



**PLANNING BOARD**  
**Monday, July 17, 2017**  
**APPROVED MINUTES**

*You couldn't pick a better place.*

**OPENING:** The meeting was called to order by Vice-Chairman Hugh Dougherty at 7:38 PM.

**PLEDGE OF ALLEGIANCE:** Led by Hugh Dougherty.

**OPMA STATEMENT:** Read by Hugh Dougherty in compliance with the Sunshine Law.

**ROLL CALL**

- **Members in attendance:** Hugh Dougherty; Kevin McCormack; Moly Hung; Betty Adler; William Carter; Marlyn Kalitan and Sheila Griffith.
- **Professionals in attendance:** Lorissa Luciani, PP, AICP, Director of Planning; James Burns, Esq., Solicitor; Stacey Arcari, PE, Planning Board Engineer; and Jacob Richman, PP, AICP, Planner.

**ADMINISTRATIVE ITEMS**

Solicitor Burns administered the Oath to Moly Hung who was reappointed by Township Council as a Class IV Planning Board member.

*Adoption Meeting Minutes from June 19 2017.* Betty Adler made a motion, which was seconded by Sam Kates, to adopt the Meeting Minutes from June 19, 2017. Affirmative votes by Adler, McCormack, Dougherty, Hung, Kalitan and Griffith. Minutes are approved.

**Agenda Item 1:**

**14-P-0016**

Block(s) 284.01 Lot(s) 17

Zone: Highway Business (B2) Zone

**Lazgor, LLC (Wawa)**

2428 Route 38

Cherry Hill, NJ

*Relief Requested: An Amended Preliminary & Final Major Site Plan to construct a 4,736 SF Wawa convenience store with gasoline service (12 fuel dispensers).*

**Applicant's Representatives:** Richard Goldstein, Esq. – Applicant's Attorney; Peter Lazaropoulos, RA, PE, PP – Applicant's Engineer; Nathan Mosley, PE, PTOE – Applicant's Traffic Engineering; James Miller, PP, AICP – Applicant's Planner; and Kristen Ritz – Project Engineer for Wawa.

**Exhibits Submitted:** A-1: Color Site Plan Rendering; A-2: Previously Approved Site Plan dated 8/7/14; A-3: Brick & EIFS Façade Elevation; and A-4: Stone & Brick Façade Elevation.

Mr. Goldstein gave an overview of the site and its location. The applicant proposes an amended Preliminary and Final Major Site Plan and a conditional use approval to construct a 4,736 SF Wawa convenience store with fuel service (12 dispensers). Mr. Goldstein discussed the prior approval granted under application 14-P-0016 including a lot consolidation, a McDonald's restaurant, a retail strip center, and an office building. Mr. Goldstein explained that the McDonald's has been built and is currently operating; however, the office and retail uses have not been constructed. The proposed Wawa would be located in the location of the previously approved retail strip center while the office building portion of the site would be undeveloped greenspace. The proposal is being made without any variance requests and with all conditional use requirements being met. There will be a net reduction of over 22,000 SF of impervious coverage as compared to the original approved site plan. Mr. Goldstein noted that the stormwater management facilities have already been constructed and that the site was historically a gas station before it became an office complex. The proposed Wawa will be constructed out of stone and brick. Mr. Goldstein submitted Exhibit A-1 in order to illustrate the proposed development.

Ms. Ritz noted that this store would replace the existing store located nearby on Church Road and that the proposed Wawa would be a 24-hour establishment. The Wawa will employ 40 to 50 employees (and up to 10 full-time employees) with a maximum of 12 employees on a shift. Tractor trailer deliveries will occur 4 to 5 times per week during off-peak times while private vendor products such as chips, bread, and soda, will come by van. The unloading of deliveries takes 15

to 20 minutes and trucks will not idle. Fuel deliveries occur 4 to 5 times a week while trash pick-up occurs 3 to 4 times per week, all during off-peak times. Employees will empty the exterior trash cans at the end of their shifts and use a sweeping machine to clear the parking lot of any debris. All fuel tanks will be stores underground and the gasoline service will also include diesel fuel. There will be no auto body services or on-site oil changes at this Wawa. Ms. Ritz clarified that off-peak hours (for deliveries) occur from 9am to 12pm and 2pm to 8pm. There will be no deliveries between 10pm and 7am. Ms. Luciani stated that the Camden County Noise Ordinance would prohibit deliveries between 10pm and 7am. Ms. Ritz stated that all deliveries will take place in the designated loading stone. Employees will be instructed to park in the parking spaces farthest from the store. Ms. Ritz stated that Wawa trains their employees to handle accidental gas spills.

