



**PLANNING BOARD**  
**Monday, June 16, 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:** Kevin McCormack; Brian Bauerle; Carolyn Jacobs; John Osorio; Hugh Dougherty; Larry Terry; Gina LaPlaca; and Moly Hung.
- **Professionals in attendance:** Paul Stridick, AIA, Director; Jim Burns, Esq., Solicitor; Stacey Arcari, Board Engineer; and Jacob Richman, Planning Technician.

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

**ADMINISTRATIVE ITEMS**

*Adoption of Meeting Minutes from June 2, 2014:* Carolyn Jacobs made a motion, which was seconded by Hugh Dougherty, to adopt the Meeting Minutes from June 2, 2014. Affirmative votes by Bauerle, McCormack, Jacobs, Dougherty, Terry, LaPlaca, and Hung. Minutes are approved.

**AGENDA ITEMS**

**Agenda Item 1:**

**14-P-0011**

Block(s) 337.03 Lot(s) 29

Zone: Residential (R2) Zone

**Michael Young**

28 Crooked Lane

Cherry Hill, NJ

*Relief Requested: A minor subdivision with bulk (C) variances to subdivide one (1) lot to create two (2) lots total. In addition to the existing single family home on Lot 29, a second single family home is proposed on Lot 29.01. As a result of the subdivision, a bulk (C) variance from section 405.D to permit a 9.46' side yard setback, where a minimum of side yard setback of 10' for Lot 29 is required.*

**Exhibits Submitted:**

None

**Discussion:** Applicant Michael Young, applied for a minor subdivision with bulk (C) variances to subdivide one (1) lot to create two (2) lots total; located at 28 Crooked Lane, Cherry Hill, New Jersey (Block 337.03 Lot 29). The property is owned by Michael Young.

Application was represented by:

- Vince D'Elia, Esq. – Attorney for the Applicant
- Michael Young – Owner of 28 Crooked Lane

Mr. D'Elia began by stating that the application is for a minor subdivision two divide one lot into two lots (where the original lot has an existing single family home) along with one bulk variance to permit a side yard setback of 9.46' where 10' is required. Furthermore, Mr. D'Elia stated that no home is currently proposed on the new lot and that the goal of the application is to get the bulk standards approved so that a house can be located on the site in the future. Mr. Bauerle interjected and asked about the existing driveway that if the lot is subdivided as shown on the plan, the driveway would span both lots. Mr. Young approached the Board and stated that the driveway would be removed and two separate driveways would be created to service both lots without crossing into the other lot.

Ms. Arcari added that along with the proposed driveways, plans will have to be submitted in the future when the applicant comes up with a proposal for locating the new home. The issue of tree removal was then brought up by the Board to Mr. Young who stated that he would only remove trees that are less than 8" in diameter. A few Board members and Mr. Stridick interjected that Mr. Young should look up the Township Tree Ordinance and make sure that proper approvals/permits are obtained prior to the removal of any trees.

Testimony was then provided by the applicant regarding the bulk dimensions of the proposed lot. Currently the lot frontage of the proposed lot is just conforming at 80.04' where 80' is required but that a variance is needed for a side yard setback of 9.46' where 10' is required. Per Ms. Arcari's review letter, she suggested the applicant make the lot frontage an even 80' and that with that, the side yard setback would be closer to conforming at a measurement of 9.50 where 10' is required. Mr. D'Elia and the applicant agreed to that change in the plans. When asked who will be developing the lot, Mr. Young stated that he will be developer of the new lot but that he would agree to the condition that if he were to sell the lot, he would have a point of sale disclosure detailing the variance approvals on the lot. Other than the items previously mentioned, Mr. D'Elia and Mr. Young agreed to all other aspects of ERI's and the Department of Community Development's review letters. Mr. D'Elia stated that the bulk variance is very minor in nature and will cause no impairment on the neighboring properties.

**Public Discussion:** Chairman Bauerle opened the public portion of the hearing and seeing no one willing to speak, closed the portion of the meeting. Right prior to Mr. Burns reading the conditions of the application, an audience member interjected and asked if they could say something. Mr. D'Elia had no objection to public comment and Chairman Bauerle used his authority to reopen the public portion of the meeting. Mark Hersch of Cherry Hill Township then approached the Board and stated he owns a lot adjacent to the property in question. Mr. Hersch wasn't sure why he received a letter regarding this matter and wasn't sure the nature of the application. He was also concerned with tree removal and the view from his house. Mr. Hersch also was unclear about where this proposed home was to be located. To address his questions, several Board members expressed that he received notice of this application because a variance was being requested and it is required by law to notify residents within 200' of the property. Mr. Stridick and Ms. Arcari then clarified that the applicant wants to subdivide his large lot into two and while the applicant is not proposing a house at this time, the applicant is setting the setbacks/lot lines to where he can build a house in the future. Mr. Hersch then stated he did not wish to see a house on the subdivided lot to which the Board replied that if he does receive variance approval, by law, he will be allowed to build a house on the lot as long as the applicant stays within the Zoning Ordinance.

