The Chairman called the meeting to order and stated it was being held in compliance with the “Open Public Meeting Act” and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Senges

Absent: Mr. Weil, Mr. Brocco

Also, present, Mr. Stuart Platt, Board Solicitor, Ben Matlack, PE, CME, CFM, Board Engineer, Corrine Tarcelli, Zoning Board Secretary

**MINUTES FOR APPROVAL**

Mr. Willard motioned to approve the minutes from June 14, 2018; seconded by Mr. Cupersmith; none (0) against, Mr. Cohen abstained.

Mr. Cohen motioned to approve the minutes from June 27, 2018; seconded by Mr. Willard; none (0) against, with no (0) abstentions.

Mr. Willard motioned to approve the minutes from July 12, 2018; seconded by Mr. Cohen; none (0) against, Mr. Cohen, Mr. Daddario, Mr. Senges abstained.

Mr. Cohen motioned to approve the minutes from July 26, 2018; seconded by Mr. Willard; none (0) against, Mr. Leoncio abstained.

**RESOLUTIONS FOR APPROVAL**

 Mr. Willard motioned to approve Resolution for Case #ZC2018-015, Nick Anselmo, presented before the Board on July 26, 2018; seconded by Mr. Cohen; none (0) against, Mr. Leoncio abstained.

**OLD BUSINESS**

**Khmer Buddhist Temple**

1234 Haddonfield-Berlin Road

Block 262, Lot 6

Case #ZC2018-004

Mr. Platt summarized the case presented before the Board stating the Applicant, Khmer Buddhist Temple was seeking approval for an Amendment to the Final Site Plan previously approved by the Zoning Board on July 9, 2015, which permitted the development of Phased construction for a Worship/Temple Building, A community Ceremonial Building, Ceremonial Wall, four formal Mediation Gardens together with continued use of an existing dwelling and garage on site. The Amendment to the Site Plan is to seek approval for Phase 2A for the project to permit a permanent structure to be constructed on a temporary basis (Pole Barn) for the Applicant to hold its religious services until the Worship Center/Temple can be constructed for the same purpose. In addition, the Applicant will seek a Variance and/or Design Waiver from Section 154.010B(12) of the Voorhees Zoning Ordinance to permit temporary parking for the permanent temporary Worship Center on a graveled parking area and associated drive isle with no curb where said Ordinance Section requires all parking and loading areas to be paved and all access ways, driveways, drive isles, loading areas and parking bays or other parking facilities to be curbed. In addition, the Applicant will see a Variance and/or Design Wavier from Section 154.007(B)(3)(a) of the Voorhees Zoning Ordinance to not have lighting at the proposed temporary parking area where said Ordinance Section requires minimum lighting within a parking area shall not be less than 0.25 foot candles. Also seeking any and all other variances, waivers, and/or other relief as may be deemed necessary by the Board and/or its professionals

Mr. David C. Patterson, Esquire stated the applicant’s case was presented before the Zoning Board on June 14, 2018 and August 9, 2018. Mr. Paul Witthohn, PE, the applicant’s engineer, Mr. Brad Barker, AIA, the applicant's architect, Mr. Yun Or, KBHA, the applicant’s project manager, and Mr. Alexander Khan, were sworn in to testify.

Mr. Patterson stated the applicant is the owner of the 15.1 acre property located at 1234 Haddonfield-Berlin Road, also known as Camden County Route 561, which is located in the B – Business Zone. The applicant previously obtained use variance approval from the Board to permit the proposed Cambodian Buddhist Temple, an accessory building and the existing residential structure which are not permitted uses in the B Zone.

The applicant previously obtained preliminary and final major site plan approval for construction of the Temple, a community center, meditative gardens and other accessory buildings in a multi-phase project with associated site improvements, variances and waivers on June 11, 2015, as set forth in Board Resolution 15-19.

