



ZONING BOARD OF ADJUSTMENT
Thursday, June 18, 2020
APPROVED MINUTES

You couldn't pick a better place.

OPENING: The virtual meeting was called to order by Chairman Jonathan Rardin at 6:44 PM.

PLEDGE OF ALLEGIANCE: Led by Chairman Jonathan Rardin.

OPMA STATEMENT: Read by Chairman Jonathan Rardin 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:** Jonathan Rardin; Daniel DiRenzo, Jr.; Wyatt Sklar; Marshall Spevak; Jeff Potter; Nacovin Norman; Jill Roth-Gutman; Greg Bruno; and Anju Pejavara.
- **Professionals in attendance:** Cosmas Diamantis, Esq.; Secretary; Natalie Shafiroff, PP, AICP, Alternate Secretary; Jacob Richman PP, AICP, Alternate Secretary; Stacey Arcari, PE, PP, CME, PTOE, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

ADMINISTRATIVE ITEMS

Adoption Meeting Minutes from June 4, 2020. Mr. DiRenzo made a motion, which was seconded by Mr. Sklar, to adopt the Meeting Minutes from May 21, 2020. Affirmative votes by DiRenzo, Sklar, Potter, Spevak, and Bruno. Minutes are approved.

RESOLUTIONS:

19-Z-0028

Block(s) 468.02 Lot(s) 2
Zone: Industrial Restricted (IR)

Trinetra Realty Holdings, LLC

2061 Springdale Road
Cherry Hill, NJ

Relief Requested: Use (d) variance and minor site plan with bulk (c) variances to convert an existing gas station into a drive-through Dunkin Donuts along with various site and signage improvements.

Motion to Ratify: Following the review of the resolution, Mr. Sklar made a motion which was seconded by Mr. Norman, to memorialize the resolution. Affirmative votes by Rardin, DiRenzo, Sklar, Potter, Norman, and Bruno. The resolution is memorialized.

19-Z-0051

Block(s) 71.01 Lot(s) 2
Zone: Regional Business (B4)
and Redevelopment Area 5 – Western Gateway Phase II

Route 70 West, LLC

2352 Route 70 West
Cherry Hill, NJ

Relief Requested: Multiple use (D) variances and preliminary & final major site plan with bulk (C) variances to construct a car wash and drive-through restaurant with accessory onsite parking, signage and various site improvements.

Motion to Ratify: Following the review of the resolution, Mr. DiRenzo made a motion which was seconded by Mr. Sklar, to memorialize the resolution. Affirmative votes by Rardin, DiRenzo, Sklar, Potter, Norman, and Bruno. The resolution is memorialized.

AGENDA ITEMS:

20-Z-0009

Block(s) 295.01 Lot(s) 5
Zone: Residential (R2)

Ryan Osinski

307 Washington Avenue
Cherry Hill, NJ

Relief Requested: bulk (C) Variance to install a six (6') tall wood fence within the front yard of the existing residential property.

THE APPLICATION HAS BEEN RESCHEDULED TO THE THURSDAY, JULY 2, 2020 ZONING BOARD OF ADJUSTMENT MEETING AND NO NEW PUBLIC NOTICE WILL BE REQUIRED.

19-Z-0048

Block(s) 468.03 Lot(s) 2
Zone: Industrial Restricted (IR)

Relief Requested: Site Plan Waiver with Bulk (C) Sign Variances, with a potential relief of condition, to permit a 7.5 SF façade sign for the subtenant, South Jersey Auto Auction, where only one (1) façade sign is permitted per building and where there already exists two (2) façade signs identifying the tenants Fox Rehabilitation and Ameriflex. The applicant also requests bulk (C) sign variances to obtain retroactive approval of various façade and freestanding signage associated with Fox Rehabilitation and Ameriflex.

THE APPLICATION HAS BEEN RESCHEDULED TO THE THURSDAY, JULY 2, 2020 ZONING BOARD OF ADJUSTMENT MEETING AND NO NEW PUBLIC NOTICE WILL BE REQUIRED.

Fox Management Rehabilitation, LLC

7 Carnegie Plaza
Cherry Hill, NJ

20-Z-0004

Block(s) 231.01 Lot(s) 7
Zone: Residential (R3)

Relief Requested: Bulk (C) Variance to construct a second story master bedroom addition measuring 12' - 4" x 28' - 8" that requires side yard setback relief of 8.6' where a minimum of 10' is required.

