application due to the jurisdictional issue.

Mr. Tedesco states the plan was revised since the notice was published and the reduction in parking spaces was implemented as a recommendation from the Board Engineer’s as stated in his review letter. He also presents Exhbit A1 – Property Assessment Card which was provided by the Township’s Tax Assessor’s Department and Exhibit A2- Property List Request which was also provided by the Tax Assessor’s office.

Legal arguments were made by both attorneys.

Mr. Palm reviews the notice and informs the board that will have to make a motion and vote that they find the notice to be sufficient.

Mr. Fanelli makes a motion to accept the notice as published and proceed with the application; seconded by Mr. Rashatwar. Motion carries by the following roll call vote:

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

NAYS: Mr. Waters, Mr. Nicini, Mr. Vandegrift, Mr. Sytnik

The result was a tie vote and the motion did not prevail. The applicant has agreed to re-notice and appear before the board at the June 28, 2017 Planning Board meeting.

There being no further business before the board Mr. Fanelli adjourned the meeting.