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PLANNING BOARD
Monday, July 20, 2020
APPROVED MINUTES

OPENING: The meeting was called to order by Chairman John Osorio at 7:31 PM.

PLEDGE OF ALLEGIANCE: Led by John Osorio.

OPMA STATEMENT: Read by John Osorio in compliance with the Sunshine Law and per the New Jersey Department of Community Affairs' (NJDCA) Guidance for Remote Public Meetings in New Jersey (N.J.S.A. 10:4-9.1 (P.L. 2020, c.11)).

ROLL CALL

- **Members in attendance:** Ann Madden Tufano; Steve Musilli; Michele Golkow; John Osorio; Sheila Griffith; Marlyn Kalitan; and Alise Panitch.
- **Professionals in attendance:** Cosmas Diamantis, Esq., Secretary; Natalie Shafiroff, PP, AICP, Alternate Secretary; Jacob Richman, PP, AICP, Alternate Secretary; James Burns, Esq., Solicitor; and Stacey Arcari, PE, PP, CME, PTOE, Planning Board Engineer.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from July 6, 2020. John Osorio made a motion, which was seconded by Sheila Griffith, to adopt the Meeting Minutes from July 6, 2020. Affirmative votes by Tufano, Golkow, Osorio, Griffith, Kalitan, and Panitch. Minutes are approved.

Agenda Items:

18-P-0020

Charles W. Foulke, Jr.

Block(s) 137.01 Lot(s) 1, 2, 3, and 4
1708 Route 70 West, 1313 Wynwood Ave,
1315 Wynwood Ave, and 1205 Chambers St
Zone: Highway Business (B2)
Cherry Hill, NJ

Relief Requested: A preliminary and final major site plan with bulk (C) variances and lot consolidation to demolish the existing residential structures, consolidate three (3) lots (Lots 2, 3 and 4) into the primary lot (Lot 1), and develop seventy-five (75) new employee parking spaces for the Cherry Hill Triplex along with various site improvements.

Applicant's Representatives: Kevin Sheehan, Esq. – Applicant's Attorney; Larry DiVietro, PE – Applicant's Professional Engineer; Andrew Hogg, PE – Applicant's Professional Engineer; David Horner, PE, PTOE – Applicant's Professional Traffic Engineer; and Charles W. Foulke, Jr. – Applicant & Owner.

Mr. Diamantis announced that the application for Charles W. Foulke, Jr. (#18-P-0020) scheduled for tonight's meeting has been adjourned to the Planning Board meeting on August 3, 2020 and that no new public notice is required by way of this announcement.

The Plaza at Cherry Hill

Block(s) 285.03 Lot(s) 2 and 3
2100-2110 Route 38
Zone: Shopping Center Business (B3)
Cherry Hill, NJ

Action Requested: Review, consider, and make recommendations to Cherry Hill Township Council as to whether the proposed area located at 2100-2110 Route 38 (Block 285.03, Lot(s) 2 and 3) qualifies as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14.

Exhibits Submitted: Report titled, "Determination of Need of An Area in Need of Rehabilitation."

Discussion: Recommendations on whether to designate The Plaza at Cherry Hill as an Area in Need of Rehabilitation.; located at 2100-2110 Route 38, Cherry Hill, New Jersey (Block 285.03 Lots 2 & 3). The properties are owned by UE 2100 Route 38, LLC.

Application was represented by:

- Ferdinando Micale, PP, AICP, FAIA – Principal, LRK, Inc.

Ferdinando Micale, of LRK, Inc., was sworn in as the expert witness in providing the details for the recommendations for the Area in Need of Rehabilitation for The Plaza at Cherry Hill. Specifically, Mr. Micale testified that he created the recommendations based on his rehabilitation investigation as shown in his report, dated June 17, 2020, that was provided to the Board prior to this meeting.

Mr. Micale gave an overview of the subject area, The Plaza at Cherry Hill, which is a retail only shopping center between Church Road and Route 38 as well as Mall Road. Mr. Micale stated that the Local Redevelopment and Housing Law (LHRL) allows for a designation of an Area in Need of Rehabilitation provided certain criteria is met. In this case, Mr. Micale stated that the subject area meets at least two (2) of the possible criteria which relates to infrastructure greater than fifty (50) years old as well as that it shows a pattern of vacancy, abandonment, or underutilization.

Mr. Micale stated that this designation would allow the Township to work with the developer of the property (also the owner) to develop a plan for the site. Mr. Micale stated that the goals of rehabilitation area are consistent with the goals of the Master Plan which also comply to the State Plan.

