VOORHEES TOWNSHIP PLANNING BOARD MINUTES\_\_\_\_\_\_\_ MARCH 14, 2018\_\_\_\_\_\_

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. Rashatwar, Mr. DiNatale, Mr. Nicini, Mr. Vandegrift,

Mr. Ravitz, Ms. Nocito, Ms. Sytnik, Mr. Kleiman

Absent: Mayor Mignogna, Mr. Waters

Also present were CherlLynn Walters, Board Solicitor; Rakesh Darji, Board Engineer

APPROVAL OF MINUTES

Mr. Nicini motions to approve the minutes dated December 6, 2017; seconded by Ms. Stroemel. Motion carried by the assenting voice vote of all board members present with the exception of Mr. Vandgrift, Mr. Rashatwar and Ms. Nocito who abstained.

Mr. Nicini motions to approve the minutes dated December 20, 2017; seconded by Ms. Sytnik. Motion carried by the assenting voice vote of all board members present with the exception of Mr. Vandegrift, Mr. Rashatwar, Ms. Stroemel, Ms. Nocito who abstained.

Mr. Vandegrift motions to approve the minutes dated January 10, 2018; seconded by Mr. Rashatwar. Motion carried by the assenting voice vote of all board members present with the exception of Ms. Nocito, Ms. Sytnik and Mr. Rashatwar who abstained.

MEMORIALIZATION OF RESOLUTIONS

TJC at VOORHEES

BLOCK 222; LOT 6

PRELIMINARY MAJOR SUBDIVISION

PC 17-016

RESOLUTION APPOINTING PLANNING BOARD CONFLICT ENGINEER

RESOLUTION APPOINTING CME ASSOCIATES TO PERFORM REDEVELOPMENT STUDY

NEW BUSINESS

VRI-WW/J&J-VOORHEES II LLC

BLOCK 220; LOTS 9, 10, 11, 12 & 14

PRELIMINARY SITE PLAN

PC 17-021

Appearing before the board was Mr. Timothy Prime, applicant’s attorney.

Ms. Walters advises Mr. Prime that a neighboring property owner has a jurisdictional issue.

Mr. Howard Sobel introduces himself. He informs the Board he is an attorney and a principal of Voorhees Law Center, LLC at 507 Kresson Road which is adjacent to the proposed project. He states he is there on behalf of Bobby Hile, Howard Lombard, Karen Gluben, Anthony Smeglin and Colleen Brown.

Mr. Sobel has concerns regarding the notice that was published in the newspaper and the notice that was sent to property owners within 200 feet of the proposed project. He states that in regards to the proposed Tractor Supply store the notice states the square footage of 10,097 when it’s actually according to the plan 19,097 square feet.

Mr. Sobel also informs the board that he has an issue with the latest revised site plan that indicates a construction easement. He states he is the current owner of that property and there is no contract to do construction on the property currently. Mr. Sobel also argues the submission of the Minor Subdivision stating this should be considered a major subdivision. He also refers to different case law regarding the notice and the fact this application include public right of ways.

Mr. Prime responds and states the notice is accurate under the requirements and that it states the square footage in the notice of the uses, the block and lot, the address and the date of the hearing. He also states he is not sure if there was a typo in the notice that the Courier Post published but it is 19,000 square feet and the plans reflect 19,000 square feet and that Mr. Sobel and his clients had a chance to review the plans. Mr. Prime also states the applicant is consolidating 5 lots into a single lot and subdividing them into two lots. He also explains that the offsite improvements are simply an extension of the sewer and water lines. Therefore it doesn’t impact the definition requirements and they have jurisdiction this evening.

Ms. Walters explains to the Board they must decide if the notice is adequate She states she would disagree with Mr. Sobel’s argument regarding the application is a Major or Minor Subdivision and the issue with the proposed construction entrance indicated on the plan.

Mr. Prime states the applicant is seeking preliminary site plan approval only at this time and is also required to seek approvals through Evesham Township as well.

Ms. Walters reviews the information provided in the notice with respect to the proposed development and states it does say 10,097 square feet for the Tractor Supply and does not indicate the outside storage area or it’s size. The question is if Mr. Prime is correct that the square feet does not have to be indicated but, however it was indicated and it’s different than what is actually proposed. The Board must determine whether or not they believe the notice is sufficient.

Ms. Nocito states she believes that a person may have paid closer attention to the notice if it stated the correct square footage.

Mr. Prime states the applicant is comfortable proceeding due to the fact they are seeking only Preliminary approval at this time and would like to proceed due to the fact the public is in attendance.

Ms. Walters refers to the Cox Book and there is further discussion regarding case law and the notice.

Mr. Soble continues to disagree with the jurisdiction.

Mr. Rashatwar makes a motion to continue hearing the application and feels the public notice was adequate and with the knowledge the applicant proceeds at their own risk; seconded by Mr. Nicini. Motion carries by assenting voice vote of all present board members with the exception of Ms. Nocito who was not in favor.

The applicant has agreed to put their testimony on record giving the members of the public the opportunity to testify and cross examine witnesses.

Appearing before the board was Mr. Timothy Prime, attorney, Ms. Pam Pelligrini, engineer, Mr. Nicholas Aiello, traffic engineer, Mr. Paul Phillips, planner, Mr. Ray Hicks, Tractor Supply, Ms. Kristen Ritz, Wawa, Mr. Michael Gallagher, Maser, Mr. Glen Oxford, architect.