Helene McGowan

39 Bryn Mawr Avenue
Cherry Hill, NJ

Applicant's Representatives: Steve Feigeles – Applicant's Builder; Wade Marlin – Applicant's Architectural Representative; and Helene McGowan – Applicant.

Exhibits Submitted: A-1: Survey with Proposed Addition; A-2: Architectural Plan; and A-3 through A-5: Site Photographs.

Mr. Feigeles stated he is assisting the applicant to build a 12'-4" x 28'-8" master bedroom addition to the second floor and noted the addition will blend into the existing residence. Mr. Feigeles noted that the side yard setback is existing nonconforming at 8.6' and that the proposed addition will not exacerbate that footprint. Mr. Feigeles submitted exhibit A-3 to indicate the location of the proposed addition. Mr. Feigeles submitted exhibit A-2 to show the architectural features of the proposed addition and stressed that the addition will match in terms of colors and materials. Mr. Feigeles reiterated that the addition is for a master bedroom and due to the age of the house the existing space is limited. Mr. Feigeles stated the runoff won't increase as the amount of roofing remains the same. Mr. Feigeles stated that the addition will blend in with the neighborhood. Mr. Feigeles clarified that there is no runoff directional changes and noted the downspouts will be implemented the same as the existing downspouts. Mr. Feigeles referred to exhibit A-1 to show the footprint location of the addition and noted the setback of 8.6' is not changing. Mr. Feigeles stated that no new lighting is proposed on the addition.

Ms. McGowan agreed to ensure that the addition in terms of colors and materials will blend in to the existing house. Mr. Marlin clarified there is 2' piece that extends over the first floor but towards the front of the house, not towards the side, and that it won't extend over the eaves.

Public Comment: James Kennedy residing at 43 Bryn Mawr Avenue stated he lives next door to Ms. McGowan on the same side as where the proposed addition is being located. Mr. Kennedy had concerns about the exacerbation of the nonconformity and had concerns about his property. Mr. Kennedy stated that his property sits lower than Ms. McGowan's house and he is concerned about stormwater runoff which is exacerbated by the 8.6' side yard setback. Ms. McGowan stated his wife has a garden in their yard and he is concerned that the addition will affect the garden. Mr. Kennedy requested if the Board is in favor of the application, he would request no building until after July 7th. Mr. Kennedy suggests the addition should be built above their garage as opposed to above the kitchen in the side yard.

Mr. Rardin asked what Mr. Kennedy's setback is to their side property and he believes it is less than 10'. Mr. Feigeles confirmed no construction materials would be put on neighboring properties and they follow all New Jersey rules related to construction. They would have a dumpster on site to deal with debris. Mr. Feigeles stated that alternative locations like around the garage would cause non-conforming setbacks and lot coverage issues. Mr. Feigeles stated that the home is not getting taller and the addition maintains the same height as the existing home but confirmed it was being extended outwards. Mr. Zeller added that they cannot take into account financial or property value considerations when weighing a potential approval. A discussion ensued regarding the fencing and "alleyway" along the side property. Ms. Shafiroff utilized mapping software to determine that Mr. Kennedy's house is closer to the side property line than Ms. McGowan's.

Timothy Intelisano residing at 40 Cornell Avenue stated that he lives directly behind the McGowan's and stated he supports the proposed application. Mr. Intelisano believes the proposed addition will have a positive effect on the neighborhood.

Following the closure of the public comment period, a number of Board members stated that they supported the proposed application and believed the benefits outweighed any detriment.

Motion: Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Mr. Spevak and seconded by Mr. DiRenzo, with affirmative votes by Rardin, DiRenzo, Sklar, Spevak, Potter, Norman, and Roth-Gutman, to approve the application. Motion carries 7-0.

Mr. DiRenzo and Mr. Bruno announced that they would be recusing themselves from the remainder of the meeting due to a conflict with the forthcoming application for MBJ Associates, LLC (#16-Z-0042). Ms. Pejavara also stated that she is present to hear the next application.

16-Z-0042

M.B.J. Associates, LLC (Land Rover)

Block(s) 133.01, 148.01 and 135.01 Lot(s) 1, 12, 9 & 10
1115 Sherwood Avenue, 1014 Haddonfield Road, and
1200 & 1208 Wynwood Avenue
Cherry Hill, NJ

Zone: Highway Business (B2) Zone and Limited Office (O1) Zone.