The applicant is now seeking amended preliminary and final major site plan approval to modify its phasing schedule. In its prior approvals, the following phasing schedule was approved by the Board:

 (a) Phase 1 – Garage (Pole Barn) and Decorative Wall;

 (b) Phase 2 – Temple/Worship Center and Meditative Gardens;

 (c) Phase 3 – Community Center; and

 (d) Phase 4 – Additional Parking.

The applicant is now seeking to modify its phasing schedule to construct a 5,200 square foot temporary worship building, together with a temporary gravel parking area for 32 vehicles, including 2 handicap parking spaces. The proposed temporary worship building is to accommodate up to 96 worshippers and is intended to be removed upon the completion of the Phase 2 improvements, including the permanent Temple/Worship Center and Meditative Gardens. The applicant also seeks minor revisions to the onsite stormwater management basin to address the temporary worship building.

The following documents and exhibits were reviewed and considered by the Board:

 (a) A Zoning Board of Adjustment Application filed March 27, 2018, including a narrative statement consisting of four (4) pages with exhibits;

 (b) A Voorhees Township Land Development Review Checklist filed March 27, 2018;

(c) A Plan entitled, “Khmer Buddhist Humanitarian Association Amended Preliminary and Final Major Site Plan,” dated March 27, 2015, last revised March 5, 2018, prepared by Consulting Engineer Services, consisting of three (3) pages;

 (d) A Plan entitled, "Buddhist Temple Temporary Worship Building-Floor Plan," last revised February 20, 2018, prepared by Bannett Group Design, LLC, consisting of two (2) pages;

 (e) A Plan entitled, “Buddhist Temple-Wall and Gate Detail Elevations,” last revised January 9, 2017, prepared by Bannett Group Design, LLC, consisting of one (1) page;

(f) A report entitled, "Traffic Engineering Assessment," dated March 31, 2015, prepared by Shropshire Associates, LLC, consisting of eight pages (plus appendices);

 (g) A Report entitled, "Environmental Impact Report for Khmer Buddhist Humanitarian Association," dated March 27, 2015, prepared by Consulting Engineer Services, consisting of eighteen (18) pages;

 (h) A supplemental application submission, dated July 20, 2018 from Paul A. Witthohn, PE, together with a Plan entitled, “Temporary Parking Plan,” dated July 19, 2018, consisting of one (1) page;

 (i) A supplemental application submission, dated July 27, 2018 from David C. Patterson, Esquire on behalf of the applicant, consisting of three (3) pages;

 (j) A supplemental submission, dated July 27, 2018 from David C. Patterson, Esquire on behalf of the applicant attaching various parking agreements and a Plan entitled, “Alternate Temporary Parking Plan,” dated July 16, 2018, consisting of one (1) page;

 (k) A letter from the Township Zoning Officer, dated April 24, 2018 with respect to the application;

 (l) A letter dated May 15, 2018 from David C. Patterson, Esquire on behalf of the applicant in response to the Zoning Officer’s letter of April 24, 2018;

 (m) Color rendering of the prior site plan with an aerial map, dated June 14, 2018, marked as Exhibit A-1 at the time of the August 9, 2018 hearing;

 (n) A copy of the site plan, Sheet 5 of 21, dated March 27, 2015, marked as Exhibit A-2 at the time of the August 9, 2018 hearing;

 (o) An overall phasing plan, Sheet 3 of 21, dated March 27, 2015, last revised March 5, 2018, marked as Exhibit A-3 at the time of the August 9, 2018 hearing;

 (p) A color elevation of the temporary worship building, dated May 14, 2018, marked as Exhibit A-4 at the time of the August 9, 2018 hearing;

 (q) A floor plan of the temporary worship building, dated May 14, 2018, marked as Exhibit A-5 at the time of the August 9, 2018 hearing;

 (r) A photocopy of a photograph of Gate 1, dated July 25, 2018, marked as Exhibit A-6 at the time of the August 9, 2018 hearing;

 (s) A photocopy of a photograph of Gate 2 and wall design, dated July 25, 2018, marked as Exhibit A-7 at the time of the August 9, 2018 hearing;

