

**CINNAMINSON TOWNSHIP
PLANNING BOARD
MEETING
AUGUST 13, 2019**

MR. BEDNAREK: In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township bulletin board and by advertising this Regular Meeting in the Burlington County Times on January 15, 2019, and in the Courier Post on January 15, 2019. In addition, notice was filed with the Municipal Clerk.

Members Present: – Mr. Bednarek, Mr. Brennan, Mr. Jones, Ms. Lamon, Mr. Marshall, Ms. O'Malley, Mr. Segrest and Mr. McGill.

Also Present: Mrs. Rucci, Secretary, Douglas Heinold, Board Attorney and Paul LaPierre, Board Engineer.

MR. BEDNAREK: Case #1908 – Cinnaminson Township – Minor Subdivision – Corner of the intersection at State Highway Route 130 and Cinnaminson Avenue, Block 1404, Lot 1.

MR. NORMAN: Attorney for Cinnaminson Township. We are here for Minor Subdivision Approval. This is a loose end of a redevelopment project from 2007. Blake Fitzgerald is here from Pennoni the Township Engineer. We did supply notice.

MR. HEINOLD: Mr. Segrest, the applicant is Cinnaminson Township you will need to recuse yourself from this application.

MR. NORMAN: The subject location is at Cinnaminson Avenue and Route 130. As part of the Redevelopment Project, there was a jug handle that was vacated by DOT. The Township owned the parcel. There was a remainder parcel and the redevelopment plan was to be conveyed to the owner of the property who is the redeveloper. This all dates back to 2007.

MR. FITZGERALD: Engineer from Pennoni Associates – Cinnaminson Avenue and Route 130. Dates back to 2007.

MR. FITZGERALD: We do have Remington and Vernick's letter of August 1, 2019. All recommendations in the report are acceptable. We will file this by Deed or (inaudible).

MR. MARSHALL: This isn't really a subdivision as much as it is a consolidation. Is this correct?

MR. NORMAN: It is going to be. Essentially it is going to be consolidated (inaudible)

MR. MARSHALL: We are just housekeeping for the State.

MR. NORMAN: Correct.

MR. BEDNAREK: Mr. LaPierre you are okay with all the testimony.

MR. LAPIERRE: Yes.

MR. BEDNAREK: He opened the public portion of the meeting.

MR. JOSEPH: He was here for the Global Cinnaminson I, LLC application.

MR. BEDNAREK: He closed the public portion of the meeting.

A MOTION IS MADE BY MS. O'MALLEY, seconded by Mr. Marshall to grant Minor Subdivision Approval. ROLL CALL VOTE: AYE, Mr. Brennan, Mr. Jones, Mr. Marshall, Ms. O'Malley, Mr. McGill and Chairman Bednarek, Abstain, Mr. Segrest, no opposed, motion passes.

MR. BEDNAREK: Public Hearing on the Master Plan Amendment (Housing Element and Fair Share Plan) for the Township of Cinnaminson Planning Board.

MR. HEINOLD: Frank Banish is the Township's Affordable Housing Planner. You should have received a copy of his plan to address the Township's third round Housing Element

MR. BANISH: The Report you have is an updated version of the Housing Element and Fair Share Plan. Mr. Banish reviewed the Third Round Housing Element and Fair Share Plan Report.

MR. BEDNAREK: He opened the public portion of the meeting. No one came forward.

MR. BEDNAREK: He closed the public portion of the meeting.

MR. HEINOLD: He recommended that the Board make a motion to adopt the Amendment to the Housing Element and Fair Share Plan as presented and as modified by Mr. Banish's testimony tonight. I have a copy of a Resolution to memorialize that adoption. He suggested voting on the adoption. When we finish up tonight, we can decide if we want to read the Resolution and adopt that tonight or revisit it at our next meeting.

A MOTION IS MADE BY MS. LAMON seconded by Ms. O'Malley to approve the testimony presented this evening. ROLL CALL VOTE: AYE, Mr. Brennan, Mr. Jones, Ms. Lamon, Mr. Marshall, Ms. O'Malley, Mr. Segrest, Mr. McGill and Chairman Bednarek, no opposed, motion passes.

MR. BEDNAREK: Case #1904 – Global Cinnaminson I, LLC – Preliminary and Final Site Plan – 1105 Route 130, Block 1004, Lot 13.03.