Mr. Lazaropoulos submitted Exhibit A-2 and described the characteristics of the prior approved site plan as well as noting the historic uses. Mr. Lazaropoulos explained that much of the improvements to the western portion of the site have already been made including landscaping, sidewalks, utilities, and stormwater management facilities. Mr. Lazaropoulos stated that the Wawa proposal will leave a large swath of grass along Coles Avenue except for the full access driveway to Coles Avenue. Mr. Lazaropoulos went through the requested design waivers related to landscaping, lighting, and off-street parking areas. Mr. Lazaropoulos reiterated that the site meets all of the conditional use requirements and that there are no requested sign variances. Mr. Lazaropoulos submitted Exhibits A-3 and A-4 and discussed the architecture of the proposed Wawa and noted that the building will be of stone and brick as opposed to EIFS and brick. The building will have both front and rear entrances. The applicant will comply with Title 39 should there be a need in the future to have Title 39. Mr. Lazaropoulos stated that he agrees with all review letter comments and will make modification as necessary. Mr. Lazaropoulos discussed the truck turning movements as well as noting the landscaping and sidewalks that are being provided.

Mr. Mosley discussed his traffic engineering analysis and noted that the driveway on Route 38 has been approved by NJDOT and that the driveway along Coles Avenue has been approved by Camden County. Mr. Mosley explained that their analysis shows that 75% of peak hour traffic to this site is from people who are already on the roadway at these times. The site will not generate much new traffic. Mr. Mosley explained that the prior approved retail uses would have generated more new traffic. Mr. Mosley stressed that tractor trailers are not allowed to get fuel at Wawa nor are the gas pumps designed to handle tractor trailers.

Mr. Miller went through the design waivers and conditional use standards by outlining how all conditions are being met. Mr. Lazaropoulos noted that the landscaping plan will be revised to install more plantings along the residential buffer with Block 284.01, Lot 23 a/k/a 46 Coles Avenue. Mr. Lazaropoulos stated he will work with the Department of Community Development on the proposed landscaping. Mr. Lazaropoulos noted that the plan does already call for landscaping around the perimeter of the site as well as within the landscaping islands.

**Public Discussion:** Ms. Donna Sperling of 40 Hassemer Road stated that she is concerned about the switch from a previously approved retail strip to a Super Wawa as well as having concerns about potential environmental impacts. Ms. Luciani noted that an Environmental Impacts Statement (EIS) was performed during the prior site plan approval but that the applicant requested a waiver from this requirement for this plan iteration. Ms. Luciani added that gas stations have to comply with federal requirements. Mr. Lazaropoulos noted that the nearby creek is not impacted by the proposed development. Ms. Sperling stated she is concerned about future development on the remaining greenspace; however, Mr. Lazaropoulos stated that there are no current plans for development but that they cannot predict the future. Solicitor Burns added that the applicant could develop the remaining piece of land but that they would have to come back to the Planning Board for site plan approval. Mr. Lazaropoulos added that they were invited to a Church Road Civic Association meeting to present their plans and that this was above the requirements of the MLUL. Ms. Sperling asked what the proposed signage entails and noted additional concerns regarding lighting and deliveries. Mr. Lazaropoulos detailed the signage, which will be in compliance with the Sign Ordinance, and that there will be no glare from signage related lights.

