



PLANNING BOARD
Monday, July 15, 2013
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Carole Roskoph at 7:30 PM.

PLEDGE OF ALLEGIANCE: Led by Chairperson Roskoph.

OPMA Statement: Read by Chairperson Roskoph in compliance with the Sunshine Law.

ROLL CALL

- Members in Attendance: Carole Roskoph, Chairperson; Brian Bauerle; Sara Lipsett; Carolyn Jacobs; Hugh Dougherty; John Osorio; and Sangeeta Doshi
- Professionals in Attendance: Paul Stridick, Secretary; James Burns, Esq, Planning Board Solicitor; Robert Hunter, Planning Board Engineer; and Jacob Richman, Planning Technician.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

ADMINISTRATIVE ITEMS:

Approval of Meeting Minutes from July 1, 2013: John Osorio made a motion, seconded by Hugh Dougherty to approve the meeting minutes from July 1, 2013. Affirmative votes by Roskoph, Dougherty, and Osorio. Bauerle abstains. Minutes are approved.

Agenda Items:

13-P-0003

Block(s) 180.01 Lot(s) 13

Zone: Residential (R3) Zone

Relief Requested: A minor subdivision with bulk (C) variances to subdivide one (1) lot to create four (4) lots total (three (3) new lots).

Sherwood Forest Homes, LLC

435 Woodland Avenue

Cherry Hill, NJ

Exhibits Submitted:

A-1: Site Photos

A-2: Aerial Photo

Discussion: Applicant Sherwood Forest Homes, LLC, applied for a minor subdivision with bulk (C) variances to subdivide one (1) lot to create four (4) lots total (three (3) new lots); located at 435 Woodland Avenue, Cherry Hill, New Jersey (Block 180.01 Lot 13). The property is owned by the Cherry Hill Korean Church.

Application was represented by:

- Vincent D'Elia, Esq. – Attorney for the Applicant
- Matt Baldino – Engineer for the Applicant
- Candace Kanaplue – Planner for the Applicant, Bach Associates
- Michael Joffe – Member of Sherwood Forest Homes

Mr. D'Elia introduced the application by commenting on the DCD Review Letter and reaffirmed his stance on requesting certain waivers and said he would field questions on any particular issue the Board may have.

Ms. Kanaplue testified in regard to the location of the site, it's past use (Korean Church), and elaborated on the specific site conditions. It was stated that the applicant wants to subdivide lot 13 into 4 total lots (3 new lots).

Mr. Baldino approached the dais and testified regarding the swale on the site and how it would connect through the property. It would be the responsibility of the homeowner's one each respective proposed lot to maintain the swale and headline (to be conditioned via a deed restriction). The applicant also testified that they weren't aware of any flooding issues on the site or around the existing swale.

Michael Joffe testified that NJDEP did issue the permit to do work on the swale (to move the swale) and that a representative of NJDEP went out and inspected the site. Mr. Joffe said he is relying on a letter submitted by NJDEP that Sherwood Forest Homes can do work on the swale. It was reiterated that any alterations of the wetland would have to be permitted by NJDEP. Additionally, the deed restrictions on each lot will be disclosed to potential home buyers at the point of sale. Mr. Joffe agreed to allow Township official to enter the easement on the properties (subject to Township Engineering wanting such an easement in order to be able to clean out the land on the easement but that the land cannot be filled in by the homeowner). Furthermore, the NJDEP letter referenced in Mr. Joffe's testimony has not had substantial review yet due to the letter being submitted to the Planning Board Engineer just prior to the hearing. Mr. Hunter said he would review the letter in more detail to determine the extent of the NJDEP approvals.

Mr. D'Elia stated that when the applicant goes for their building permits, a landscaping plan will be submitted at that time. The applicant also stated that the property in question is serviced by public water and sewer. The applicant is also rescinding the variance request for a height variance on the homes, stating that they mistook what the ordinance permitted for height for their zone. The applicant stated they will be in compliance in regard to the height requirements for this application but that if the need a height variance down the line; they will come to the Board to request one.

Mr. Baldino testified that when they go for building permits, they will orient the houses in a way to preserve as many trees as possible and will plant street trees in order to comply with Township Ordinance (part of the landscaping plan package).

The Board asked the applicant their reasoning to propose a 35' front yard setback where a minimum of only 25' is required. Note that the 35' front yard setback applies to proposed lots 13.01, 13.02, and 13.03 and that a 35' secondary front yard setback is proposed for lot 13.03 (corner lot). While the proposal doesn't require a variance, the Board expressed potential privacy concerns based on the front yard setback of neighboring houses and wondered if the existing trees provide a sufficient buffer? Ms. Kanaplue stated that many of the homes along Woodland Avenue are a little closer to the street than the proposed homes. Mr. Stridick clarified that the proposed homes would be no closer to the street than the neighboring home to the north but that it would not encroach upon the 25' front yard setback requirement. This would be a condition on the application.

Public Discussion: Jason Martini of Cherry Hill Township stated that he lives behind the proposed property and had concerns regarding the supposed significant amount of flooding happening around the culvert that runs through his property into the applicant's property. He mentioned that Public Works has been out to the site many times in order to clear the debris that accumulated in the culvert which came from the flood waters. The culvert has also collapsed due to nearby construction. Mr. Martini wants to see a permanent solution to the flooding issue. He mentioned that if the [swale] remains a ditch, the potential homeowners would have trouble keeping the area clear of debris (in the woodlands behind the proposed homes).