Mr. Prime gives a brief description of the application. The applicant is seeking Minor Subdivision and Preliminary Site Plan approval. The property is located in the MB Zone and both uses are permitted. The minor subdivision is to consolidate the five existing lots into a single lot then subdivide it into two lots one for the Wawa and one for the Tractor Supply Store. The application includes landscaping, lighting, parking, stormwater management and related site improvements. He states the property is located in both Voorhees, Camden County, Evesham Township and Burlington County. The property has frontage on both Route 73 and Kresson Road. Mr. Prime states the applicant has provided a use and operation statement for both the proposed Wawa and Tractor Supply. Mr. Prime informs the board that the Wawa is a 24 hour, 7 days a week. The hours of operation of the Tractor Supply are Monday-Saturday from 8 am to 8 pm and Sunday 9am to 7pm. Employees and deliveries are outlined in the use and operations statement. Tractor Supply typically has two tractor trailer deliveries a week and Wawa has three deliveries a week. The external vendors deliver as needed which are not tractor trailer deliveries.

Mr. Prime gives a brief history of the site and also the applicant has applied for multiple variances

Mr. Rosenberg gives a brief description of the application. He stated the applicant is seeking approval to replace a 600 foot length of five foot tall wood fence with a six foot tall, black-coated chain link fence with green privacy slats. He informs the board the Condominiums originally received site plan approval around 1982 and that the La Bonne Vie Homeowner’s Association is responsible for maintenance of the common areas.

Mr. Dunn testifies that the existing 600 foot length of wood fence has been repeatedly damaged by residents who live in the adjoining residential neighborhood and has been damaged beyond repair. Mr. Dunn stated the type of fencing they are proposing is the most cost effective and cannot be as easily damaged as a wood, vinyl or wrought iron fence. Mr. Dunn introduced a series of four colored photographs (Exhibit A-1) of the existing fence. He testifies the proposed fence would be a six feet tall black coated vinyl fence with green slats for privacy.

The application was opened to the public. Seeing no public comment Mr. Rashatwar motions to close public portion, seconded by Ms. Sytnik.

Mr. DiNatale motions to grant Correspondence approval for the property located at

Block 150.02; Lot 9 with the following stipulations and conditions:

1. The applicant will comply with all recommendations of the Board.
2. The applicant will comply with all terms and conditions of all prior approvals.

Seconded by Ms. Stroemel. Motion carries with the following roll call vote:

AYES: Ms. Stroemel, Mr. DiNatale, Mr. Nicini, Mr. Vandegrift, Mr. Ravitz, Ms. Sytnik,

Mr. Kleiman, Mr. Fanelli

NAYS: None

USRC VOORHEES, LLC

BLOCK 198; LOT 10.01

MINOR SITE PLAN

16-014

Appearing before the board was Mr. Richard Hoff, applicant’s attorney, Mr. Ed Brady, applicant’s engineer and Mr. Jeff Dale vice president of construction for applicant.

Mr. Hoff gives a brief description of the application. He states the applicant is seeking minor site plan approval to utilize an existing building that the applicant is currently under contract to purchase, as a dialysis center for individuals with end stage renal disease.

Mr. Dale testifies that USRC has 300 facilities throughout 31 states which treats 23,000 patients a day. He states the facility require one registered nurse and a ratio of three staff members for every one patient, therefore the facility would contain about six to seven staff members at one time. He informed that the treatments last around four hours with three patients being treated at a time. There would be two shifts with 10 patients being treated per day. He stated the proposed hours of operation would be Monday through Saturday with staff arriving at 5:00 am and patients arriving at 6:00 am and closing around 4:00 pm to 5:00 pm.

Mr. Dale also testifies regarding deliveries. A box truck would be delivering general supplies and one larger tractor trailer with a lift to deliver drums about once a week. Deliveries usually take around 15 to 20 minutes and are scheduled between 5:00 am to 6:00 am before patients begin treatment. He also states that medical waste would be removed by a privately contracted company about one to two times a week. He also indicated that regular trash and recyclables would be handled by separate trach collection contractors.

Mr. Brady reviewed Exhibit A-1 a copy of the submitted site plan. He reviewed the proposed site changes including a new entrance and sidewalk on the front of the building facing Haddonfield-Berlin Road with the entrance being covered by a canopy. A new entrance will also be added to the north side of the building facing the Ritz Theater. Mr. Brady also states two additional ADA spaces will be added. The site will have 344 spaces where 254 spaces are required, including 18 ADA spaces where 8 ADA spaces are required. He demonstrates on the plan truck turning movement for the loading area.

Mr. Brady also testifies the applicant is proposing a generator which would be located directly across from the loading zone and would be enclosed with masonry wall and bollards. He also stated the applicant has agreed to construct a masonry wall trash enclosure in lieu of the originally proposed eight foot vinyl fence. Mr. Brady has agreed to work with the Board Engineer to ensure the trash enclosure is large enough contain separate trash and recycling containers.

Mr. Brady testifies that the applicant has reviewed the comments from the Fire Department and has agreed to work with Fire Marshal and Board Engineer regarding their concerns.

The application was opened to the public. Seeing no public comment Mr. Nicini motions to close public portion, seconded by Mr. Waters.

Mr. DiNatale motions to grant Minor Site Plan approval for the property located at

Block 198; Lot 10.01 with the following stipulations and conditions:

1. The applicant shall comply with the Board Engineer’s review letter dated January 19, 2017
2. The applicant shall comply with the Voorhees Fire District’s memo dated January 25, 2017
3. The applicant shall construct masonry enclosures for both outside generator and trash enclosure area.
4. There shall be 344 parking spaces, including 18 ADA spaces.

Seconded by Mr. Nicini. Motion carries with the following roll call vote:

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

Ms. Sytnik, Mr. Fanelli

NAYS: None

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

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Wendy Flite, Secretary