Mr. Richard Karpf of 46 Coles Avenue stated that he has a residence and business at the corner of Church Road and Coles Avenue. Mr. Karpf made claims that the developer broke his driveway and installed a camera that looks into his property. Mr. Goldstein stated that a camera was put on the Wawa property during the original phases of construction so as there were theft issues related to lost construction equipment. The camera was installed for security purposes. Mr. Karpf submitted Exhibits P-1 through P-3 which contained photographs of construction activity. Mr. Karpf claims that the developer was trespassing on his property. Solicitor Burns stated that if there are trespassing concerns to call the Police Department. Mr. Karpf stated that he believes the process is moving too fast and that he is concerned about the trash (and other property maintenance issues), the fence location, and possible crime. After Mr. Karpf concluded his comments, Mr. Goldstein stated that he would like to cross-examine the witness (which Solicitor stated was his right) but Mr. Karpf refused to comply with Mr. Goldstein requests.

Ms. Deborah Karpf of 46 Coles Avenue stated she is concerned about the possibility of the grass area being developed and how it will be maintained. Mr. Goldstein stated that it will be privately maintained by Wawa and has to be in compliance with Township Property Maintenance codes. Ms. Karpf stated she is also concerned about long-term parking at the Wawa. Ms. Ritz stated that there are no regulations for long-term parking at the Wawa except for no idling;

however, if there is an issue that Wawa staff will handle the situation. Ms. Ritz added that the parking lot is monitored by staff. Ms. Karpf echoed concerns about the camera installed on the Wawa site and concerns about security of her property. Mr. Goldstein stated that camera will be removed once construction is complete and Ms. Luciani added that if a crime is committed to call the Police Department and file a report. Ms. Karpf stated she also has concerns about the protection of the fuel pumps and Mr. Lazaropoulos stated that there are bollards around the fuel pumps and the store. Ms. Karpf concluded her comments and Mr. Goldstein, as part of his cross-examination, asked Ms. Karpf if she lives at 46 Coles Avenue. Ms. Karpf refused to answer Mr. Goldstein's question.

Mr. Bruce Sperling of 40 Hassemer Road asked if fencing can be installed along Coles Avenue in order to help block lights from crossing the street into his property. A discussion ensued about the location of Mr. Sperling's house in relation to the subject site. Ms. Luciani stated that they can take a look utilizing a berm along Coles Avenue in order to help prevent car headlights from causing an issue.

Mr. Jack Karpf, Esq. stated that he is not representing his brother, Richard Karpf, but has some questions about the proposed development. Mr. Karpf asked how close the fuel tanks will be to 46 Coles Avenue and how the remaining greenspace will be developed in the future. Mr. Lazaropoulos stated that he does not have any current plans for development of the remaining greenspace.

Cynthia Trubin of 21 Delwood Road stated that she is concerned about the impacts that this development will have on her neighborhood as well as noting her concerns about property maintenance issues & traffic.

Mr. Richard Karpf of 46 Coles Avenue stated that he will answer Mr. Goldstein's questions so that he can provide additional comments concerning the application. Mr. Goldstein asked Mr. Karpf if 46 Coles Avenue is his residence but Mr. Karpf refused to answer Mr. Goldstein's question. Vice-Chairman Dougherty stated he would not entertain additional comments from Mr. Karpf since he did not answer Mr. Goldstein's cross-examination question.

Vice-Chairman Dougherty closed the public comment portion of the meeting and then a discussion ensued between Ms. Luciani and the applicant regarding signage. Mr. Lazaropoulos stated he will utilize stone base skirting around the freestanding signs.

**Motion:** Following the reiteration of the conditions by Solicitor Burns, Marlyn Kalitan made a motion, which was seconded by William Carter, to approve the application with the conditions as stated. Affirmative votes by Adler, McCormack, Dougherty, Hung, Carter, Kalitan and Griffith. The application is approved.

Following the vote, Vice-Chairman Dougherty called for a recess at 9:37 PM. The public hearing resumed at 9:44 PM.

