VOORHEES TOWNSHIP PLANNING BOARD MINUTES MAY 8, 2019\_\_\_\_

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. Nicini,

Mrs. Sytnik, Mr. Schallenhammer, Mr. Brozowski

Absent: Mr. Vandegrift, Mr. Kleiman

Also present was Mr. Alen Arnautovic, Board Solicitor, Mr. Rakesh Darji, Board Engineer

MEMORIALIZATION OF RESOLUTIONS

APPROVAL OF MINUTES

NEW BUSINESS

FOSTER SQUARE DE 1 LLC

 MINOR SUBDIVISION

AMENDED PRELIMINARY & FINAL SITE PLAN

BLOCK 150.01; LOT 3 & 6

PC# 19-004

Appearing before the board was Richard Goldstien, Esquire, applicant’s attorney, Daniel Disario, applicant’s engineer, Yaacov Sanzer, director of acquisition applicant, and Yank Gelbwachs property manager applicant.

Mr. Goldstein gives a brief description of the application. He states the applicant is seeking amended preliminary and final major site plan approval and that the lots were originally approved in 2006 as part of the redevelopment of the Voorhees Town Center. Those approvals have been extended since then by virtue of the permit extension act and also by extensions granted by the Planning Board. Mr. Goldstein also states the last of the extensions will expire on June 30, 2019. He states that in regards to Lot 6 which was originally approved to be multifamily condominiums, three buildings with 36 units in each building, totaling 108 units. He also states building #3 was constructed by the prior owner of the complex and buildings #1 & #2 of Lot 6 were never constructed. Mr. Goldstein informs the board that in June 2013 the Planning Board agreed at the request of the prior owner that building #3 could be rental units as opposed to condominiums as a result of existing market conditions.

Mr. Goldstein states that the applicant before the board this evening purchased Foster Square in April 2019 and would now like to complete the development as originally approved in 2006 with some minor site modifications. He explains that the original plan included a second swimming pool between buildings 1 & 2 and that the applicant is now proposing to replace the pool with an open air lounge area with a fire pit as an additional tenant amenity. The modifications to the plan will provide .125 acres of increased impervious coverage. Mr. Goldstein also informs the board that in October 2014 the previous owners received approval for a 50ft x 25ft dog park which was never built and that the current owners would like to include that as an added amenity with the current application.

Mr. Goldstein states that the applicant is also seeking minor subdivision approval for Lot 6. This Lot currently consists of 5.979 acres and the applicant is proposing to subdivide it into three separate lots so the existing building #3 along with the proposed building #1 & #2 will all be on their own separate lot and that this is being requested for financing purposes. He also states that the applicant is proposing that buildings #1 & #2 be residential units due to current market conditions.

Mr. Yaacov Sanzer, the Director of Acquisition of the applicant testifies in support of the application.

He states they own over 40 properties throughout the northeast corridor. He testifies that the applicant is seeking to construct two additional buildings to consist of rental units and to subdivide the property for financial reasons and due to market conditions. He confirms that all 11 buildings will under the same management company and clarified that the condominium regime would be terminated on Lot 6.

Mr. Sanzer confirms that the proposed 2 buildings will be constructed at the same time and as for the dog park it will be developed for the exclusive use of the apartment residents. Mr. Sanzer also explains that the applicant could not manage the maximum number of permitted dogs or attempt to control separate schedules for large or small breeds. He also confirms the fire pit is for residents and guests only.

Mr. Sanzer explains the allocation of the number of bedroom for the two new buildings. He explains that due to the market conditions they are proposing that each building contain twenty one (21) one bedroom units, fifteen (15) two bedroom units and reduce the number of three bedrooms to zero. He also states the current footprint of the actual buildings would not be modified and the only external change would be a reduction in the footprint of the third floor. The proposed allocation will bring the property more into compliance.

Mr. Yanky Gelbwachs testifies regarding trash disposal procedures. He states there are trash rooms with trash shoots on each floor of each building. The trash and recycling is picked up twice a week by a third party contractor in dumpsters in the bottom of the buildings

Mr. Daniel Disario the applicant’s engineer gives a brief summary of the application. He states it is a completion of what was previously approved. The two buildings would house 36 rental units and have access from Abitare Blvd. He states both buildings would have access to under building parking along with surface parking. He also states the applicant is proposing additional parking and that the design and circulation will operate safely and efficiently. He states all the utilities are already in place. He states the applicant is complying with all the comments of the engineers’ review letter with the exception of the sewer.

Mr. Goldstein states there has been discussion regarding the comments raised by the Sewer engineers’ review letter dated May 6, 2019. He states buildings 1 & 2 do not have sewer availability and construction of those buildings would not commence if sewer improvements are not authorized. He also states the applicant as a condition of approval agrees to obtain TWA permits and sewer connection fees. He also stated that the Township is in discussion with the Town Center developer regarding sewer connection fees and that the applicant could not commit to construction of the sewer improvements as it was too onerous for a development of this size.

Mr. Goldstein states the applicant is will comply with the COAH requirements. He also states the applicant will continue the obligation of school transportation costs.

The meeting is opened to the public.

Mary Evans

111 Echelon Rd

Voorhees, NJ

Ms. Evans is a member of the Board of Directors for Heritage Grove and has concerns regarding drainage and sewer cleanouts. She requests the management company better coordinate maintenance of stormwater and sewer management issues.

Seeing no further public comments Mr. Nicini makes a motion to close public portion; seconded by

Mr. Rashatwar. Motion carries by the assenting voice vote of all present board members.