Relief Requested: Use d(1) variances to permit off-site parking for inventory storage of vehicles and preliminary and final major site plan with bulk (C) variances and a lot consolidation (of Block 135.01, Lots 9 and 10) to permit the construction of a 34,662 SF building expansion (consisting of a 9,395 SF mezzanine for a total GFA of 44,027 SF) to the new Land Rover/Jaguar dealership along with associated site improvements.

Applicant's Representatives: Damien Del Duca, Esq. – Applicant's Attorney; Jay Sciuillo, PE, PP – Applicant's Engineer; Nathan Mosley, PE, PTOE – Applicant's Traffic Engineer; Joseph Catelli, RA – Applicant's Architect; James Miller, PP, AICP – Applicant's Professional Planner; and Amanda DiMattia – Applicant/MBJ Associates.

Exhibits Submitted by the Applicant: A-1: Building Rendering; A-2: Aerial; A-3: Overall Site Plan Rendering; A-4: Surrounding Area; A-5: Architectural Elevations; A-6: Overall Site Plan; A-7: Construction Phasing Plan; A-8: Detailed Site Plan West Portion; A-9: Detailed Site Plan East Portion; A-10: Grading Plan West Portion; A-11: Grading Plan East Portion; A-12: Utility Plan West Portion; A-13: Utility Plan East Portion; A-14: Landscaping Plan West Portion; A-15: Landscaping Plan East Portion; A-16: Lighting Plan; A-17: Landscaping and Lighting Detail Sheet; A-18: Truck Turning Movement Plan; A-19: Service Truck Turning Movement Plan; A-20: Signage Elevations; and A-21: South Side Signage Elevations.

Prior to the presentation by the applicant, Solicitor Zeller swore in all of the applicant's professionals and then gave an overview of the procedural history of the subject application. Solicitor Zeller discussed the various events leading to the multiple times the application had to be rescheduled and noted that the applicant originally agreed to a postponement at the request of objectors but then a subsequent rescheduling was required due to the COVID-19 State of Emergency and the related executive orders. Solicitor Zeller also discussed the usage of the Zoom platform to hold meetings. Solicitor Zeller noted that the MLUL regulations regarding action dates was not extended through legislation and as such the applicant is entitled to a hearing without the benefit of a new law governing action dates for an application to be heard. Solicitor Zeller noted that the application was scheduled for the prior meeting on June 4th, but recent power outages required the application to be rescheduled to today, June 18th. Solicitor Zeller affirmed that proper public notice was provided by the applicant and the Township.

Mr. Del Duca introduced the application and noted their amended application was filed back in October of 2019 and appreciates being able to present the application this evening. Mr. Del Duca stated the applicant proposes a new Land Rover and Jaguar dealership and submitted Exhibit A-1. Mr. Del Duca stated that Land Rover has been located at the subject site for many years and they seek to redevelop the site to accommodate not just Land Rover but also Jaguar branded vehicles. Mr. Del Duca stated that the existing building is an antiquated and inadequate building and the new building, as shown in Exhibit A-1, proposes to undo that. Mr. Del Duca submitted Exhibit A-4 to show a rendering of the overall site plan on an aerial photograph. Mr. Del Duca gave an overview of the zoning, location and site characteristics of the parent lot, Lot 1, where the dealership building is located, Lot 12, where the former South Jersey Women's Center is located, and Lots 9 and 10 which are the lots along Wynwood Avenue. Mr. Del Duca noted the original application filed back in 2016 which featured a partial street vacation of Sherwood Avenue but that no vote was ever taken on that iteration of the application. Mr. Del Duca added that the present application does not involve the aforementioned street vacation.

