

May 7, 2019

MINUTES OF THE PLANNING BOARD OF THE TOWNSHIP OF PENNSAUKEN

The meeting of the Planning Board of the Township of Pennsauken, County of Camden, State of New Jersey was held on the above date at the Pennsauken Middle School, Park Avenue, Pennsauken, New Jersey.

Chairwoman Trudy Painter called the meeting to order at 6:30 P.M. Roll call showed the following members to be present: Larry Cardwell, Michael Dreger, Jim Talarico, Dennis Cowgill, Joe Blinberry, Shakir Ali and Chairwoman Trudy Painter, constituting a quorum. Also present were: Doug White, Engineer; John Adams, Planning and Zoning Coordinator; Frank Piarulli, Solicitor; and Mary Leonard, Secretary.

Chairwoman Trudy Painter announced the meeting was being held in compliance with the Open Public Meeting Act of New Jersey and had been duly advertised. The Chairwoman led the flag salute.

Site Plans and Minor Subdivision

7411 Maple LLC, 7411 Maple Avenue, Block 4210. Lot 8, Zoning District: C-1. New Family Dollar.

Joseph Paparo, Esq. 100 Southgate Parkway, PO Box 1997, Morristown, New Jersey 07962-1997 represented the applicant.

The applicant appeared at the December 4, 2018 Planning Board meeting. They submitted revised engineered site plans, architectural plans, a stormwater report and other related documents for the application. The Planning Board Engineer, Doug White, issued a review letter dated January 23, 2019 and the applicant subsequently re-submitted new plans and documents on February 13, 2019. A public hearing was started on February 26, 2019 and was continued until the May 7, 2019 meeting. Revised plans and documents were resubmitted on April 9, 2019.

The applicant's attorney, Joseph Paparo, presented an overview. Variances and Design waivers were requested.

The changes include different dimensions for the building, different setback dimensions, rearranged parking lot layout, and the addition of a drainage basin along the east side of the property. The landscaping plan also has been changed.

The applicant proposes to develop the site as a new commercial store with an onsite parking lot. The existing site is vacant although it is paved and has been used as a parking lot in the past as a part of the prior Holman Group operations.

Brian Cleary, Project Engineer, 497 Center Street, Sewell, New Jersey 08080, Richard Dunn, Vice President of Operations, Paramount Assets, 142 Broad Street, 2<sup>nd</sup> Floor, Elizabeth, New Jersey 07201, Elizabeth Dolan, Consulting Engineer, 181 West High Street, Somerville, New Jersey 08876, John Adams, Planning and Zoning Coordinator, and Doug White, Planning Board Engineer, were sworn in by Chairwoman Painter.

A variance for parking was requested for 30 parking spaces, 76 spaces are required. A variance for parking stalls was requested 22 parking stalls would be 9' x 18', where 10' x 20' dimensions are required. Another 6 stalls would be 9' x 20'. The remaining 2 parking stalls are for handicap parking and measure 8' x 18'. The ordinance requires handicap parking spaces to be 12' x 20'. The two ADA spaces meet ADA requirements even though they do not meet the Township Ordinance requirements.

A Design Waiver was requested from providing at least 100' from the intersection to the driveways. The Maple Avenue driveway is 93' from the corner. The Burling Avenue driveway is 75' from the corner. The driveways can be evaluated using the access and turning templates shown on the plans.

The front yard setback – 40' is required where parking occurs in the front yard of 10'. The applicant has designated Burling Avenue to be the front of the site. The plans set the building 143' from the Burling Avenue ROW line. No variance is required. The Maple Avenue frontage is considered a side yard and the plans do not contain parking within the 10' dimension nor within the spaces between the building and the ROW. The 10' setback requirement remains in place. The building is now set 18' from the nearest ROW line so it appears to meet the setback requirement.

The rear yard setback required 35'. The current plans set the building at 35' from the eastern property line which is considered to be the rear yard based on the store front facing the west – Burling Avenue.

John Adams, Planning and Zoning Coordinator, stated this application is a permitted use.

Brian Cleary, Project Engineer, stated he agreed with Doug White's letter dated April 12, 2019. The ditch will be removed. There will be a 35' set back. They will add evergreen trees. The trash enclosure will be relocated. There will be additional landscaping provided.

Mr. Cleary presented an aerial site, which was marked as Exhibit A-5. A rendering plan and aerial picture showing the surrounding area which was marked as Exhibit A-6. The truck turning radius was shown and marked as Exhibit A-7. The turning template and parking area was shown and marked as Exhibit A-8.

Mr. Cleary stated the dumpster will be easily accessible and will be emptied on off peak hours.

The plans show a single trash enclosure area located in the front (southwest) corner of the site. The enclosure will contain a dumpster and recycling containers. There will be a 6' high wooden board on board fence with a gate and bollards inside. The enclosure is over top of a concrete pad area that is adjacent to the pylon sign. They are providing 30 parking spaces. Mr. Cleary stated there is adequate parking.

A WB-67 truck is shown on the plan showing the running template indicators for a truck to come through the side. The applicant is to show the path of the truck and cab as it leaves the parked position and attempts to leave via Burling Avenue. The size of trucks used will be WB-67, WB 50 and WB-40. The larger truck will deliver once a week.

There will be four employees on each shift. Mr. Cleary stated they could not add an additional driveway on Maple Avenue.

Doug White, Planning Board Engineer, reviewed his letter dated April 12, 2019 and the revised plans. A Site Analysis waiver was requested. There are no trees on the site except on the curb line. There are a few large trees along the perimeter of the site facing the frontage roadways. One of the trees along Burling Avenue is designated on the plans to be removed in order to widen the driveway. The site does not lie within any 100 year Floodplain as show on FEMA maps and the Township maps. There are no wetlands. This proposed project does not involve more than an acre of disturbance. It is not considered a Major Site Plan.