Chairperson Roskoph stated that Mr. Baldino said they are planning on moving the swale. Mr. Baldino stated that their plans are to pick up the drainage from the swale at the point where it hits the property line, and rather than move the swale, an underground pipe will be used to reroute the stormwater. The culvert will be flattened and filled in. Mr. Hunter felt that this plan is a permanent engineering solution. Mr. Joffe wants a permanent fix and that the stormwater will be redirected along the proposed property line for proposed lot 13.02 and down the property line towards the headwall via an underground pipe. The applicant then agreed to the condition to first get approvals from Township Engineering for the proposed improvements. There want be a deed restriction for the swale as there will be no swale but there will be a deed restriction or an easement for the proposed drainage. Mr. Martini testified that the swale originates on his lot. Mr. Joffe believes his proposal will resolve some of the issues that Mr. Martini testified to. Mr. Martini stressed that there would still be flooding issues coming from higher ground. Chairperson Roskoph mentioned Mr. Martini's concerns are outside the scope of this application as the

applicant is improving their stormwater management and their on-site management is not affecting his property.

Linda Ramirez of Cherry Hill allayed her concerns regarding the stormwater that flows onto her property and causes flooding, and that the pipe solution the applicant is proposing doesn't solve her flooding issues. The Board asked where the flood originates from and Ms. Ramirez stated that it comes from Rt. 38 and down to Third Avenue and then towards hers and neighboring houses and that the water does not collect in the existing culvert. Chairperson Roskoph stated that while this concern doesn't relate to this applicant, Mr. Stridick will coordinate with Public Works to determine if the flooding issues can be addressed. The improvements proposed for the application are not necessarily the cause and effect of her flooding issues but that he will address her concern through Public Work.

Chairperson Roskoph then sought additional public comment, and seeing none, that portion of the meeting was closed.

Solicitor Burns asked if the applicant will be repairing the sidewalk next to the proposed subdivision and Mr. D'Elia said that they would be doing so. Mr. Stridick also mentioned that the proposed lot sizes are in conformance.

Mr. Dougherty raised a concern regarding the orientation of the proposed lots. Specifically, Mr. Dougherty posed the idea of instead of having 3 houses front Woodland Avenue and one house front Harvard Avenue, why not have all 4 house front Woodland Avenue? Mr. Dougherty thought that the proposed house fronting on Harvard Avenue might have trouble backing out of their driveway with exiting traffic coming off of Route 38 at high speeds (might be a safety concern). After some board deliberation on the matter, Mr. Stridick posed the potential design change to the applicant, for which Mr. D'Elia stated that they want to keep their application as submitted (3 houses fronting on Woodland and 1 on Harvard). Mr. D'Elia continued by saying that proposed change would constrain their proposed subdivision but noted the Board's concern regarding the potential safety issue for the house fronting on Harvard Avenue.

Mr. Hunter then clarified the proposed stormwater improvements as previously discussed during the applicant's testimony in that the swale is not being altered and that the underground piping will control the stormwater flow through the subdivision.

Motion: Following Solicitor Burns reading the conditions set forth as mentioned above, and following board discussion, Carolyn Jacobs made a motion which was seconded by John Osorio, to approve the application for a minor subdivision with bulk (C) variances with the noted conditions. Affirmatives votes by Roskoph, Bauerle, Lipsett, Jacobs, Dougherty, Osorio, Doshi. Motion passes unanimously.

RESOLUTION 1:

13-P-0015

Block(s) 342.07 Lot(s) 6

Zone: Business Highway (B2) Zone

Cherry Hill Motorsports (Twisted Throttle)

315 Route 70 East

Cherry Hill, NJ

Relief Requested: A site plan waiver with bulk (c) sign variances for the installation of two (2) façade signs along a principal street frontage, the installation of a multi-tenant monument sign, and various improvements.

Motion to Ratify: The Board considered the conditions set forth within the Resolution to approve a site plan waiver with bulk (c) sign variances for the installation of two (2) façade signs along a principal street frontage, the installation of a multi-tenant monument sign, and various improvements. Carolyn Jacobs made a motion, seconded by John Osorio to ratify the Resolution. Affirmative votes by Jacobs, Osorio, Roskoph, and Bauerle. Doshi abstains. The resolution is ratified.

RESOLUTION 2:

13-P-0022

Block(s) 285.25 Lot(s) 4

Zone: Institutional (IN) Zone

Cherry Hill Township (Cherry Hill Soccer Club)

1900 Chapel Avenue West

Cherry Hill, NJ

Relief Requested: A site plan waiver to install four (4) triple head, light emitting diode (LED) lighting poles at the practice field at Chapel Avenue Park.

Motion to Ratify: The Board considered the conditions set forth within the Resolution to approve a site plan waiver to install four (4) triple head, light emitting diode (LED) lighting poles at the practice field at Chapel Avenue Park. John Osorio made a motion, seconded by Hugh Dougherty to ratify the Resolution. Affirmative votes by Osorio, Dougherty, and Roskoph. Bauerle abstains. The resolution is ratified.

Meeting adjourned at 8:40 PM.