Mr. Del Duca stated that the existing dealership is a permitted use as is the proposed dealership as it is located in the Highway Business (B2) zone. On Lot 12, the South Jersey Women's Center is proposed to be demolished and the applicant intends to put in an inventory storage lot. Mr. Del Duca clarified that no customers will be allowed on Lot 12 and that vehicles will be brought over from Lot 12 to Lot 1 for customer inspection and test drives. Mr. Del Duca noted that a use variance is needed to permit an off-site parking lot on Lot 12 as the parking is not directly connected to the parent lot, Lot 1, due to the separation caused by Sherwood Avenue; however, it was noted that the applicant could propose a dealership building there since it is also a B2 zoned property. Mr. Del Duca discussed Lots 9 and 10 and noted there is two (2) existing vacant single-family dwellings that are existing nonconforming uses as they are located in the Limited Office (O1) zone. Mr. Del Duca

stated that permitted uses includes professionals and medical offices, for example, which would be more intense development wise than their proposed use there which is as a long-term vehicle inventory storage lot. Mr. Del Duca stated that this requires a use variance like Lot 12. Mr. Del Duca stressed that appropriate landscape buffering will be implemented on this lot to buffer the adjacent residential properties which are also in the O1 zone. Mr. Del Duca stated that this lot is where car carriers will drop off inventory vehicles. Mr. Del Duca added that Wynwood Avenue is a one-way street that is part of a jughandle under NJDOT jurisdiction.

Mr. Del Duca stated that in addition to the use variances, the applicant is requesting preliminary and final major site plan with bulk variances and design waivers. Mr. Del Duca stated that the applicant held an outreach meeting with the neighborhood on March 3 to get some feedback and to learn what their concerns were. Mr. Del Duca stated they did their best to try to eliminate as many concerns as possible and that they are open to future comments. Referring to Exhibit A-4, Mr. Del Duca noted that an inventory parking lot on Lots 9 and 10 is relatively consistent with the character of the neighborhood as there is another dealership's off-site inventory lot next door and they will add a buffer from the neighborhood residences to mitigate potential impacts. Mr. Del Duca stated that the applicant will respond to the Department of Community Development letter dated February 24, 2020 and the Zoning Board Engineer's letter dated February 26, 2020. Mr. Del Duca stated that they do not have any objections to any of the comments contained within the letter and, anywhere where comments need clarification, the applicant will provide testimony and work through those comments with the Board's professionals. Mr. Del Duca stated that the applicant has 21 exhibits on file to present as needed during their presentation.

Mr. Del Duca acknowledged that their proposed uses will be more intense than the existing vacant use on Lot 12 and vacant residences on Lots 9 and 10; however, Mr. Del Duca stated he believes their proposed uses are less intense than many of the permitted uses allowed in the B2 and O1 zoning districts. Solicitor Zeller marked the Community Development review letter and Zoning Board Engineer review letter as Exhibit ZB-1 and ZB-2, respectively.

Mr. Del Duca introduced Ms. DiMattia and pulled up Exhibit A-3. Ms. DiMattia indicated she is the COO of Cherry Hill Imports and noted she oversees six (6) dealerships in Cherry Hill and indicated how she has extensive experience operating dealerships. Ms. DiMattia stated that the land at the subject site has been an auto dealership since the 1960's and it has been a Land Rover since the early 2000's. Ms. DiMattia stated that when Jaguar was acquired by her group, they moved their Land Rover vehicles over to that property located at 2000 Route 70 East. Ms. DiMattia stated they propose to bring Land Rover along with Jaguar back to the subject site at 1100 Haddonfield Road/1115 Sherwood Avenue. Ms. DiMattia stated they want to stay in Cherry Hill and the location is perfect due to its proximity to major roadways. Ms. DiMattia stated they are requesting approvals for the inventory lots and noted their manufacturer dictates their growth plans for parts, service, and sales departments and from that they believe to better serve their customers, they need to expand their services. Ms. DiMattia stated that customer demands and the demands of the market area as well as what the manufacturer puts forward drives their decisions. Ms. DiMattia gave an overview of how vehicle sales has changed in contemporary times as it relates to internet sales as well as pick-up and delivery services that they are trying to keep up with like with this Land Rover/Jaguar dealership and their other dealerships.

