



PLANNING BOARD
Tuesday, February 18, 2014
DRAFT MINUTES

You couldn't pick a better place.

OPENING: The meeting was called to order by Chairperson Brian Bauerle at 7:33 PM.

PLEDGE OF ALLEGIANCE: Led by Chairperson Bauerle.

OPMA STATEMENT: Read by Chairperson Bauerle in compliance with the Sunshine Law.

ROLL CALL

- **Members in attendance:** Carole Roskoph; Carolyn Jacobs; Kevin McCormack; Brian Bauerle; Larry Terry, Sr.; Hugh Dougherty; Sam Kates; Gina LaPlaca; and Moly Hung.
- **Professionals in attendance:** Paul Stridick, AIA, Director; Lorissa Luciani, PP, AICP, Deputy Director; James Burns, Esq., Solicitor; and Jacob Richman, Planning Technician.

ADMINISTRATIVE ITEMS

Adoption of Meeting Minutes from February 10, 2014. Sam Kates made a motion, which was seconded by Carole Roskoph, to adopt the Meeting Minutes from February 10, 2014. Affirmative votes by Roskoph, McCormack, Jacobs, Bauerle, Dougherty, Terry, Kates, LaPlaca, and Hung. Minutes are approved.

AGENDA ITEMS

Prior to the lone agenda item, Brian Bauerle and Hugh Dougherty recused themselves from the application and left the meeting room. Brian Bauerle also nominated Carolyn Jacobs to take over the proceedings in his absence as Vice Chairperson Osorio was absent from the meeting.

Agenda Item 1:

12-P-0005A

Block(s) 342.01 Lot(s) 4

Zone: Highway Business (B2) Zone

Our Lady of Lourdes Health Care Services, Inc.

1 Brace Road

Cherry Hill, NJ

Relief Requested: A site plan waiver with bulk (C) sign variances to install LED and canopy signage and modifications to prior conditions of approval to modify the operating hours at LourdesCare at Cherry Hill.

Exhibits Submitted:

Exhibit A: Façade Sign

Exhibit B: Brace Road LED Sign

Exhibit C: Route 70 LED Sign

Exhibit D: A similar LED sign at an urgent care facility

Discussion: Applicant Our Lady of Lourdes Health Care Services, Inc applied for a site plan waiver with bulk (C) sign variances to install LED and canopy signage and modifications to prior conditions of approval to modify the operating hours at LourdesCare at Cherry Hill; located at 1 Brace Road, Cherry Hill, New Jersey (Block 342.01 Lot 4). The property is owned by HSRE-Lourdes MOB, LLC.

Application was represented by:

- Rhonda Feld – Attorney for the Applicant
- Robert Ruggiero – Senior Vice President of Lourdes
- James Miller – Professional Planner, J.A. Miller Planning Consultants
- Matthew Shapiro – Compass Sign Company
- Michael Stein – Compass Sign Company

Ms. Feld introduced the application and gave an overview of the site as well as prior approvals granted for LourdesCare. The purpose of the application, as described by Ms. Feld, is to have an urgent care within the

existing medical offices for which new signage identifying the new partial use is needed. Specifically, the applicant is requesting an additional façade sign and two LED changeable copy signs to be located beneath the two existing freestanding signs along the frontages of Brace Road and Route 70. The façade sign will say "Urgent Care" and the LED signs will be used primarily to highlight the urgent care and to promote events that the medical office will be hosting. It was noted that a number of variances will be needed.

Mr. Ruggiero testified that the original approved site plan for Lourdes did not include a space for an urgent care so this proposal is slightly different in that an urgent care is now proposed where the current cardiology and physical therapy offices are currently located (and will be relocated within the building). He also described the purpose of having an urgent care and that it won't be where ambulances drop people off but rather where people come with sore throats, etc. Hours of operation are likely to be 9am to 9pm during weekdays and 9am to 5pm on weekends. Weekday hours could expand from 7am to 10pm. Mr. Ruggiero is asking for the new signs in order to help people find the side entrance location (for the façade sign) and to get the word out about various events (Example: Breast Cancer Screening) and alerts (LED signs). He does not foresee the message on the LED signs changing more than 3 to 4 times per day and each one will always display the same message. As well as describing the text and colors to be used on the signs, there was also a discussion of potential parking layouts in relation to employee and user parking.