**Agenda Item 2:**

**16-P-0038**

Block(s) 500.01 Lot(s) 3

Zone: Highway Business (B2) Zone & Industrial Restricted (IR) Zone

*Relief Requested: A preliminary and final major site plan with bulk (C) variances to construct a fast food restaurant (Chick-Fil-A) with drive-through service (conditionally permitted principal use) along with various site improvements.*

**Lazgor, LLC (Chick-Fil-A)**

1749 Marlton Pike East

Cherry Hill, NJ

**Applicant's Representatives:** Richard Goldstein, Esq. – Applicant's Attorney; Peter Lazaropoulos, RA, PE, PP – Applicant's Engineer; Nathan Mosley, PE, PTOE – Applicant's Traffic Engineering; James Miller, PP, AICP – Applicant's Planner; and John Martinez – Development Manager for Chick-Fil-A.

**Exhibits Submitted:** A-1: Color Site Plan Rendering; A-2: Elevation Rendering; A-3: Aerial Photograph; and A-4: Site Plan Modification.

Mr. Goldstein gave an overview of the site, its location, and its access points. The applicant proposed to construct a 4,840 SF drive-through Chick-Fil-A restaurant with various signage and site improvements. Mr. Goldstein noted that all conditional use requirements are being met and that the applicant is eliminating two (2) previously requested sign variances by eliminating a south elevation façade sign (which required variances for location and the total amount of signs). The remaining variances the applicant is requesting relate to the height of the flagpole (50' where 38.5' is permitted), to permit a larger than permitted freestanding sign along Route 70, and to permit two (2) menu board signs where only (1) is permitted.

Mr. Martinez stated that the proposed Chick-Fil-A will be 126 seats and 28 outdoor seats. The restaurant will operate from 6:30am to 10pm Monday through Saturday and closed on Sunday. Mr. Martinez submitted Exhibit A-1 and discussed the site layout, pedestrian access, and vehicle circulation (around the parking lot and the double lane drive-through). Mr. Martinez affirmed that the drive-through speakers would not impact neighboring properties. Mr. Martinez explained that Chick-Fil-A has studied their existing sites and have found bypass lanes to be confusing to customers and therefore, the

proposed drive-through design does not have a bypass lane. Mr. Martinez explained that the cash station is a location where employees can go out to vehicles during peak times to collect cash only payments for ordered food. This helps speed up the drive-through process but this method is not always utilized. Mr. Martinez submitted Exhibit A-2 and explained that the building will be constructed of brick and that the building will have a child's play area. The restaurant will employ 60 to 70 people with about half of them being full-time employees. There will be 15 employees on the maximum work shift. Deliveries will come via tractor trailer 3 times per week after the close of business (likely between 4am and 5am). There will also be daily deliveries of bread and produce via a van. Since there are no nearby residence (and with the adjacent Fire Station issuing a no interest letter), deliveries will not impact neighboring properties. Trash pick-up will occur after the morning peak times. A discussion then ensued regarding the freestanding sign size and the pros and cons of a 50' flagpole as compared to a 35' flagpole. Mr. Martinez explained that the parking space designated "curbside delivery" is for customers who order food via Chick-Fil-A's mobile app.

Mr. Lazaropoulos submitted Exhibit A-3 and gave an overview of the site characteristics which consists of the now vacant Dive Shop. Mr. Lazaropoulos noted that they previously acquired and consolidated a strip of land that leads out to the now proposed Marlkrass Road full-access driveway. Mr. Lazaropoulos added that they have also received NJDOT approval for a right-in only access driveway into the site from Route 70. Mr. Lazaropoulos submitted Exhibit A-4 to show how the previously submitted building footprint is being modified to add an additional 110 SF to the building. The expansion consists of slightly increased front yard setback and slightly reduced side yard setback. Mr. Lazaropoulos went through the requested design waivers related to landscaping, lighting, loading, and off-street parking. Mr. Lazaropoulos noted how the site is compliant with all conditional use requirements and went through the requested sign variances. The applicant agreed to work with the Department of Community Development and ERI on directional signage. Mr. Lazaropoulos explained that they have designated seven (7) employee parking spaces along the southeastern parking strip. Mr. Lazaropoulos added some employees take public transit or carpool. Mr. Lazaropoulos stated that he agrees with all of the other review letter comments. Lastly, Mr. Lazaropoulos stated that Lazgor will be the owners of the property but Chick-Fil-A will be responsible for operations and property maintenance.