Mr. Del Duca referred back to Exhibit A-1 and Ms. DiMattia confirmed the architectural rendering is reflective of what they intend to construct if approved. Ms. DiMattia stated that this is the design that their manufacturer wants them to build. Mr. Del Duca highlighted the drive-in service bay doors on Exhibit A-1 and then referred to Exhibit A-8 to show a detailed site plan of the western half of the proposed development. Ms. DiMattia gave an overview of how the customer will access and navigate the site. Ms. DiMattia stated that 80% of the time customers have scheduled appointments. Ms. DiMattia stated that customers will only be allowed on Lot 1. Ms. DiMattia discussed their service operations which will run from 7:30am to 5pm on Monday through Friday and noted the efficiency of the new service model. Ms. DiMattia expected the morning to be the busiest of service times and they schedule appointments during that time accordingly; however, Ms. DiMattia expects no more than six (6) vehicles queuing at the drive-in service canopy at any one time and that is partly achieved by their control over scheduling appointments. Ms. DiMattia clarified that the customers drive their vehicle up to the drive-in service canopy and from there the technician will drive the vehicle into the service shop. Ms. DiMattia stated they have no plans to do service work on weekends but that may change in the future. Ms. DiMattia stated that sales hours are 9am to 9pm from Monday through Thursday, 9am to 6pm on Friday, and 9am to 5pm on Saturday. Ms. DiMattia noted that the Jaguar aspect of the dealership won't have a major impact on the busyness of the facility as their sales are very limited – to approximately 10 vehicles per month.

Mr. Del Duca submitted Exhibit A-9 to show the long-term inventory storage area on Lots 9 and 10. Ms. DiMattia confirmed that new vehicles will be delivered to these lots by way of a car carrier. Ms. DiMattia confirmed that no car carriers will unload in any right-of-way. Ms. DiMattia expects approximately one (1) delivery per week with a maximum of two (2) deliveries per week and noted each car carrier can haul in eight (8) vehicles. Once vehicles are unloaded, they will park on that subject Lot and then are eventually brought over to the service shop to be prepped for sales. Eventually cars will be moved to Lot 12 which is shorter term storage. Ms. DiMattia stated she doesn't expect much jockeying of cars and as such, the off-site storage lot will not be very busy. Ms. DiMattia confirmed that no service work will occur on any of the off-site

storage lots. Ms. DiMattia stated trash pick-up is expected 2 to 3 times per week during business hours and the refuse vehicles get in and out relatively quickly. Parts deliveries will come in via Lot 1. Ms. DiMattia discussed test drive routes. They will exit Lot 1 and head down Haddonfield Road, make a right onto Chapel, then head south on Cooper Landing and then back onto Route 70 West then back to the Dealership. They also may go up Haddonfield Road to the Route 38 jughandle and then back around. Ms. DiMattia believes they will have adequate parking for customers, employees, and inventory based on the proposed plan. Ms. DiMattia gave a brief overview of the subject area nearby Lots 9 and 10 to note there are other dealerships to the south and that they only own Lots 9 and 10 on Wynwood Avenue. Ms. DiMattia stated that no employee parking will occur on Lot 12 (which will have 79 inventory parking spaces). Ms. DiMattia stated that the Wynwood lots were purchased in 2015 and the Women's Center lot was purchased in 2016-2017. Ms. DiMattia stated there is a 100-day supply of cars due to the recent COVID-19 situation but they sell approximately 70 total new and used cars per month.

Mr. Potter stated there may be a better location for off-site parking storage since they mainly serve the need as test drive vehicles. Ms. DiMattia stated that their inventory needs is based upon having sufficient inventory to meet the customers demands for specific vehicles. Ms. DiMattia stated that it is important to have their inventory stored close to the dealership building as there are difficulties if the test drive vehicles, for example, are located far away, such as customer impatience related to waiting to get a test drive vehicle. Ms. DiMattia stated they may utilize a walkie talkie system to communicate. Ms. DiMattia stated they do not have any current intent to purchase additional lots within the vicinity. Ms. Roth-Gutman raised a concern regarding if the manufacturer asks for an additional increase in vehicle inventory. Ms. DiMattia stated she believes they could be flexible to accommodate additional vehicles. However, Ms. DiMattia states the plan presently before the Board would cover their present needs. Ms. DiMattia agreed to have no exterior speaker system on the property. Ms. DiMattia stated that if a use variance is not granted, they will need to think of a Plan B and that they would like to remain in Cherry Hill. Ms. DiMattia stated that parts deliveries come by box truck in the morning and they are brought through the drive-in service area.