 (t) A photocopy of a photograph of Gate 3, dated July 25, 2018, marked as Exhibit A-8 at the time of the August 9, 2018 hearing;

 (u) A photocopy of a photograph of Gate 4, dated July 25, 2018, marked as Exhibit A-9 at the time of the August 9, 2018 hearing;

 (v) A photocopy of photographs of Gate 3 and landscape of rear of property, dated July 25, 2018, marked as Exhibit A-10 at the time of the August 9, 2018 hearing;

 (w) A photocopy of a photograph of Gate 1 and landscape of rear of property, dated August 7, 2018, marked as Exhibit A-11 at the time of the August 9, 2018 hearing (Attached hereto and made a part hereof);

 (x) A photocopy of a photograph of Gate 2 and wall design, dated August 7, 2018, marked as Exhibit A-12 at the time of the August 9, 2018 hearing (Attached hereto and made a part hereof);

 (y) A photocopy of a photograph of Gate 3 and wall design, dated August 7, 2018, marked as Exhibit A-13 at the time of the August 9, 2018 hearing;

 (z) A photocopy of a photograph of Gate 4 and wall design, dated August 7, 2018, marked as Exhibit A-14 at the time of the August 9, 2018 hearing;

 (aa) An Alternate Temporary Parking Plan, dated July 26, 2018, marked as Exhibit A-15 at the time of the August 9, 2018 hearing;

 (bb) A Temporary Parking Plan, dated July 26, 2018, marked as Exhibit A-16 at the time of the August 9, 2018 hearing;

 (cc) Khmer Buddhist Humanitarian Association High Holiday Day Event Procedure, marked as Exhibit A-17 at the time of the August 9, 2018 hearing (Attached hereto and made a part hereof);

 (dd) Parking Agreement between the applicant and Marressa Patterson, LLC, dated August 1, 2018, marked as Exhibit A-18 at the time of the August 9, 2018 hearing;

 (ee) Parking Agreement between the applicant and Muslim American Association, Inc., dated July 23, 2018, marked as Exhibit A-19 at the time of the August 9, 2018 hearing;

 (ff) A Parking Agreement between Title America Agency and the applicant, dated August 1, 2018, marked as Exhibit A-20 at the time of the August 9, 2018 hearing;

 (gg) An email from Phil Smart indicating a representative of the Voorhees Board of Education will recommend the applicant’s use of the Eastern Regional High School parking lot on October 27 and 28, 2018, November 10 and 11, 2018 and April 20 and 21, 2019, marked as Exhibit A-21 at the time of the August 9, 2018 hearing;

 (hh) Three photographs marked as Exhibit P-1 through P-3, submitted by Mr. Picana at the time of the August 9, 2018 hearing;

 (ii) A letter dated June 12, 2018 from Paul A. Witthohn, PE on behalf of the applicant in response to the Board Professionals’ review letters, consisting of three pages;

 (jj) The Board Engineer’s review letter, dated April 24, 2018, consisting of eight pages; and

 (kk) The Board Sewer Engineer’s report, dated May 29, 2018, consisting of three pages.

 Mr. Or, the applicant’s project manager, indicated the wall is not complete and described the construction process of the wall, existing pole barn and proposed temporary worship building. Discussion was held between the Board and the applicant as to how long the temporary worship building would remain and it was explained that it would be for a period of up to five years. There was also discussion between the Board and the applicant that the temporary worship building would be removed when the permanent Temple was constructed.

 Mr. Barker, AIA, the applicant's architect, was qualified as an expert in the field of architecture. He indicated the new phasing schedule would have a temporary worship center building of approximately 5,200 square feet and would be a fully functioning building. It would hold up to 96 worshippers and it would not have any seating.

 Mr. Witthohn, PE the applicant’s engineer, was qualified as an expert in the field of engineering. He testified they were redesigning the proposed stormwater basin to accommodate the temporary worship center and it would include 32 parking spaces, two of which would be handicap parking spaces and the parking area would be gravel.