Mr. Shapiro gave testimony in regard to the sign details, colors, and backlighting. As previously mentioned, three signs are proposed, two LED signs and one façade/canopy sign that says Urgent Care in red lettering. Ms. Luciani then asked for clarification on the size of the LED signs and if an additional variance for sign size would be needed. Ms. Feld stated she would have Mr. Shapiro calculate the square footage and report back to the Board later in the presentation (square footage of existing freestanding sign plus the LED sign should not exceed ½ half square foot per lineal frontage or a maximum of 150 SF). Ms. Feld stated she is not expecting to ask for a variance for sign size but if Mr. Shapiro calculates it otherwise, she will then ask for the variance. It was also noted that since the signs will only be on in conjunction with open hours.

Mr. Miller described the positive and negative criteria in regard to the requested variances for the signs. The positive criterion was given based upon the benefit an urgent care will have on the community. Mr. Miller argued that relief for these signs will have a positive effect on the community. It was testified that the LED signs will identify various types of health screenings which are a benefit to the community. Mr. Miller saw no negative impacts from granting the variances for the additional signage. Additionally, Mr. Miller went into detail about each variance requested and gave the reasons for which the relief from the zoning ordinance is requested.

Mr. Shapiro approached the Board and gave testimony which, in summation, the additional signage would not require a variance related to permitting more than the permitted sign area as per his calculations. Ms. Feld then went over the reasons for the application and variance requests in addition to asking for extended business hours.

Public Discussion: Seeing none, Chairperson Bauerle closed that portion of the meeting.

Motion: Following the reiteration of the details, conditions, and variances needed for the application by Solicitor Burns, Carole Roskoph made a motion, which was seconded by Sam Kates, to approve the application. Affirmative votes by Roskoph, Jacobs, McCormack, LaPlaca, Terry, Kates, and Hung. Recusal by Bauerle and Dougherty. The application is approved.

Following the vote on the application, Brian Bauerle and Hugh Dougherty returned to the dais. Brian Bauerle then took the lead back from Carolyn Jacobs. Chairperson Bauerle then announced that the previously scheduled agenda item, Executive Mews, will be carried over to the March 3rd, 2014 meeting of the Planning Board and that no new notice is required.

Agenda Item 2:

Chairperson Bauerle entertained a motion to enter a closed executive session to discuss the Housing Element & Fair Share Plan Amendment as well as litigation related to it per, "Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01, Civil Action (Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill, et al (Defendants) regarding Housing Element & Fair Share Plan Amendment)." Carolyn Jacobs then made a motion which was seconded by Hugh Dougherty, to enter into a closed executive session. Affirmative votes by Roskoph, McCormack, Jacobs, Bauerle, Dougherty, Terry, Kates, LaPlaca, and Hung. The Planning Board then entered a closed executive session at 8:39 p.m.

Following the closed executive session, Chairperson Bauerle entertained a motion to close the executive session and enter back into an open public hearing. Carolyn Jacobs then made a motion which was seconded by Hugh Dougherty, to enter back into an open public session. Affirmative votes by Roskoph, McCormack, Jacobs, Bauerle,

Dougherty, Terry, Kates, LaPlaca, and Hung. The Planning Board entered back into an open public hearing at 9:00 p.m.

Once the Board entered back into an open public hearing, Art Bernard, Managing Member of Art Bernard & Associates gave a presentation to the Board on the Housing Plan Amendment as it relates to the Township's affordable housing obligation and to address the availability of the Woodcrest County Club for development (per Court Order which will be presented to the Court for approval).