Mr. Sciuлло referred to Exhibit A-2 and gave an overview of the existing site conditions on each lot. Mr. Sciuлло also detailed the zoning of the subject properties as well as all adjacent properties. Mr. Sciuлло noted that the rear of Lot 12 is adjacent to a residential zone and Lots 9 and 10 are abutted to the rear by residentially utilized (but O1 zoned) properties. Mr. Sciuлло discussed the various access driveways to the existing lots which Mr. Sciuлло stated are confusing and conflicting and that the new plan aims to mitigate those conflicts. Mr. Sciuлло referred to Exhibit A-3 and noted that the applicant complies with the Zoning Ordinance regarding having a 25' landscape buffer and fences where commercial uses are adjacent to residentially zoned or utilized lots. Mr. Sciuлло noted that the dealership building is located across the street from residential uses on Sherwood Avenue and they propose landscaping buffering in front of the building as well. Mr. Sciuлло illustrated how test drive routes will not interfere or go past any residential property based upon the location of the test drive vehicle Lot in relationship to Haddonfield Road. Mr. Sciuлло pointed out the trash enclosure location behind the proposed building on Lot 1 and that the refuse vehicle can easily navigate the site, pick up the trash then head out the exit only driveway southbound onto Mercer Street.

Mr. Sciuлло noted that the proposal on Lot 1 calls for a reduction in impervious coverage and increase in open space, resulting in a lesser nonconforming condition. Mr. Del Duca stressed that the applicant is improving many of the conditions related to lot coverage, open space, stormwater management, circulation, lighting, and landscaping. Mr. Sciuлло stated the new lighting will comply in terms of less than 0.25 footcandle light spillage onto neighboring residential properties. Mr. Sciuлло confirmed that the proposed stormwater management plan will comply with all local and State requirements. Mr. Sciuлло stated he believed the new driveway configurations proposed on all lots will be more efficient and involve less vehicular movements. Mr. Sciuлло stated that the previous parking setback on Lot 12 to the adjacent residential property to the rear was 5' and now they propose a conforming 25' setback with associated landscaping and fencing. Mr. Sciuлло stated he agrees to work with the Zoning Board Engineer on any necessary species changes to the landscaping plan, but Mr. Sciuлло stressed that the intent is to provide a year-round, opaque buffer via landscaping and solid, board-on-board fencing. Mr. Sciuлло stated that a similarly conforming buffer will be installed at the rear of Lots 9 and 10 with the adjacent residentially utilized properties. Mr. Sciuлло stated the trade off is a 15' ROW setback to Wynwood Avenue where 20' is required but the landscaping is needed more to the rear where there are adjacent residentially utilized properties. Mr. Sciuлло added that when car carriers come onto Lots 9 and 10, they won't need to back-up because the circulation allows for continuous forward movement into and out of the site. Thus, there will no back-up "beeping" sounds heard. Mr. Sciuлло added that noise will be reduced as they will not have their employees use a car alarm to find a specific vehicle on any of their lots as they have a system in place to keep track of where vehicle are located.

Mr. Sciuлло went through the requested variances in specific detail by pointing out the location of the proposed nonconformities. Mr. Sciuлло noted that Lot 1 is uniquely shaped which limits the flexibility of building designs and thus they have a variance for a principal structure setback to Sherwood Avenue of 5.46' where 25' is required. Mr. Sciuлло reiterated the reductions in lot coverage and increase in open space but they just lessen the impact of the nonconformities. Mr. Sciuлло discussed the proposed building coverage exceedance of 35.8% where 30% is permitted with Mr. Sciuлло noting that the off-site lots were not sufficiently sized for buildings so they consolidated all dealership services on Lot 1. Mr. Sciuлло added

they are still reducing overall coverage on Lot 1. Mr. Sciuillo noted they request 269 parking spaces throughout the subject lots where they are required to have a minimum of 158 parking spaces but that they are not permitted to exceed the maximum of 205 parking. As such a variance is necessary to permit more parking spaces than what is allowed per the Zoning Ordinance. Mr. Sciuillo noted that these decisions are driven by the manufacturer but noted that they are complying or reducing nonconformities on all lots related to impervious coverage. Mr. Sciuillo discussed parking setback nonconformities to the ROW with respect to Lot 12 and noted they are required to have a 20' setback but they propose 6' to Haddonfield Road and 11' to Sherwood. Similarly, they request a 15' ROW setback for Lots 9 and 10 where 20' is required. Mr. Sciuillo noted that Lot 1 is proposed to have an 8' setback to Sherwood Avenue and a 0' and 3' setback to Haddonfield Road. Mr. Sciuillo referred to exhibit A-1 to go through the requested sign variances. Mr. Sciuillo stated that sign text area will comply but they need variances for the number and location of signs. Mr. Del Duca submitted Exhibit A-20 to show the proposed monument sign and noted it needs variances for the multi-tenant nature of the sign as there are two panels (one for Land Rover and one for Jaguar) and for the height of the sign to be 11'-8" where 10' is allowed. Mr. Sciuillo noted the Ordinance also permits pole-mounted signs where 17' is permitted but believes the monument sign is a better alternative.