 Mr. Or testified weekday worshipping has approximately 10 to 20 people. Weekend worshipping has approximately 60 to 70 people. However, he noted that on high holy days there would be between 500 to 1,000 people that would come to the site, but not necessarily come to the temporary worship building. A very extensive discussion ensued between the Board and the applicant and its representatives about the lack of sufficient parking onsite to accommodate the high holy days.

 Mr. Patterson summarized the revised application. He noted the applicant had made multiple submissions since the time of the last hearing, including a temporary parking plan and alternate temporary parking plan as well as off-site parking agreements and commitments to accommodate parking during the high holy days.

 Mr. Witthohn described in detail the application for amended preliminary and final site plan approval and introduced Exhibits A-1 through A-3. The temporary worship building would be constructed in the area near the existing pole barn/garage and the temporary parking is in the area of the future meditative gardens. The temporary parking area would be gravel and would provide 32 parking spaces, including two handicap parking spaces. He also indicated they were increasing the size of the stormwater basin to accommodate the temporary worship building. He also indicated the applicant was proposing to install six or seven permanent site lighting fixtures during this phase of the project.

 Mr. Barker introduced Exhibits A-4 and A-5 and described the temporary worship building. He indicated it was 5,200 square foot building and would accommodate up to 96 people. It would have no fixed seating, but would have bathroom facilities and will be connected to the public water and sewer system. The temporary worship building is a prefabricated wood structure with metal paneling, metal siding, metal doors and windows. It would match the existing pole barn/garage and would include decorative elements. He indicated there was no kitchen and no food preparation area. He also indicated the building would be used for worship purposes only and not for events as it has limited capacity.

 Mr. Khan, a representative of the applicant, described the temporary worship building was for worship services only. The weekday worship services usually occur between 1:00 p.m. to 2:00 p.m. and there are on average of 20 to 30 worshippers during those times. The weekend worship services occur between 9:30 a.m. and noon and there are approximately 60 to 80 worshippers at that time. He indicated to the Board that the applicant celebrated three high holy day events. Each of the three high holy day events are two weekend occurrences identified as New Year which occurs in either April or May depending upon the Lunar Calendar, Ancestors Day which is in September and Kathina which is in October of each year. The applicant has proposed two scenarios for onsite parking to accommodate up to 1,000 visitors attending these events.

 Both Mr. Khan and Mr. Or introduced a number of photographs of the Subject Property. Photographs marked A-6 to A-10 were taken on or about July 25, 2017 and photographs marked as Exhibits A-11 to A-14 were taken on or about August 7, 2018. They described the construction of the wall. Along Route 561, most of the wall is completed to the stage of block construction. There are some parts of the wall where there is a brick frame connected to the exterior of the wall. There is only one section where the wall is completely finished which includes the decorative portion. The current state of construction can be seen on Exhibit-11 and the area where the wall is completely finished, including the decorative portion can be seen on Exhibit A-12. They also described the construction of the gates which they propose to have the gate openings structurally finished without the actual gate. This can be seen on Exhibits A-11 and A-12. Exhibits A-13 and A-14 show the gate entryways still under construction.

 Substantial discussion ensued between the Board and the applicant regarding the timing of the completion of the construction of the wall which was required to be constructed in Phase 1 and the timing of construction and use and occupancy of the temporary worship building. Substantial discussion also ensued with respect to how long the applicant would be allowed to use the temporary worship building.

 At that time, the applicant and its representatives agreed that the temporary worship building would not be used for a period longer than five years from any approval. At the end of that five year approval period, the applicant and/or its successors would stop using the building as a worship center and would have it removed. The applicant agreed to post a demolition bond in an amount to be determined by the Board Engineer in the event the building was not removed under the above circumstances.