Mr. Bernard stated the Housing Element is a required part of the Master Plan. It needs to address the State's low and moderate income housing obligation. Mr. Bernard stated that Cherry Hill's rehab share is 145 units. The Township will administer a rehab program through the County to do the rehabilitation work. For low and moderate income housing obligation is 1,669 units. Due to such a large number of units required as part of Cherry Hill's fair share and due to vacant land being a scarce resource in the community, the process requires that a municipality calculate its realistic development potential (RDP) in order to determine how many affordable units the Township can realistically build. The RDP is designed to be recalculated as new land becomes available development. Per a 1993 consent order, Cherry Hill had to recalculate their RDP and one of the sites included as a place for potential affordable housing was the Woodcrest Country Club. Recently, the Woodcrest Country Club was purchased and while it was intended to be used a golf course, it has subsequently offered a portion of the site for housing and affordable housing.

The Plan Amendment recalculates the RDP using not just a portion of the site for potential development but instead uses the whole site as being available for housing in order to get a conservative value. The recalculation has shown the RDP for Cherry Hill is in fact 1,340 units. Mr. Bernard referenced the Plan Amendment which shows how the Township is addressing its fair share obligation. Counting all of the built, approved, or units being implemented, the amount of credits adds up to 1,543 units with 742 of those credits counting for units that are already built. This calculation shows that there are credits in place that will surpass the 1,340 units needed. Note that this calculation does not include the potential units at the Evans-Francis site.

Mr. Bernard points out that the Woodcrest Country Club is not included in this plan amendment either due to the fact that Cherry Hill has more than addressed its RDP and since COAH's rules are clear that not every site that's included in the RDP needs to be rezoned. Mr. Bernard then gave a number of reasons why the site shouldn't be rezoned, specifically mentioning the character of the area around the site being single-family detached homes, the number of traffic related issues on the roads surrounding the site, as well as various traffic safety concerns.

Furthermore Mr. Bernard recommends that some additional text be added to the plan amendment in order to provide some clarification on page 10. The text recommended to be added is as follows: "The proposed approach to satisfy the realistic development potential demonstrates that the Township has chosen not to satisfy the realistic development potential generated by the availability of the Woodcrest County Club site by developing the site as an inclusionary project as it has been proposed."

In summation, Mr. Bernard reiterates that the fair share housing obligation for Cherry Hill is 1,669 units and Township has identified 1,543 credits, which leaves an unmet need of 126 units. The Plan Amendment continues to ask for the collection of development fees and to implement overlay zones in order to help meet this unmet need. Mr. Bernard finished by recommending this plan to the Planning Board.

Comments from the Public: Seeing none, Chairperson Bauerle closed that portion of the hearing.

Following the presentation by Art Bernard, Chairperson Bauerle entertained a motion to approve and endorse the Housing Element & Fair Share Plan Amendment. Carole Roskoph then made a motion, which was seconded by Larry Terry, to approve and endorse the amendment. Affirmative votes by Roskoph, McCormack, Jacobs, Bauerle, Dougherty, Terry, Kates, LaPlaca, and Hung. The motion passes.

Resolution 1:

Resolution Authorizing the Adoption of Housing Element & Fair Share Plan Amendment

Superior Court of New Jersey, Chancery Division, General Equity Part, Camden County, Docket No: L-04889-01, Civil Action (Fair Share Housing Center, Inc.; Camden County Branch of the NAACP; Southern Burlington County Branch of the NAACP (Plaintiffs) v. Township of Cherry Hill, et al (Defendants) regarding Housing Element & Fair Share Plan Amendment).

Motion to Ratify: Carolyn Jacobs made a motion which was seconded by Hugh Dougherty, to memorialize the resolution for the Adoption of the Housing Element & Fair Share Plan Amendment. Affirmative votes by Roskoph, McCormack, Jacobs, Bauerle, Dougherty, Terry, Kates, LaPlaca, and Hung, The resolution is memorialized.

Meeting Adjourned: at 9:19 PM.