MR. DUNCAN PRIME: Attorney for the Applicant. The property is located at 1105 US Route 130, Block 1004, Lot 13.03. This is the site of the Old Acme on Route 130. Acme closed approximately eight years ago. Back in late 2011. In August 2013, your Township Committee by way of Resolution Number 2013-129 designated this property as an area in need of Redevelopment. My Client worked with the Township on a Redevelopment Plan, which was adopted in November of this past year. The Redevelopment Plan expressly permits the uses that we propose tonight. We have proposed the following uses:

We propose to retrofit and renovate the existing Acme Building –to use as an Extra Space Self Storage Facility.

We propose three Pad Sites out in front of the Old Acme.

The first pad site will be used as a –Children of America – 10,000 square feet Child Care Center.

The second pad is a 5,000 square feet IHOP Restaurant.

The third pad is a 4,700 square feet Restaurant – At this time, we do not have a tenant.

We are seeking Preliminary and Final Site Plan Approval for the Storage facility, the IHOP, and the Child Care Center. We are only seeking Preliminary approval for the restaurant. We understand that we have to come back for Final Approval before we proceed with permits for that use.

The application is subject to the standards of the Redevelopment Plan that was agreed to. We have requested a very, minor variance and a waiver. Other than that, the uses and all of the other bulk standards are conforming.

MR. HEINOLD: He swears in Ahmed Tamous, Site Engineer, Mark Blasch, Architect and Paul Going, Traffic Engineer.

MR. PRIME: Exhibit A-1 – Use and Operations Statement

MR. TAMOUS: He described Exhibit A-2 – Aerial Image of the Site.

He described Exhibit A-3 – Rendering of Site Plan. He spoke about lighting, landscaping and signage. Will work with the Township Engineer to enhance landscaping around the trash enclosure. Pylon sign will stay no variance required for pylon.

We are proposing 24 lights in total. 11 single, 7 double and 6 (inaudible) lights. We exceed the permitted height by one foot. The Township requirement is 24 feet. We are proposing 25 foot lights. (Inaudible) We are not seeking a waiver from that requirement.

MR. PRIME: An accessory structure can't be closer than 20 feet to the property line. Is that correct?

MR. TAMOUS: That is correct.

MR. PRIME: We violate that by about 4 feet. Is that correct?

MR. TAMOUS: One of them is by 4 feet.

MR. PRIME: That is for the fence of the playground **for** the Child Care Center?

MR. TAMOUS: That is correct.

MR. PRIME: The Child Care Center is required to have the fence.

MR. TAMOUS: It is a State requirement.

MR. PRIME: In the Redevelopment Plan, there is a recommendation that a Monument be installed, but it does permit a Pylon to stay?

MR. TAMOUS: That is correct.

MR. PRIME: No variance is required.

MR. TAMOUS: It is conforming as it is today.

MR. LAPIERRE: The project was incomplete primarily because of drainage issues. In the resubmitted plans and application, for the most part, all of those issues have been satisfactorily resubmitted. For the most part, they addressed the drainage issues. There is an agreement between the two adjoining lots as easements. I will leave that to the Board Solicitor to discuss.

MR. HEINOLD: The applicant before us should be judged in accordance with the Redevelopment Plan and our applicable regulations. There may be some conditions associated with their approval, which will require them to address certain things, but it will ultimately be up to this property owner to work out any modifications that flow from that with the neighboring property owner that they share these cross easements with. That is essentially between those two private parties. We can proceed in accordance with our process and our parameters.

MR. LAPIERRE: They have done an extensive analysis on site conditions and soils. They have come up with a design that I am in agreement with. After extensive testing, I am satisfied with what they presented. They have addressed the concerns I raised in my previous completeness letter. He wanted to verify they submitted a tax certificate.

A MOTION IS MADE BY MS. O'MALLEY, seconded by Ms. Lamon to deem this application complete subject to pulling this back or requesting any additional information as provided by Mr. LaPierre's letter and any other reports that are normally required under a completeness applications. ROLL CALL VOTE: AYE, Mr. Brennan, Mr. Jones, Ms. Lamon, Mr. Marshall. Ms. O'Malley, Mr. Segrest, Mr. McGill and Chairman Bednarek, no opposed, motion passes.