 Mr. Witthohn stated the ratio between parking spaces and visitors is 3 to 1. The first scenario as depicted in the temporary parking plan, marked as Exhibit A-16 provided for 172 onsite parking spaces or 516 visitors and if approved by the Board, the applicant would also utilize the parking agreements that have been submitted as Exhibits A-19 through A-21 which would ultimately provide parking for over 1,000 visitors to the site on high holy days. The 172 onsite parking spaces would be in the area of the future meditative gardens. According to Mr. Witthohn, the area was stable for parking and the existing driveways would be prepared to allow adequate access to that parking area.

 The second scenario is set forth in the alternate temporary parking plan which is marked as Exhibit A-15. That would provide for 334 onsite parking spaces which would accommodate over 1,000 visitors to the site. Mr. Witthohn also indicated that this parking area would also be in the area of the future meditative gardens and access to this parking area would be with the existing drive aisles which would either be paved or stone. The applicant would also be in a position to use the off-site parking agreements as well in this scenario. In either scenario, the temporary parking spaces would be delineated through temporary striping or cones. The applicant also agreed to implement the high holy day event procedure as depicted in Exhibit A-17.

 Mr. Khan and Mr. Or also testified that while they have music at high holy day events, they only use a PA system between the hours of 1:00 p.m. and 6:00 p.m. during the days of these events. They would also reorient the PA system toward the quarry and away from the residents who live in the Devonshire neighborhood.

 The Board opened the hearing to the public and six members of the public testified with regard to the application as follows:

 John Pacana introduced Exhibits P-1 through P-3 which were photographs taken on or about August 3, 2018 depicting the various states of construction of the wall along Route 561. He suggested the wall needs to be completed at least along Route 561 prior to the use and occupancy of the temporary worship building. He also described multiple issues with the site, including noise, traffic and other public safety hazards since the applicant began using the site for events in the past year and a half.

 Ray Heppe agreed with the off-site parking while under construction and that the wall should be constructed prior to the use and occupancy of the temporary worship building.

 Robert Lancaster was also very much concerned about the wall, the lack of progress and trash and noise emanating from the site.

 Dawn Varava also described problems with the events and the excessive noise coming from the music and PA system.

 Stacy Sylvestro raised multiple issues concerning public safety, traffic, parking, noise and trash. She was also in favor of the applicant being required to construct the wall prior to the use and occupancy of the temporary worship building.

 Muni Ratana, who is a Buddhist monk, described in detail how the wall was being constructed and the various stages of construction. He indicated the applicant wanted to be part of the community and was hoping the applicant and public could find a happy medium.

 Substantial discussion ensued with respect to the issues that were raised during the course of this application. Mr. Patterson, on behalf of the applicant and the applicant’s representatives, agreed to the following:

 A. If approved, the applicant could not apply for a certificate of occupancy or use or occupy the temporary worship building until the entire wall and entryways (without gates) along Route 561 were completed as depicted in Exhibit A-11 (complete block finish with brick façade).

 B. The applicant will finish the wall along Route 561 as depicted in Exhibit A-11 by no later than August 31, 2019.

 C. The entire wall (along Route 561 and otherwise) will be completely finished on all sides, both interior and exterior, by no later than August 31, 2020.

 D. The applicant also agreed that in the event they fail to adhere to any of the conditions set forth herein, they would voluntarily cease using the temporary worship building. If they fail to do so, they agree that the Township would have the right to revoke any certificate of occupancy for the temporary worship building.

WHEREAS, upon motion duly made and seconded to grant the application for Amended Preliminary and Final Major Site Plan Approval (as amended through the meeting of August 9, 2018) to revise the phasing plan and allow the construction of a temporary 5,200 square foot worship center building in Phase 1 of the project, the Board voted six (6) in favor thereof (Cohen, Willard, Daddario, Leoncio, Cupersmith and Senges) and none (0) against, with no (0) abstentions, thereby granting the application subject to certain conditions mentioned hereinafter.

WHEREAS, this Resolution sets forth the Board’s findings of fact and its conclusions based thereon.