John Adams stated the applicant has provided notifications and proof of publication.

The applicant stated hours of operation will be either 8:00 A.M. to 8:00 P.M. or 9:00 A.M. to 9:00 P.M. seven days a week.

The application will be filed by deed.

Runoff from the existing paved parking lot on the adjacent Lot 8 will now run along the property line east of the new building. The grading plan is to provide a stable area (stone area) where that concentrated flow will enter the basin. The downspout outlets should have a stable stone feature.

Mr. Cleary stated there will not be any electrical transformers on the site. The Site Plan will show how the loading zone painted markings will be applied and how they will impact the adjacent parking areas.

The plans indicate a 100 year elevation of 72.07 in the basin which will cause water to back up onto the adjacent Lot 8 parking lot. The applicant will try to obtain an easement or revise the back up of water. A sign for "No truck traffic to turn right" will be added at the Burling Avenue exit lane.

Michael Dreger questioned the distance of the building from Maple Avenue. The applicant replied 18' from right a way line (from curb line).

Larry Cardwell questioned if the trash will be picked up on off park hours. The applicant replied yes.

Joe Blineberry questioned truck parking. The applicant replied there will no parking on Burling Avenue from the driveway to Maple Avenue.

Dennis Caldwell questioned when deliveries will be made. Mr. Cleary replied deliveries will be made between 9:30 A.M. and 11:30 A.M.

Jim Talarico questioned when the trash truck would pick up the trash. The trash will be picked up once a week. The large truck will deliver once a week and the other vendors will deliver by box truck.

Chairwoman Painter questioned the drainage and if there would be water on the pavement area or the residential area on Burling Avenue.

#### Public

Chairwoman Painter opened the meeting to the public.

Bradley Davis, 4613 Arrison Court, Pennsauken, New Jersey 08109 was sworn in by Chairwoman Painter. Mr. Davis presented a report opposing the application, which he read into the record. He stated the store does not face a main artery. There isn't adequate parking with easy ingress and egress to the store. He disagreed with the variances and stated concerns over safety issues. His full report can be reviewed at the Planning Board office.

Steven Shore, 7330 Maple Avenue, Unit #137, Pennsauken, New Jersey 08109 was sworn in by Chairwoman Painter. Mr. Shore opposed the application stating concerns over safety.

Thomas Huder, 7330 Maple Avenue Unit #117, Pennsauken, New Jersey 08109 was sworn in by Chairwoman Painter. Mr. Huder questioned how high was the building. The applicant replied 21'. He questioned if the lighting will shine onto his property. Doug White replied they are downward pointing lights and have 0.2 candle lighting.

Jenny VanPelt, 7356 Rudderow Avenue, Pennsauken, New Jersey 08109 was sworn in by Chairwoman Painter. Mrs. VanPelt opposed the application. She stated she bought her house 4 1/2 years ago and she and her neighbors park behind their homes. She expressed concern over litter, noise and mischief and that the customers of the Dollar Store would use the easement behind her house. She further stated the building does not fit in the area and it will make the area unsafe.

Jane Yavis, 7100 Rudderow Avenue, Pennsauken, New Jersey 08109 was sworn in the Chairwoman Painter. Mrs. Yavis opposed the application expressing safety concerns

Stefanie Tocco, 7402 Rudderow Avenue, Pennsauken, New Jersey 08109 was sworn in by Chairwoman Painter. Mrs. Tocco opposed the application expressing safety concerns. She further stated truck deliveries usually don't keep within the hours that have been indicated.

The public portion of the meeting was closed.

Joe Blineberry questioned would happen to the snow when removed if it was a large amount of snow. The applicant replied it would be removed from the area.

Attorney Paparo thanked the Planning Board members for their time in reviewing the application. This is a permitted retail use and has variances requested. It is a commercial use in a commercial zone. The area has been a vacant lot for a long time.

Solicitor Piarulli conducted fact finding. The Solicitor stated this is a permitted use and is consistent with the ordinance. The safety issues concerns were mainly about truck deliveries. The site is being subdivided and meets requirements. It is a complete application and has been advertised and notifications were sent.

The Design Waiver request of the applicant for 100' minimum set back from the intersection for entrance and exit of the site was requested. The applicant must have 100' from the intersection to the beginning driveway. This can not be met because it will take away a parking space. The applicant can not meet 100' from the intersection to the beginning of the driveway. Therefore, the waiver was requested. The waiver was denied on roll call vote. The vote was as follows: Jim Talarico no, Joe Blineberry no, Dennis Cowgill yes, Larry Cardwell yes, Michael Dreger no, Shakir Ali yes, Chairwoman Painter no.

The variances were approved unanimously on roll call vote. The subdivision also was approved unanimously on roll call vote.

The Solicitor requested another vote on the waiver, and it was denied on roll call vote with the following members voting as follows: Jim Talarico no, Joe Blineberry no, Dennis Cowgill yes, Larry Cardwell yes, Michael Dreger no, Shakir Ali yes, Chairwoman Painter no.

Jeffrey Baron, Esq. representing Paramount Assets LLC, requested a motion for reconsideration of the denial of the waiver. The applicant can not comply. He stated he would submit a brief to the Planning Board for consideration and requested to table the application. The Planning Board members agreed to continue the application until June 25, 2019 at 6:30 P.M. at the Municipal Building, 5605 Crescent Boulevard, Pennsauken, New Jersey. The motion carried unanimously on roll call vote.

The meeting was duly adjourned on motion at 9:40 P.M.

Respectfully submitted,

  
Mary L. Leonard

Secretary