Mr. Mosley gave an overview of the traffic analysis and stated that he believes the proposed drive-through design is not only unique, but helps to eliminate unnecessary conflicts. Mr. Mosley stated that he included the recent nearby developments (such as Penn Medicine) in his traffic analysis. Mr. Mosley supports the proposed larger freestanding sign as it will help with site safety and site identification. Mr. Mosley discussed the circulation patterns on adjacent roadways and explained NJDOT's approvals of the access driveways. Mr. Mosley addressed future conditions in terms of queuing at the Marlkrass Road driveway in that there will be a 4 to 5 car stack during peak times but that the site can accommodate the queuing without causing interference. Mr. Mosley believes that customers can access and exit the site safely. In response to a question concerning morning peak traffic, Mr. Martinez stated that they want to grow their breakfast business but that it is currently light in terms of traffic.

Mr. Miller went through the condition use requirements, design waivers, and the positive and negative criteria for the requested variances. Mr. Miller added that that he believes the proposed 50' flagpole and flag size is proportional. Mr. Miller explained that the signage variance is primarily due to the orientation of the building and the need to adequately identify the sign for those traveling at higher rates of speed along Route 70. Mr. Miller stated that the proposed 2 menu board signs relate to the design of the drive-through which is a double lane configuration. Mr. Miller added that the menu board signs do not impact neighboring properties. In response to question concerning ownership of the store, Mr. Martinez stated that the Chick-Fil-A stores are franchised.

**Public Discussion:** Sean Malady of 1763 Route 70 East stated that he supports the application and that his tenants at his office building are excited about having a Chick-Fil-A close by. Mr. Malady added that Chick-Fil-A is phenomenal corporate partner and that they keep their properties clean. Mr. Malady stated that as a former marine, he is very supportive of a 50' flagpole.

**Motion:** Following the reiteration of the conditions by Solicitor Burns, Moly Hung made a motion, which was seconded by Marlyn Kalitan, to approve the application with the conditions as stated. Affirmative votes by Adler, McCormack, Dougherty, Hung, Carter, Kalitan and Griffith. The application is approved.

**Resolution:**

**14-P-0043**

Block(s) 158.01 Lot(s) 1 & 7

Zone: Highway Business (B2) Zone

**Bryn Mawr Cherry Hill II, LLC & Bryn Mawr Cherry Hill III, LLC**

706-712 Haddonfield Road

Cherry Hill, NJ

*Relief Requested: An Amended Preliminary and Final Major Site Plan with Bulk (C) Variances and a Relief of Condition to construct a 4,500 SF retail building (previously approved for 7,636 SF of restaurant and retail space) and additional parking along with various circulation and site improvements to Lot 7 (Phase II) of the proposed development. The applicant wishes to increase the amount of restaurant seats and employees on Lot 1 in lieu of the general 4,500 SF retail being proposed on Lot 7.*

**Motion to Ratify:** Following the review of the resolution, Kevin McCormack made a motion which was seconded by Sheila Griffith, to memorialize the resolution for Bryn Mawr Cherry Hill II, LLC & Bryn Mawr Cherry Hill III, LLC. Affirmative votes by Adler, McCormack, Dougherty, Hung, and Griffith. The resolution is memorialized.

**Meeting Adjourned:** at 11:12 PM.

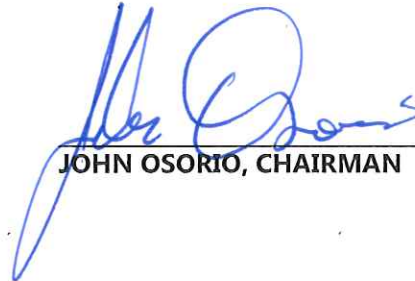
**ADOPTED:** 8/7/17

**ATTEST:**



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**LORISSA LUCIANI, PP, AICP  
PLANNING BOARD SECRETARY**



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**JOHN OSORIO, CHAIRMAN**