 NOW, THEREFORE, BE IT RESOLVED, by the Township of Voorhees Zoning Board, that the said application for Amended Preliminary and Final Major Site Plan approval (as amended through the meeting of August 9, 2018) to revise the phasing plan and allow the construction of a temporary 5,200 square foot worship center building in Phase 1 of the project is hereby granted, subject to, however, the testimony, representations and stipulations of the applicant, its attorney and its witnesses at the time of the hearing and further specifically subject to the following conditions and stipulations:

 1. The applicant agreed that the temporary worship building shall be used for worship services only and not for any other events.

 2. The maximum occupancy for the temporary worship building shall be 96 people.

 3. The temporary worship building shall be used for a period of up to five years from the date of use and occupancy (further subject to the voluntary stipulations made by the applicant below). The applicant shall cease use and occupancy of the temporary worship building and demolish it upon the earlier of the following:

 (i) The issuance of a certificate of occupancy for the permanent worship building; or

 (ii) Five years from the date of issuance of the certificate of occupancy for the temporary worship building.

 4. The applicant shall post a demolition bond in an amount to be determined by the Board Engineer in the event it fails to demolish the temporary worship building as it agreed to above.

 5. The applicant shall only use a PA or like system between the hours of 1:00 p.m. and 6:00 p.m. during its three high holy day events. The applicant shall not use a PA or like system any other time.

 6. The applicant shall reorient the PA system towards the quarry and away from the residents who live in the Devonshire neighborhood.

 7. The applicant shall strictly implement and observe its own high holy day event procedures as set forth in Exhibit A-17.

 8. The Board approved the alternate temporary parking plan which provides for 334 parking spaces onsite to accommodate over 1,000 visitors as set forth in Exhibit A-15. The temporary parking spaces shall be marked by temporary stripping and/or cones. All drive aisles to the temporary parking area shall be paved or stone. The period of use for the temporary parking area shall be the same as the temporary worship building as set forth above.

 9. The applicant also voluntarily agreed to the following:

 (a) It shall not apply for a certificate of occupancy or use or occupy the temporary worship building until the entire wall and entry ways (without gates) along Route 561 are completed as depicted in Exhibit A-11 (complete block finish with brick façade).

 (b) The applicant shall finish the wall along Route 561 as depicted in Exhibit A-11 by no later than August 31, 2019.

 (c) The entire wall (along Route 561 and otherwise) shall be completely finished on all sides, both interior and exterior, by no later than August 31, 2020.

 (d) In the event the applicant fails to adhere to any of the conditions set forth herein, it shall cease using the temporary worship building. If it fails to do so, it agrees that the Township shall have the right to revoke any certificate of occupancy for the temporary worship building.

 10. The applicant shall comply with all other conditions of approval in the approved plans as set forth in the use variance and preliminary and final major site plan approval as set forth in Resolution 15-19, except as otherwise amended by this application.

 11. The applicant shall comply with the Board Engineer’s review letter, dated April 24, 2018, to the extent not inconsistent with this approval.

 12. The applicant shall comply with the Board Sewer Engineer’s review letter, dated May 19, 2018, to the extent not inconsistent with this approval.

 13. These General Conditions of Approval and any additional conditions of approval, if any, shall be binding upon the applicant, the owners, developers, and any successors and/or assigns of them.

14. The applicant shall obtain approval from any other county, state or municipal agency having jurisdiction over the application, including, but not limited to, the Camden County Board of Health, the Camden County Planning Board, Camden County Soil Conservation District and/or New Jersey Department of Transportation as the case may be.

15. The applicant has submitted certain plans and documents which were accepted by the Zoning Board as part of its application and further made certain representations and provided testimony at the time of the public hearing, all of which have been relied upon by the Zoning Board in making its determination. Should there be any material deviation from said documents, plans, representations or testimony or from any conditions contained herein, then the Board may, upon notice to the applicant and an opportunity to be heard, elect to rescind its approval.

 16. Any activities to be conducted as a result of the Voorhees Township Zoning Board approving this application shall be conducted in full compliance with the Uniform Construction Code, Code of the Township of Voorhees, the Revised Statutes of the State of New Jersey and any other applicable county and/or federal law.

