VOORHEES TOWNSHIP PLANNING BOARD MINUTES MAY 24, 2023\_\_\_\_\_\_

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. Schwenke, Mr. Schallenhammer, Mr. Rashatwar, Mr. DiNatale, Mr. Nicini, Mr. Brzozowski

Absent: Mr. Ravitz, Mr. Kleiman, Mr. Kleinman, Mr. Brocco, Mr. Stein

Also present is Chris Norman, Board Solicitor, Rakesh Darji, Board Engineer

Mr. Norman swears in Mr. Darji as Board Engineer and Mr. Rohan Tadas, LSRP from Environmental Resolutions as well.

APPROVAL OF MINUTES

Mr. Nicini makes a motion to approve the minutes dated May 10, 2023; seconded by Mr. Rashatwar. Motion is carries by the assenting voice vote of all present board members with the exception of

 Mr. Schwenke, Mr. DiNatale, Mr. Schallenhammer, Mr. Brzozowski abstained.

NEW BUSINESS

Cherry Hill Plazas, LLC

Amended Final Site Plan

100-118 White Horse Road

Block 150.04; Lot 8.03

Action Date: 8/29/23

PC# 23-010

Mr. Schallenhammer recuses himself from the application.

Appearing before the Board is Mr. Matthew Wieliczko, attorney, Mr. Mike Avila, engineer, Mr. David Shropshire, traffic engineer and Mr. Matt Rettner, applicant.

Mr. Wieliczko gives a brief overview of the application. He states the applicant is seeking Amended Preliminary and Final Major Site Plan along with bulk variances and design waivers along with Change of Use approval for the endcap unit which was previously an Allstate Insurance office but has been vacant since 2022. The proposed is a Fruggie Juice and Bowls or other replacement retail tenant. The Fruggie Juice or replacement retail tenant will have eight restaurant seats and two employees requiring five parking spaces to Unit #1.

Mr. Wieliczko states the applicant purchased the property located at 100-118 White Horse Road in 2006. The existing 60,585 square foot multi-tenant strip center known as Plaza Shoppes is located in the TC (Town Center) Zoning District. The site has a single, full movement driveway that access parking lots in the front and rear of the site. The site has 51 designated parking spaces in the front. The applicant is seeking to restripe the rear parking lot to provide 23 spaces. He states the applicant is also seeking approval to eliminate 3 spaces along the northerly perimeter and replace them with 24’ X 12’ dumpster which will provide a consolidated location for tenants waste disposal. Mr. Wielczko also informs the Board that the applicant is not proposing any modifications to the front parking area or any other site improvements and is also eliminating the proposed storage container that was part of the original application submission.

Mr. Rettner testifies that the strip center has many smaller retail tenants along with some restaurants. He states he is always willing to work with his tenants in order to keep the units occupied. He informs the Board that during the pandemic and even a fire he strived to ensure the tenants could continue to run their businesses.

Mr. Avila testifies on behalf of the application. Mr. Avila testifies that due to the undue hardship (C)(1) criteria and flexible “C” C(2) due to the limited size of the strip center parking area to the rear and the location of the building creates a hardship for the location of the trash enclosure. He also states the proposed dumpster location will promote better onsite traffic circulation and improved waste management for the tenants.

Mr. Avila testifies that the one large dumpster will consolidate trash service and replace many smaller trash receptacles each of which take up space and to be individually serviced therefore such site improvements will increase the overall parking to 52 spaces. Mr. Avila states no shed is being proposed and the applicant is looking to seal coat and restripe the parking.

Mr. Shropshire testifies on behalf of the application. He testifies that the proposed tenant Fruggie Juice and Bowls or other replacement tenant will have eight (8) restaurant seats and 2 employees requiring 5 parking spaces for Unit 1. Mr. Shropshire testifies that additional parking does not exacerbate previous conditions as Unit 1 was previously an All State Insurance Office. He also testifies that the peak parking demand is 47 vehicles ehile Unit 1 is vacant and the proposed 52 parking spaces will accommodate the occupancy of this additional tenant.

Mr. Darji states he has no objection to the requested parking variance and the change of use approval. He also states that Philly Hot Pretzel has no seating and is take out only limiting its parking demand. Mr. Darji states the applicant has operated with 51 parking spaces without any parking issues over the years. Mr. Darji testifies he does not object to granting the bulk variances for the trash enclosure and design waiver from the non-residential buffer requirement. Mr. Avila has agreed to coordinate with Mr. Darji’s office regarding the additional sidewalk along the White Horse Road frontage.

Seeing no further comments Mr. Schwenke opens the meeting to the public. Seeing no public comment 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 Amended Preliminary and final Major Site Plan approval with bulk variances and design waiver along with Change of Use to permit Fruggie Juice and Bowls or other replacement retail tenant at Unit 1 for the property located at 100 White Horse Road, Block 150.04; Lot 8.03 with the following conditions/stipulations:

1. The applicant shall comply with the recommendations in the Board Engineer’s review letter dated May 16, 2023.
2. Applicant shall remove the proposed storage container from the site plan.
3. Applicant will coordinate with the Planning Board Engineer on the extension of sidewalk along the White Horse Road frontage to the extent possible.