MR. MARK BLASCH: Architect for the Applicant – He presented and described the following Exhibits:

Exhibit A-4 – Rendering of the Extra Space Property/Former Acme Building. The entire building will be cleaned up.

Exhibit A-5 – Children of America. It is a Day Care Center – Six months to Five years old. They require the parents to bring the child in. There is parking up front, which is primarily used at the beginning and ending of the day.

Exhibit A-6 - View from Route 130. Alternative view. The playground area in the back that is where we went over by four feet. The building is fenced for safety purposes.

Exhibit A-7 - IHOP Building.

Exhibit A-8 – IHOP Building. Alternate View. View from Route 130.

MR. ELGEDDAWY: – Operator of IHOP. We no longer have those black grease things. We have a tank that stays in the building or in the enclosure. We vacuum the grease from the fryer into a tank. A truck comes up and pumps it out. It is one hundred percent enclosed.

MR. BLASCH: There will be lighting above the awnings. Just your standard lighting around the building.

MR. GOING: Traffic Engineer - He reviewed his Traffic Report. They did revise the report. You do not have the revised Report. I am going to speak to it now and it will be submitted later. There were some changes made to the plan. They are proposing a 89,000 square foot self-storage facility, former Acme Supermarket, a 10,000 square foot Day Care Facility, the 5,050 square foot IHOP and a 4,700 square foot fast food restaurant. There are no changes proposed to the access. The Site is accessible from all directions. The Site is accessible from all directions via the Route 130 Driveways and the Riverton Road driveway. They did trip calculations. They calculated the peak hour traffic. They submitted their data to the NJDOT. They issued a letter of no interest dated April 24, 2019, which basically states that a new permit is not required and that they agree that there is not a significant increase in traffic.

MS. O'MALLEY: Is that based on when it was a supermarket, that it is a decrease in the trip generation?

MR. GOING: Correct.

MR. PRIME: That is if there were a supermarket there now not the traffic of nine years ago?

MR. GOING: Correct.

MR. GOING: He spoke about the parking stalls. – I think there is an abundance of parking. We would have 57 Employee Parking Stalls at the rear where 54 are required. We have 11 self-storage stalls along the north side of the building and 4 in the front, which is a total of 15. We have 20 learning center pick up and drop off stalls. They are going to be signed for pickup and drop off only in the morning. I believe 6:00 AM to 10:00 AM and then in the afternoon 3:30 PM to 6:00/6:30 PM. Other times of the day, those stalls will be additional stalls that are open for availability. 108 restaurant stalls for patrons upfront. That leaves 17 unallocated stalls in the front that could be used by Self Storage Patrons, IHOP Patrons, Fast Food or the Learning Center.

MS. O'MALLEY: Is your testimony that the employees at the IHOP and the Day Care Center, and the unknown restaurant are going to park in the back lot and walk around the front to go to work?

MR. GOING: That is correct. The Property Owner and Manager is requiring it in their leases, making these requirements. There could be an issue with enforcement. We do provide parking that is required.

A number of Board Members commented that they did not think that the employees would park in the rear of the site and walk to their jobs in the front of the site.

MR. BRENNAN: How many spots did you say were allocated for the Children of America?

MR. GOING: There are 27 Employee parking stalls at the rear of the site and 20 pickup and drop off stalls.

MR. GOING: The pickup and drop off times are a three to four hour span in the morning and in the afternoon. Not everyone is coming and leaving at the same time. Twenty stalls is sufficient for that number of students.

MR. BEDNAREK: What are the parking stall space sizes?

MR. GOING: 9' x 18'

MR. PRIME: He believes 9' X 18 is the standard for the Redevelopment Plan. It is in Section 5 of the Redevelopment Plan.

MS. O'MALLEY: She asked about the sidewall of the Daycare and it not being decorative. I know we went to great demands at the Shoppes on Cinnaminson Avenue, at Siena on Route 130 to have Parapets facing Route 130 high enough to screen things. Has something changed? Faux Windows. They had to have multiple decorative trims on the sides that faced all street fronts.

It was suggested that a faux window could be installed to break up the wall, as was done at the Shoppes and the Seven-11.

MR. HEINOLD: Would the applicant have any objection to a condition that would require you to work with us post approval to try and dress up that side to our satisfaction?

MR. PRIME: We have no problem.