 17. The applicant/owners are responsible for obtaining all zoning and/or building permits and approvals necessary to conduct the activities approved herein.

18. The applicant/owners are hereby advised that this application and plan have not been reviewed for conformance with the Americans with Disabilities Act (ADA). It is the responsibility of the applicant/owner to conform to said legislation.

19. The applicant shall promptly pay any professional staff fees billed, in excess of the required application escrows, or file a written protest with the Township Business Administrator within seven (7) days of receipt of a final voucher from the Township.

20. The applicant has submitted certain plans and documents which were accepted by the Zoning Board as part of its application and further made certain representations and provided testimony at the time of the public hearing, all of which have been relied upon by the Zoning Board in making its determination. Should there be any material deviation from said documents, plans, representations or testimony or from any conditions contained herein, then the Zoning Board may, upon notice to the applicant and an opportunity to be heard, elect to rescind its approval.

21. Any improvement(s) to be constructed as a result of the Voorhees Township Zoning Board approving this application shall be constructed and operated in full compliance with the Uniform Construction Code, Code of the Township of Voorhees, the Revised Statutes of the State of New Jersey and any other applicable county and/or federal law.

22. If the above application involves the granting of a final subdivision or site plan approval, the Township Clerk, Chairperson and Secretary of the Voorhees Township Zoning Board shall not sign the final subdivision plan or final site plan nor shall any zoning permit issue until the applicant has demonstrated that all conditions of the final approval have been satisfied.

23. If a final approval has been granted, the applicant shall submit to the Voorhees Township Zoning Board Engineer for his review a minimum of 10 complete sets of plans which shall incorporate all of the revisions that have been made conditions of this approval.

24. Performance guarantees (complying with N.J.S.A. 40:55D-53) shall be posted with the Township for the site and utility improvement installations. These guarantees shall be effective for both the time duration required for their installation, and upon completion to check for compliance with the approved plan prior to a certificate of compliance and certificate of occupancy being issued. (The applicant’s engineer shall provide a cost estimate of the proposed site improvements, excluding building costs.).

25. Inspection fees shall be posted with the Township for site and utility improvement inspections which are to be performed by the municipal engineer to check for compliance with the approved plan prior to a certificate of compliance and certificate of occupancy being issued.

The applicant shall post the required inspection fee deposit with the application for a building permit.

26. It is the ultimate responsibility of the applicant/owner to construct the necessary improvements in accordance with the Township standards and to offer said improvements to the Township in proper condition and as approved. All damaged and/or defective improvements shall be properly repaired and/or replaced.

27. All improvements are subject to inspection by the Township. No site clearing or construction is to begin without proper notification to the Township Engineer.

28. No deed restrictions may exist in regard to this property/development, except those reviewed and included in the Board’s approval.

29. A permit shall be obtained from the zoning officer after final approval and/or prior to any site clearing and/or construction.

30. The applicant/owner shall continue to properly maintain all improvements of the development including but not limited to streets, storm sewer, drainage swales, etc. and shall sweep the streets, clean the storm sewers, etc. on a monthly basis, or as may be necessary. This shall continue until the improvements are accepted by the Township.

31. The applicant/owner shall clean all storm sewer facilities and other such improvements as necessary prior to their acceptance, with final as-built certifications and plans being provided by the applicant’s licensed professional engineer which indicate compliance with the approved plan, including the stormwater drainage system. All improvements shall be offered in proper and good condition. All damaged improvements shall be repaired and/or replaced to the satisfaction of the Township.

32. The public road right-of-ways within the development shall not be used as storage areas or “staging” areas for the construction of either buildings or site improvements.

33. The final pavement surfacing of roadways shall not be installed on roadways used for construction traffic. The final pavement surfacing of roadways shall not be installed on any roadway until all repairs have been made to the various improvements within the roadway/right-of-way area and it is determined that further damage to such roadway improvements due to construction or construction traffic is not anticipated. The Township may, at its discretion, determine when final roadway surfacing may occur.