Motion seconded by Mr. Rashatwar. Motion carries by the following roll call vote:

AYES: Mr. DiNatale, Mr. Rashatwar, Mr. Nicini, Mr. Brzozowski, Mr. Schwenke

NAYS: None

ABSTAIN: None

DEVEL, LLC

PRELIMINARY AND FINAL MAJOR SUBDIVISION

1 DEANES AVE

BLOCK 206; LOT 12

PC# 22-023

ACTION DATE 5/31/23

Mr. DiNatale recuses himself from this application.

Mr. Schallenhammer returns to his seat on the board.

Mr. Norman informs the public this is a continuation of the previous meeting therefore they will not be repeating the previously given testimony unless there is an issue with it but this hearing is to discuss the environmental issues which is what was outstanding.

Appearing before the Board is Mr. Samost, attorney, Mr. Rick Clemson, engineer, Mr. David Shropshire, traffic engineer and Ms. Sonya Ward, Professional Geologist/LSRP

Mr. Samost states the property I located adjacent to the Township and General Electric’s portions of the Buzby Landfill. He gives a brief background of the application and informs the Board that when the application was previously reviewed issues arose regarding the potential need for vapor barriers in each of the homes. Mr. Samost states it is his understanding that there were trace amounts of contaminants found in ground water and the significant amounts of pollutants were found in the lower aquifers that would not be impacted by the development of the site.

Mr. Samost also states there was a soil gas issue that was uncovered and as a result during the prior approval they agreed to install vapor barriers in each of the homes. Mr. Samost states they did provide information to GE in 2016 with copies of reports in the hopes to meet with them and obtain their cooperation to work together to solving any problems that may exist, they refused to meet with them therefore there has not been any follow up conversations between the two parties. Mr. Samost states they did try to contact the LSRP for the site a month or two ago relating to issues of environmental matters that had come up but has not heard back from them. He states it has come to his attention that the LSRP did reach out to the Township’s Engineer this evening suggesting there is a need for information about the site. Mr. Samost states he will provide any plans or any information they are requesting.

Mr. Samost states there is a legal issue regarding the LSRP’s jurisdiction along with DEP and EPA role making it difficult to move forward in development and believes it is the responsibility of the owners of the landfill.

Ms. Ward testifies on behalf of the application. She provides responses to ERI’s review letter regarding environmental issues. She states the LSRP assigned to the site is responsible for the remediation of the site. She also states Mr. Tadas had made contact with that individual and is hoping they will also be able to coordinate with the individual as well. She states the vapor barrier systems will be installed to either operate passively or actively and that they will be vented. Ms. Ward testifies that continued testing would be required and also full disclosure would be provided to buyers of the homes.

Mr. Samost states the Township will seek approval from DEP to reinforce the existing stone path along the perimeter of the landfill and installing a gate for construction access opposed to utilizing the roads in the existing development.

Mr. Schwenke has concerns regarding the disturbance of land during construction and any monitoring that would done. Mr. Ward states they will install a perimeter air monitoring system and also test to come up with a baseline to compare.

Mr. Schallenhammer would like to know if there are contaminants found in soils during construction. Mr. Samost states they will follow all DEP regulations regarding contaminated soils.

Mr. Samost states that MR. Ford was the project manager and is familiar with the project however is unable to attend.

Mr. Clemson clarifies some of the questions regarding the depth of contamination along with Ms. Ward

Ms. Ward states she has a report from DEP from 2021 regarding the landfill.

Mr. Schallenhammer is concerned with the effects this development will have not only on potential buyers but also the residence of the existing development.

Mr. Tadas states the 2021 report that was prepared by the Landfills LSRP would need to prepare its biennial report in 2023. It his recommendation that the Township requests a copy of that report from the LSRP. Mr. Tadas also recommends that the applicant install a bifurcation system to divert contaminated groundwater away from the site.

Seeing no further testimony Mr. Schwenke opens the meeting to the public.

Dale Brooks

73 Timberline Drive

She is concerned that the construction will stir up contamination and the effects on adjacent neighbors.

Tom Kenny

22 Wilderness Drive

Mr. Kenny is concerned if testing included methane gas. He states it only tests ground water.

Harry Monolkian

21 Wilderness Drive

He is concerned with the environmental impact this development will have.

Meredith Schott

26 Wilderness Drive

She is concerned with the soils that were from the sample home and testing considering it is in a pile.

Al Rucci

19 Wilderness

He has questions regarding the system that is installed in the sample home and how is it monitoring if there is o electric on at the property.

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

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

Mr. Nicini makes a motion to continue this application to the July 12, 2023 meeting and extending their action date to July 31, 2023 and no further notice is required. Motion seconded by Mr. Schallenhammer. Motion carries by the following roll call vote:

AYES: Mr. Nicini, Mr. Schallenhammer, Mr. Brzozowski, Mr. Rashatwar, Mr. Schwenke

Seeing no further business Mr. Schwenke adjourns the meeting.

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

Wendy Flite

Voorhees Township Planning Board Secretary

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