Mr. Osorio asked if the forthcoming site improvements would also involve a reconfiguration of the roadways. Mr. Micale stated that this kind of planning work on the site plan has not taken place yet; however, they would focus on whether access and circulation needs addressing. Mr. Diamantis confirmed that some of the tenants would remain but that they would look to attract new tenants. Ms. Shafiroff noted that outside agencies such as NJDOT and Camden County will be part of the discussions. Mr. Micale provided a more detailed overview of the site area via the exhibit Report titled, "Determination of Need of An Area in Need of Rehabilitation."

Public Discussion: Rena Margulis of 28 School Lane noted that the most recent Area in Need of Rehabilitation was Kennedy Hospital (now Jefferson) and asked the Board what can stop other shopping centers with infrastructure older than fifty (50) years to ask for a designation as an Area in Need of Rehabilitation. Mr. Diamantis stated that nothing could necessarily stop them provided they make such a request and that they meet the statute's criteria. Mr. Micale stated that there are entire towns that are designated as such; however, Mr. Micale stated that until there is a redevelopment plan, the incentives of being determined an Area in Need of Rehabilitation are not enacted. Ms. Margulis followed up by asking what the goals are of the developer and if there has been any commitment by the developer to ensure that the development meets the Master Plan's goals. Mr. Diamantis stated that this will be part of the site plan development process whereas right now only the big picture is being considered. Mr. Micale noted that one of the goals is for the site to allow a mix of uses whereas the Ordinance for the Shopping Center (B3) zone only permits commercial uses. Ms. Margulis asked what the arrangement of the residential uses would look like and Mr. Burns stated that would take shape when the prepare and present a site plan. Ms. Margulis asked what the developer's investment will be and Mr. Diamantis stated that he did not know. Ms. Margulis stated that she is concerned about the developer getting a tax abatement and that she is not sure if the development will be consistent with the Master Plan. Ms. Margulis asked that if due to age of infrastructure whether the developer will be required to update the infrastructure. Mr. Diamantis stated that this would be part of the site plan review and Mr. Burns noted that this stage of considering a site as an Area in Need of Rehabilitation is an early/middle stage and that the consideration being raised are part of the later stages of the process. Ms. Shafiroff stated that future opportunities will be made available for public comment/input on future plans for the site. Ms. Shafiroff stated that based upon the forthcoming public engagement, the plan will consider those comments and their relationship to the Master Plan. Ms. Margulis questioned what the definition is of a pattern of vacancy and Ms. Shafiroff addressed the vacancy issues on the subject site. Ms. Margulis stated she is concerned that the developer may receive tax abatements and asked whether the developer would still proceed with the redevelopment of the site without those incentives. Mr. Diamantis stated that this is not the reasons that is being considered this evening but rather the site meets the criteria to be designated as an Area in Need of Rehabilitation. Mr. Burns noted that the issue concerning tax abatements will be addressed at a later date and time and added that he believes the criteria to approve the recommendation has been met.

Motion: Following the reiteration of the criteria and details of Mr. Micale's presentation by Solicitor Burns, John Osorio made a motion, which was seconded by Ann Madden Tufano, to approve the recommendation to Township Council designating The Plaza at Cherry Hill as an Area in Need of Rehabilitation. Affirmative votes by Tufano, Musilli, Golkow, Osorio, Griffith, Kalitan, and Panitch. The recommendation is approved unanimously.

Resolutions:

The Plaza at Cherry Hill

Block(s) 285.03 Lot(s) 2 and 3

2100-2110 Route 38

Zone: Shopping Center Business (B3)

Cherry Hill, NJ

Action Requested: Review, consider, and make recommendations to Cherry Hill Township Council as to whether the proposed area located at 2100-2110 Route 38 (Block 285.03, Lot(s) 2 and 3) qualifies as an area in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14.

Motion to Ratify: Following the review of the resolution and all of its conditions by the Planning Board, John Osorio made a motion, which was seconded by Marlyn Kalitan, to approve the recommendation to Township Council designating The Plaza at Cherry Hill as an Area in Need of Rehabilitation. Affirmative votes by Tufano, Musilli, Golkow, Osorio, Griffith, Kalitan, and Panitch. The resolution is memorialized.

Meeting Adjourned: at 8:11 PM.

ADOPTED: 8/3/20

JOHN OSORIO, CHAIRMAN

ATTEST:

COSMAS DIAMANTIS, ESQ.
PLANNING BOARD SECRETARY