Mr. DiNatale makes a motion to grant Minor Subdivision and Amended Preliminary and Final Site Plan approval and relief from the condition of prior approval granted by virtue of Resolutions 06-022 and 06-037 to permit the construction of two buildings on lots 6.01 and 6.02 to be rental units as opposed to the originally approved condominiums with the following stipulations/conditions:

1. The applicant shall comply with prior approvals.
2. The applicant shall not commence construction of the apartment buildings on Lot 6.01 and 6.02 until sewer improvements for the buildings are authorized by the Township and construction of the sewer improvements have actually started.
3. The applicant shall pursue TWA permits.
4. The applicant will comply with all COAH obligations.
5. The applicant shall obtain all outside agency approvals.

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

AYES: Mr. DiNatale, Mr. Nicini, Mr. Rashatwar, Mr. Ravitz, Ms. Stroemel, Mrs. Sytnik,

 Mr. Schallenhammer, Mr. Fanelli

NAYS: None

LIDL US OPERATIONS, LLC

MINOR SUBDIVISION

PRELIMINARY & FINAL SITE PLAN

PC# 17-017

Mr. Ravitz recused himself from this application.

Appearing before the board is Mr. Damien DelDuca, attorney; Mr. Ben Crowder, engineer; Mr. Myles Sword, Real Estate Manager for LIDL, Mr. Stephen Fortwangler, architect, Mr. John Harter, traffic engineer; Mr. Creigh Rahenkamp, planner.

Mr. DelDuca states the applicant had previously presented this application at the April 10, 2019 Planning Board meeting. He informs the Board the applicant has submitted revised plans that include three specific changes to the original plan. He states due to the concerns by the Board and the public the applicant has converted the western access drive proposed on Lafayette Avenue to a right-in/right out driveway. Mr. DelDuca also states the applicant has replaced the free standing sign with a brick monument sign. He further states that the applicant has shifted the Route 73 driveway approximately

160 feet south of its original position and will comply with NJDOT requirements. He introduces

Exhibits A-10 and A-11 which describe the above.

Mr. Crowder testifies regarding the monument sign. He states the sign is 20 feet tall and has an area of 165 square feet. He states it complies with all height and setback requirements. Mr. Crowder also testifies that the applicant has shifted the driveway on Route 73 approximately 160 feet south of the original proposed location and that the western entrance on Lafayette was converted from a full access drive to a right in/right out entrance. He also states that signage prohibiting left turns and a pork chop will be installed to discourage left turns on the western entrance of Lafayette Avenue. Mr. Crowder also testifies that the applicant will install radar speed control signs on Lafayette Avenue in response to the letter from the Voorhees Township Police Department dated May 7, 2019.

The meeting was opened to the public.

Mr. Baron appears on behalf of Mr. Cianfari, Ms. Moreira and Mr. Anderson. Mr. Baron cross-examines Mr. Crowder regarding the proposed subdivision line and asks if it could be shifted north to comply with the parking setback and impervious coverage requirements. Mr. Crowder testifies that due to the ownership and financial reasons it did not serve Lidl to move the line because they only planned to utilize only a small portion of the overall tract. He also states that the subdivision lines would not be noticeable because the overall tract would be developed to function as a single integrated shopping center.

Mr. Harter the applicant’s traffic engineer testifies on behalf of the application. In response to Mr. Baron’s cross examination Mr. Harter states that he did not consider information from the Police Department concerning accidents on Lafayette because it was not requested by the Planning Board professionals. He states he does not find it necessary to widen Lafayette Avenue and that drivers had adequate time to adjust their speed when coming off Route 73 onto Lafayette Avenue. Mr. Harter testifies that Lafayette is a County right of way and that the County has already granted the applicant conditional approval. He confirms the western driveway was modified due to the safety concerns raised during the April 10, 2019 meeting.

Mr. Rahenkamp the applicant’s planner testifies in response to Mr. Baron’s cross examination. He states that the concept of an internal/financial subdivision are commonly designed and utilized by retail owners and operators. He states that to require internal buffers and setbacks for lots within a site would contradict the master plan. He states the variances requested are not a detriment.

Mr. DelDuca summarizes the variances requested and states the benefits would substantially outweigh the detriments. He states that moving the internal subdivision line would not further advance land use planning. Mr. Baron argues that the applicant failed to demonstrate the benefits and that most of the variances being requested could be eliminated if the internal subdivision line is moved.

Mr. Nicini makes a motion to close public portion; seconded by Mr. Rashatwar. Motion carries by the assenting voice vote of all present board members.

Mr. Rashatwar motions to grant preliminary and final major site plan approval and minor subdivision approval to permit the construction of a 25,656 square foot LIDL grocery store together with certain variances and waivers located in Block 272; Lots 4 and 5 with the following conditions/stipulations:

1. The applicant has agreed that as a condition of approval the single row of parking on the northern perimeter of proposed Lot 4.01 shall have bollard posts with chains installed and said bollard posts may be removed after Lot 4.02 is developed.
2. The applicant has agreed that all truck delivery and trash pickup traffic will be handled utilizing the proposed one way in/one way out access drive from Route 73 on Lot 4.02.
3. The applicant will make a monetary contribution to the Voorhees Township Open Space Fund at a rate of $200.00 per tree.
4. The applicant will comply with the Voorhees Township Police Department’s letter dated May 7, 2019 and install radar speed control signs on Lafayette Avenue.
5. The applicant will comply with the Board Engineer’s review letter dated April 8, 2019.
6. The applicant will comply with the Township Sewer Engineer’s review letter dated April 2, 2019
7. The applicant will comply with all the comments of the Fire Department’s review letter dated May 5, 2019.
8. The applicant will obtain all outside agency approvals.
9. The applicant will comply with the Affordable Housing obligations.

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Wendy Flite

Planning Board Secretary

Voorhees Township

Minutes prepared by Wendy Flite. The minutes are intended to reflect the basic comments and action. Verbatim transcripts of all electronic recordings can be available upon proper request and payment.