Mr. Sciuillo went over the requested design waivers and noted that they are grouped into relief requests regarding landscaping, lighting, loading, and parking lot geometries. Mr. Sciuillo stated that the applicant will comply with the security lighting requirements of a reduction to 40% output after hours and also went through the sidewalk network that will lead employees from the employee parking on Lots 9 and 10 to the Lot 1 rear pedestrian access. Mr. Sciuillo confirmed the ROW setback measurements on Lot 1. Ms. DiMattia stated she agrees to work with the Board's professionals to buffer the property line nearby the proposed service area bay doors on the south elevation of the building. Ms. DiMattia stated that the doors to the repair shop will only be opened when cars are being moved in and out but will otherwise remain closed to ensure there is minimal noise impacts. Mr. Sciuillo discussed turning movements from Lot 12 out onto Haddonfield Road and stated they would like to keep the right-in and right-out aspect of it subject to County approval.

A recess was taken at 10:00pm and the meeting resumed at 10:07pm.

Mr. Mosley noted that he prepared the project's traffic engineering assessment, dated October of 2019, and indicated what he specifically studied and what his methodologies were. Mr. Mosley discussed the adjacent roadway networks, signalization, and access driveways. Mr. Mosley testified that while traffic at the Haddonfield Road and Wynwood Avenue intersection is voluminous, their proposed project, which is under NJDOT jurisdiction, only adds approximately 2% more traffic to peak times. Mr. Mosley affirmed he conducted traffic counts and the methodology concerning its collection including spacing out when counts were tabulated and taking a conservative estimate in their traffic growth models. Mr. Mosley believes a newer traffic study is not necessary as they have modeled future development in the report that was issued. Mr. Mosley discussed the trip generation numbers and believes the models, which show a conservative trip count, still do not add significant volume to the roadway network. Mr. Mosley stated that about 80% of the traffic generated will come from Haddonfield Road and noted how customers traveling north or south along Haddonfield Road can access the site safely. Mr. Mosley discussed levels of service (LOS) for the site and that predominately they will see an LOS of C or better. Mr. Mosley noted for the record that Wynwood Avenue along the subject site is part of NJDOT jurisdiction as it is part of a jughandle coming off of nearby Route 70. Mr. Mosley stated that the off-site storage lot on Lots 9 and 10 will result in less traffic as compared to uses permitted in the zone (O1). Mr. Mosley stated there will be 20 to 25 total trips during the peak hour whereas a medical center or daycare (permitted uses) have substantially more trips during peak hours. Additionally, employees will come in the morning and the cars will remain until leaving in the evening as opposed to uses like medical where cars are constantly coming and going. Similarly, with Lot 12, a B2 zone, their proposed off-site storage lot will generate less trips than uses otherwise permitted in the B2 zone. Mr. Mosley anticipates about a dozen trips during peak hours, dependent upon the amount customers wanting to test drive a vehicle, which is much less than other permitted uses. Mr. Mosley discussed air quality and they see no violations as a result of their proposed development. Mr. Mosley believes the proposed access and circulation on all three (3) lots will be safe and efficient and will be an improvement over the existing conditions. Mr. Del Duca added that the applicant already agreed to no left turns out of Lot 12 based on conversations they have had with the applicant.

