



**PLANNING BOARD**  
**Monday, May 5, 2014**  
**DRAFT MINUTES**

*You couldn't pick a better place.*

**OPENING:** The meeting was called to order by Chairperson Brian Bauerle at 7:30pm

**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; John Osorio; Kevin McCormack; Brian Bauerle; Hugh Dougherty; Sam Kates; Gina LaPlaca; and Moly Hung.
- **Professionals in attendance:** Paul Stridick, AIA, Director; James Burns, Esq., Solicitor; and Jacob Richman, Planning Technician.

**Comments from the Public not related to tonight's agenda:** None.

**AGENDA ITEMS**

Chairperson Bauerle announced that the administrative items and resolution would be heard after the scheduled agenda items.

Prior to the first agenda item, Chairperson Bauerle announced that the previously scheduled application for Republic First Bank would be carried over the June 2, 2014 meeting of the Planning Board and that this announcement serves as due notice. The applicant has agreed to extend the timeframe of the application.

**Agenda Item 1:**

**14-P-0005**

Block(s) 284.02 Lot(s) 9

Zone: Highway Business (B2) Zone

*Relief Requested: A site plan waiver with bulk (C) sign variances to update the signage at the existing Dunkin Donuts.*

**Cherry Donut, Inc.**

2441 Route 38 East

Cherry Hill, NJ

**Exhibits Submitted:**

Exhibit A-1: Aerial and Street View Photo Exhibit of Site

**Discussion:** Applicant Cherry Donut, Inc. applied for a site plan waiver with bulk (C) sign variances to update the signage at the existing Dunkin Donuts.; located at 2441 Route 38 East, Cherry Hill, New Jersey (Block 284.02 Lot 9). The property is owned by Route 38 Dunkin Donuts, Inc.

Application was represented by:

- Peter Rhodes, Esq. – Attorney for the Applicant
- James Miller – Professional Planner
- Alan Lauer – Dunkin Donuts Representative

Mr. Rhodes opened up the application by detailing the nature of the project and the need for three variances in order to permit a new freestanding sign and two new façade signs. Essentially, Dunkin Donuts is looking to make aesthetic improvements to their signage.

Mr. Miller then approached the Board and presented exhibit A:1 in order to show that the proposed freestanding sign will have limited impact upon the adjacent Outback Steakhouse's freestanding sign in that the proposed Dunkin Donuts freestanding sign will only obscure their neighbor's sign for approximately one (1) car length. Mr. Miller also commented that moving the existing location of the freestanding sign from the east side of the property where the exit driveway is to the west side of the property where the entrance driveway is, makes more

sense overall in terms of safety, circulation, and visibility. Next, Mr. Miller described the three variances and why how they meet the positive and negative criteria. First, the applicant believes granting the variance to permit a freestanding sign to be 41 SF where only 19.75 SF is permitted is just because the existing sign is 40 SF and a 41 SF is comparable not only to the size of the existing sign but also to the road along which it is located. This size sign, argued Mr. Miller, would be able to be seen easily (and the site could handle any even larger sign) and being relocated to the entrance driveway makes more sense from a circulation standpoint. In regard to the proposed 3.8' setback from a minimum of 10' is required, Mr. Miller stated that this setback will not be exacerbating the nonconformity as the existing sign is also located at a 3.8' setback. Furthermore, this sign location will work better for identifying the location. If the sign was moved back any further, it would encroach on the drive aisle, and if the sign moved any further east, it would be too far setback from the entrance driveway. It was also testified that this setback will not obstruct any site triangles. Lastly, in regard to façade sign to be located not along a principal street frontage where street frontage for a façade sign is required, Mr. Miller stated that the west elevation location of the proposed façade sign will not impair other properties nor will the sign be seen except for people in the parking lot. Additionally, it was mentioned by Mr. Stridick that due to the angle of the Dunkin Donuts in relation to Route 38, this sign will be seen from Route 38 and better help to identify the building.

Mr. Lauer appeared before the Board and confirmed that the directional signs to be located on the site will only say things such as "enter", "exit", "do not enter", and "drive-thru" and contain no extraneous language such as "see you soon." When asked by the Board why there is a need to update the signage, Mr. Lauer stated that this was a corporate order in order to keep up with the branding the Dunkin Donuts wants to display. Essentially, Dunkin Donuts corporate has branding requirements for franchise owners. Other points hit by Mr. Lauer included hours of operation being from 5am to 11pm, that there will be landscaping around the base of the freestanding sign, and that any "Now Hiring" signs would be removed from the grounds. Mr. Lauer also confirmed to the Board that due to the existing location of the freestanding sign, people would enter through the exit driveway. Lastly, Mr. Lauer confirmed that as part of the plans, they would be putting in a small canopy over the menu board at the drive-thru in order to protect customers from the rain. The Board did not have any problems with this.

**Public Discussion:** Mr. Jeffrey Arnold, a representative of the adjacent Outback Steakhouse, expressed some concern that the proposed sign would obstruct their sign for about car lengths worth of travel but acknowledged that the proposed sign would be less of an impairment of their sign as compared to the existing Dunkin Donuts freestanding sign. Solicitor Burns weighed in by mentioning that Outback Steakhouse may wish to look at updating their signage and bring something to the Planning Board. Mr. Stridick echoed the Solicitor's comments and said that maybe Outback Steakhouse got their money's worth out of their current sign and may want to think about updating their signs to bring it into the 21<sup>st</sup> century. Mr. Arnold expressed gratitude for the comments by Solicitor Burns and Mr. Stridick.

**Motion:** Following the reiteration of the details and variances requested as part of the application by Solicitor Burns, John Osorio made a motion, which was seconded by Carole Roskoph, to approve the application with the details as stated. Affirmative votes by Roskoph, Osorio, Bauerle, Dougherty, McCormack, LaPlaca, Kates, and Hung. The application is approved.

### **ADMINISTRATIVE ITEMS**

*Adoption of Meeting Minutes from March 17, 2014:* Sam Kates made a motion, which was seconded by Carole Roskoph, to adopt the Meeting Minutes from March 17, 2014. Affirmative votes by Bauerle, Osorio, Roskoph, Kates, LaPlaca, and Hung. Minutes are approved.

*Adoption of Meeting Minutes from April 7, 2014:* Hugh Dougherty made a motion, which was seconded by Gina LaPlaca, to adopt the Meeting Minutes from April 7, 2014. Affirmative votes by Bauerle, Osorio, McCormack, Roskoph, Dougherty, Kates, LaPlaca, and Hung. Minutes are approved.

### **Resolution 1:**

#### **13-P-0042**

Block(s) 285.25 Lot(s) 2.03 & 3  
Zone: General Office (O2) Zone

#### **TLC Management (DeVal), LLC**

1800 Chapel Avenue West  
Cherry Hill, NJ

*Relief Requested: A site plan waiver with bulk (C) sign variances to permit the installation of a 16 SF freestanding monument sign.*

**Motion to Ratify:** Following the review of the resolution and all of its conditions by the Planning Board, Hugh Dougherty made a motion which was seconded by John Osorio, to memorialize the resolution for TLC Management (DeVal), LLC. Affirmative votes by Bauerle, McCormack Osorio, Roskoph, Dougherty, Kates, Hung, and LaPlaca. The resolution is memorialized.

**Meeting Adjourned:** at 8:14 PM.