Mr. Eric Hersch, who is the son of Mark Hersch, approached the Board and asked for further clarification regarding the variance and also asked to see the subdivision plan. After clarifying the variance further, Mr. D'Elia brought a subdivision plan over Mr. Eric Hersch. His father Mark Hersch and his mother Linda Hersch approached the dais to view the plan. The Hersch's stated that their property is adjacent to the wooded area in the back of the proposed lot. Mr. D'Elia and the Board clarified that Mr. Young would not be able to build in that portion of the lot because wetlands are located there and that without a LOI from NJDEP, no tree removal or building could take place there.

Following the Hersch family's comments, more public comment was sought, but seeing none, Chairman Bauerle closed that portion of the meeting.

**Motion:** Following the reiteration of the conditions imposed upon the application by Solicitor Burns and that the applicant must be compliant with the Township Tree Ordinance or come back to the Planning Board, Carolyn Jacobs made a motion, which was seconded by Hugh Dougherty, to approve the application with the conditions as stated. Affirmative votes by c. The application is approved.

**Agenda Item 2:**

**14-P-0014**

Block(s) 351.01 Lot(s) 1

Zone: Institutional (IN) Zone

**Lovez, LLC**

700-750 Route 70 West

Cherry Hill, NJ

*Relief Requested: A minor site plan with bulk (C) variances to convert a church, school, and rectory into a private elementary and secondary school for students with multiple non-physical disabilities.*

**Exhibits Submitted:**

None

**Discussion:** Applicant Lovez, LLC, applied for a minor site plan with bulk (C) variances to convert a church, school, and rectory into a private elementary and secondary school for students with multiple non-physical disabilities; located at 700-750 Route 70 West, Cherry Hill, New Jersey (Block 351.01 Lot 1). The property is owned by The Catholic Community of Christ Our Light.

Application was represented by:

- Richard Goldstein, Esq. – Attorney for the Applicant
- Chris Sarandoulis – Owner/Operator of Lovez, LLC & Director of the Yale School
- Mark Shourds – Professional Engineer & Planner

Mr. Goldstein introduced the application and described the location of the property in questions. The application is for a minor site plan with bulk variances to convert a vacant church, rectory, and parish (3 buildings total) into a school for children with multiple non-physical disabilities. The vacant site used to be used by the Queen of Heaven church and school, last occupied in 2008. The Y.A.L.E. School has bought the site and plans on re-investing in this vacant site. Mr. Goldstein mentioned that he and his client have been working with the Department of Community Development for a while and that because no history of this sites approvals exist, it was mutually agreed upon to come to the Plan Board and codify the approvals.

Mr. Goldstein then went through the variances being requested as part of the application. Three variances are requested in total in addition to a number of existing non-conformities. The applicant proposes a 7.8' side yard setback from the proposed shed where 10' is required, a 31.28% (up from 31.1% because of the addition of the shed) building coverage where 30% maximum is permitted, and to permit 92 parking spaces where a minimum of 94 parking spaces is required. Mr. Goldstein noted that an older set of plans showed 91 parking spaces but due to re-stripping, one more parking space was produced. Additionally, the applicant is proposing major ADA improvements that will extend the ADA walkways from the Route 70 bus stop to the east side entrance and around the south side of the buildings. The applicant is also proposing to replace the two existing freestanding signs with two new monument style signs that will say "Y.A.L.E. School" and that counter to what the Community Development review letter states, due to revisions to the signs, they will fully comply with the sign ordinance. The school will be opened Monday through Friday only during the day in addition to a summer session. Mr. Goldstein stated that the intensity of the proposed use will be less than when it operated as a Parish due to the site only being operational during the daytime.