Mr. Miller referred to exhibit A-4 and noted there is a heavy concentration of automobile dealership uses in the vicinity of the subject site and gave a brief overview of the development patterns and zoning history in the area. For example, Mr. Miller noted that block of land adjacent to Lots 9 and 10 have been zoned O1 since the 1960's with business zoning districts along Haddonfield Road. Mr. Miller stated that even though subject sites are not all connected, the plan and testimony show that the sites will operate harmoniously/cohesively. Mr. Miller stated that the proposed dealership design is consistent with other dealerships in the area. Mr. Miller stressed the importance of redeveloping obsolete buildings/sites, like the former South Jersey Women's Center along Haddonfield Road. Mr. Miller went through the legal criteria and justification of the requested use variances associated with the off-site inventory storage lot. Mr. Miller also discussed why he believes those aforementioned sites are particularly suited for the proposed use as an inventory storage lot. Mr. Miller stated, per his professional opinion, why development of the sites for off-site vehicle inventory storage is a better alternative and less intensive than otherwise permissible uses. Mr. Miller stated that Wynwood Avenue, a jughandle, acts like a major thoroughfare based on the traffic that passes through, and is more appropriate for this kind of use. Mr. Miller stated that the

one-way circulation of Wynwood Avenue is a benefit to the proposed use based upon the on-site circulation patterns and then allows for quick access off the site and onto a major thoroughfare. Mr. Miller believes the proposal satisfies the negative criteria as the impacts of the use variances will be minimal and it does not impair the intent or purpose of the zone plan or Zoning Ordinance. Mr. Miller stated the proofs put on the record with the respect to the O1 zoned lots are similar to that of the B2 zoned Lot 12. Mr. Miller noted that Lot 12 is very proximal to Lot 1 and the development patterns are consistent with that taking place along Haddonfield Road. Mr. Miller added that the dealership is a permitted use on Lot 1 and that the storage lots really act in accessory to the primary use on Lot 1 but otherwise need a use variance because they are not directly connected to Lot 1.

Mr. Miller went through the requested bulk variances as previously discussed by Mr. Sciullo and put on the record the legal justifications for such variance. Mr. Diamantis interjected at 11:00pm regarding the Board's policy of continuing at this hour and Mr. Rardin stated that they previously mentioned they would allow whoever was testifying at 11:00pm to finish before wrapping up for the night. Mr. Del Duca stated he agreed that the meeting would not finish tonight, considering public comment still has to proceed. Mr. Miller thus continued his testimony and continued to put on the record the legal justifications for the sought bulk variances.

Mr. Potter responded to Mr. Miller's testimony and stated he did not agree with the testimony regarding the O1 zoned lots, specifically having a "softer edge" between commercial and residential uses. Mr. Potter stated that proposed Lots 9 and 10 lacks some of the open space typically seen in an O1 zone. Mr. Potter added that he is concerned about the creep of development into the neighborhood. Regarding Lot 12, Mr. Potter stated that the proposed use on that lot is not a future sustainable use as it doesn't promote a more "main street," pedestrian friendly environment. Mr. Potter stated he liked Land Rover's improvements on the parent lot but wants to see a better product on the O1 zoned lots. Mr. Miller countered that in all the years it has been an O1 zone, no permissible O1 uses have been located there. Mr. Miller added that the intention was probably to lower the development impact adjacent to the residential properties but the market for O1 uses on that site has not been there. Mr. Miller noted that he didn't believe the environment in that area is likely to sustain a pedestrian oriented use when there are other parts of the Township, such as further north on Haddonfield Road that would be more amenable to something along those lines. Mr. Miller believes that the proposed uses not only redevelop the obsolete sites but may have the affect of increasing economic activity in the vicinity. Ms. Roth-Gutman questioned the viability of a daycare, for example, and Mr. Miller cited Mr. Mosley's testimony regarding a much more intensive use in terms of trips generated and as such, may not be conducive use.

A discussion ensued about continuing the meeting and what dates would work. It was noted that the applicant needs to finish questions of the Board of Jim Miller, wrap up their testimony, and then open the meeting up to Public Comment.

Following discussion, it was decided that a special meeting to be held at 6:30pm with no caucus on July 1, 2020 was amenable to all Board members, Board professionals, and applicants. As such, an announcement was made by the Board to hold a special meeting of the Zoning Board on July 1, 2020 starting at 6:30pm (with no caucus) in order to hear the remainder of the MBJ Associates, LLC (#16-Z-0042) application. By way of a public announcement, no new notice by the applicant is required.

Meeting Adjourned: at 11:41 PM

ADOPTED: 7/1/20



JONATHAN RARDIN, CHAIRMAN

ATTEST:

Cosmas Diamantis

COSMAS DIAMANTIS, ESQ.
ZONING BOARD SECRETARY