34. The applicant/owner shall provide the Township Zoning Officer and Township Engineer 48 hours advance notice prior to any construction, including site clearing, being done. The notification shall include the following information:

 (a) Project Application Number;

 (b) Project Name;

 (c) Project Location (Street, Block, Lot);

 (d) Applicant’s Name, Address and Telephone Number;

 (e) Applicant’s Contact Person, Address, Telephone Number; and

 (f) Expected Start Date.

35. The applicant/owner shall schedule a pre-construction meeting through the Township Engineering office (428-5914) prior to the commencement of any work. Any work within Township streets requires a road opening permit from the Township Clerk’s office and a permit from the Voorhees Township Police Department.

36. Landscaping shall be maintained on a continuing basis as a condition of approval and the certificate of occupancy.

37. The inspection and testing by the Township of the work done by the applicant is solely for the benefit of the Township to determine the general quality of materials and workmanship. While the applicant may avail itself of the Township’s testing/inspection data, any decisions made by the applicant as a result of the Township’s test/inspection information shall be made at the applicant’s own risk. The applicant has the right to conduct similar tests and inspections at its own expense to satisfy its need for information and data pertaining to materials and workmanship.

38. During construction of the development’s roadway, manhole castings, valve boxes, inlet castings (except curb piece type), etc. shall be set flush with the roadway surface to avoid potential damage to vehicles and other public works equipment, such as snow plows. Prior to the construction of the final roadway surface, the castings shall be adjusted and set to final grade.

39. The applicant/owner is to be advised that the development of this property is to proceed in accordance with the approved plans and it is its responsibility to do so and obtain all necessary permits, inspections and other approvals which may be necessary to ultimately obtain a certificate of occupancy, and/or acceptance of the improvements.

40. The applicant/owner is responsible for obtaining all the permits and approvals necessary to construct the project/development and the variance improvements. (Copies of all permits and approvals shall be filed with the Board.)

41. A two (2) year maintenance guaranty (complying with N.J.S.A. 40:55D-53) in the amount of 15% of the cost of improvements shall be provided to the Township upon acceptance of any improvements by the Township.

42. All street name signs, stop signs, miscellaneous traffic signs, etc. are to be installed by the applicant/owner upon a construction of a street’s hard surface base course and/or upon the direction of the Township.

43. The applicant/owner shall construct the required improvements within two (2) years (or as determined by the Township) of the final approvals date, or the Township may elect to construct the improvements at the expense of the applicant/owner.

44. All municipal utility easements shall be expressly dedicated to the Township of Voorhees.

45. As appropriate, the applicant/owner shall prepare the necessary deeds or agreements conveying such real estate, right-of-ways, easements, improvements, etc. to the Township for acceptance by Township Committee. Upon final approval and prior to the issuance of a zoning permit, such conveyances shall be done by Deed and recorded in the county clerk’s office, after having been reviewed and approved by the Township Engineer and Board Solicitor.

46. The stormwater management facilities shall be constructed immediately upon the initial development of the property and completed to the extent necessary to properly manage the stormwater run-off in accordance with the parameters of the design and within the intent of the approval of the Board.

47. The fulfillment of all conditions precedent shall be reported, in writing, by the applicant to the secretary of the reviewing board granting such conditional approval, and the secretary may cause such reports to be verified in an appropriate manner.

48. Only upon fulfillment of all conditions precedent shall any subdivision or site plan be signed and/or any required building or zoning permit be issued.

With no further comments from the Applicants or their professionals, and no further comments from the public, the public portion was closed.

Mr. Cohen made a motion to approve the application as read and amended by Mr. Platt and Mr. Matlack; seconded by Mr. Cupersmith.

Ayes: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Senges.

Nays: None

Seeing no further business Mr. Senges makes a motion to adjourn, seconded by Mr. Cupersmith.

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 Corrine Tarcelli

 Zoning Board Secretary