Mr. Sarandoulis approached the Board and gave an overview of the Y.A.L.E. School. The goal is to provided education and occupational therapy to students, ages 5 through 21, with multiple non-physical disabilities. There will be no more than 12 students per classroom with a 1 certified teacher and 2 aides per classroom, and the max student population will be 156. In regard to how each building on the campus will be used, the church will be used as an auditorium for special events, the school building will continued to be used as a school, and the Parish building will be used as administrative offices. Mr. Sarandoulis predicted that the largest event the school will host is graduation where he projects 125 attendees. Mr. Sarandoulis then went into detail regarding the operations of the school including summer programs, that food will not be served, UPS trucks will make occasional deliveries during the school day, the bus drop-off system, and that the existing gym will be used by the Queen of Heaven Church after normal school hours but that it is a short-term contract. Mr. Sarandoulis stated that he does not foresee any adverse impacts upon the surrounding land uses. He also stated that the school has a contract purchaser agreement. When asked if there were any trademark issues with the name of the school and the Ivy League university with the same name, Mr. Sarandoulis said that he has not been contacted by the University but that YALE in this case stands for "Young Adult Learning Experience."

Mark Shourds appeared before the Board to provide expert engineering and planning testimony. Mr. Shourds first gave an overview of the site and the proposed improvements with the overall site planning goal of enhancing the property (suffered from vandalism and not fluid circulation). Parking and inlet issued would be resolved and a 6' high vinyl fence in the rear of the property would provide a buffer between their property and the residential uses behind them. The addition of larger landscape islands and trees and a grander entrance with a flagpole will enhance the site and make the location easier to spot. A portion of the existing park lot will also be re-stripped which will change the 90 degree parking layout to 45 degree parking spaces in order to permit safer flow throughout the site. Currently the 90 degree parking spaces make it difficult for people to back out of parking spots. Mr. Shourds then reiterated Mr. Goldstein's comments about updating the ADA on -site and added that all 3 buildings will be connected with crosswalks and ADA ramps. In regard to additional structures on the building, Mr. Shourds stated that a shed will be added near the Parish which will store lawn maintenance equipment and supplies for field strips. Also, a masonry enclosure will be put around the trash bin. Mr. Shourds did mention that that instead of milling and doing an overlay of the parking lot, they will reseal the lot and restripe as necessary. When the Board asked about issues with potential parking overflow during big events, the applicant stated they had no objection to notifying neighbors in advance of big events.

In regard to other improvements, Mr. Sarandoulis stated that the roofs and windows (specifically the stained glass windows) will be replaced and that various painting and planting of shrubbery will improve the site. It was testified that the site will have no permanent residents living there. Mr. Goldstein then clarified that the curb cuts on Pennsylvania Ave and Connecticut Ave will not be removed and that the Pennsylvania Ave entrance will be mainly used for deliveries. Mr. Shourds then commented on the lighting in that they will work out the timer details and that they will conduct a night light function test. Additionally, code will be met for security lighting and that lights will be minimal after hours except when the gym is being used after hours as stated previously. Mr. Osorio

then questioned the landscaping plan to which Mr. Shourds went into more detail regarding the various additions to the planting and general landscaping of the site.

**Public Discussion:** Michael Iannetta of Cherry Hill Township appeared before the Board and commented on the apron off of Connecticut Avenue and wanted clarification of where employees will park. Mr. Goldstein stated they are keeping the apron on Connecticut Avenue and that employees will be encouraged to park more towards Route 70, away from the residential areas. Mr. Iannetta also commented on the safety concerns regarding the outdoor basketball area along Connecticut Ave and if the basketball court could be moved. Mr. Goldstein stated that a fence is being extended behind the basketball hoop and that it will prevent balls from going into the street, thus ensuring it to be a safer area than what exists. More public comment was sought but seeing none, Chairperson Bauerle closed that portion of the meeting.

**Motion:** Following the reiteration of the conditions imposed upon the application by Solicitor Burns and stating that Title 39 will be sought by the applicant, John Osorio made a motion, which was seconded by Larry Terry, to approve the application with the conditions as stated. Affirmative votes by Bauerle, Jacobs, Osorio, Dougherty, McCormack, Terry, LaPlaca, and Hung. The application is approved.

**Resolution 1:**

**13-P-0013**

Block(s) 411.01 Lot(s) 1, 2, and 3  
Zone: Industrial Restricted (IR) Zone

**Eric Gorsen**

603 Kresson Road  
Cherry Hill, NJ

*Relief Requested: A preliminary and final major site plan to subdivide the existing building at 603 Kresson Road into office and warehouse flex space.*

**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 Brian Bauerle, to memorialize the resolution for 603 Kresson Road, LLC (Eric Gorsen). Affirmative votes by Bauerle, McCormack, Osorio, Jacobs, Dougherty, Hung, and LaPlaca. The resolution is memorialized.

**Meeting Adjourned:** at 9:07 PM.