MR. MARSHALL: Your mechanicals are going to be on the roof?

MR. GOING: They are. There is not a second story on this.

MR. BEDNAREK: How close are the units to the residents in the condominium complex?

MR. GOING: That building is set off the property line 30 feet. The condominiums are another 30 or 40 feet off the property line.

There was a discussion about the visibility of the roof top units, and whether the building walls would hide them from view.

MR. BEDNAREK: He expressed concerned about the noise.

MR. GOING: The units today are quieter.

MR. TAMOUS: We will comply with the noise Ordinance.

MR. PRIME: Our testimony is that we will meet or exceed that standard.

MR. TAMOUS: That is correct.

A question was raised about the 0' side yard setback variance request.

MR. LAPIERRE: That is a pre-existing side yard variance that was testified to because of the common property line through the building.

The side yard setback for the accessory Use is for the fence for the day care playground.

They are also asking for a waiver on wall mounted lighting at the rear of the self-storage building facing the rear parking lot. There is existing wall mounted lighting there as I understand, that would just be maintained.

There was a discussion by the Board expressing the need for proper lighting around the side of the building, as well as the rear parking lot, to ensure the safety of the employees when walking to their vehicles.

MR. LAPIERRE: Parking Summary – I am in agreement with the 208 spaces that that was testified to. Also, I understand when restriping, they can pick up an extra nine spaces in the back parking lot based on available area.

General Comments

1. We discussed previously that it is between the parties and it is an attorney issue.
2. The Pad Site Restaurant – the building and 18 spaces would be considered as Phase 2 and come in for Final approval at such time when they have a tenant.

We will show a phase plan on our performance plan that we submit that will show the pad and the parking spaces.

Mr. Marshall asked if all of the improvements adjacent to the third pad site will be done in the first phase, so that all parking spaces and drive aisles will be completed in phase one.

The applicant responded that all of the improvements would be completed except for the pad itself. The undeveloped pad area will be secured to keep people from entering it, or will be stabilized properly.

MR. LAPIERRE: B. Parking and Circulation – The employee spaces are designated to be in the rear. I understand that there is concern on enforcement. They testified that it will be added into the lease agreements for the various tenants that employees have to park in the back. I do not think there is adequate space upfront for the employees and customers.

MR. HEINOLD: Is there any way we can have a list, if we do have issues? We need somebody, names, a contact.

MR. PRIME: That is something we can submit as part of our permitting package and we can update on an annual basis.

MR. LAPIERRE: The one comment they testified to, that there are 208 spaces on the facility.

MR. MARSHALL: He asked about Item #4 – Self Storage - Parking/Loading Spaces

MATTHEW LUBA - District Manager – Extra Space Storage.

MR. MARSHALL: In your site plans, they are showing oversized spaces in front of the building. He expressed concern about unloading in the front of building and front parking spaces.

MR. LUBA: He suggested posting signage. The office is up front. We do have this situation in another facility. We have our manager and assistant manager police the property to make sure the traffic flow is acceptable.

MR. MARSHALL: Are you going to permit people to unload vehicles and come through the front of the building, or is all unloading and loading regulated, to the side and in the rear?

MR. LUBA: We want loading and unloading on the side of the property using the right side as well. We really don't want people loading and unloading in the very front of the property.

MR. MARSHALL: Is it possible for someone to unload in front of the property?

MR. LUBA: We are willing to restrict loading and unloading from the front of the building.

There was a discussion between Board members that loading and unloading in the front parking lot was not appropriate, or safe, due to the drive aisle and pad sites-parking fields.

MR. HEINOLD: Do you swear the testimony you gave tonight and will give tonight is the truth and nothing but the truth?

MR. LUBA: Yes.

MR. LAPIERRE: Item #6 – To make the sidewalk continuous along the right side, which they agreed to.

Item #7 – Legal issue with the easement.

Item #8 – ADA Compliant - Make ADA Compliant Sidewalk ramps at the southeast corner of the self-storage facility and the sidewalk leading to Sweetwater.

MR. MARSHALL: We are still going to give the Sweetwater Residents access through the gates. We are not abandoning that. Right?

MR. LAPIERRE: Not to my knowledge.

(Inaudible)

MR. LAPIERRE: Loading Dock in the rear – He was concerned that raising the loading dock would not allow a box truck to back into the loading/unloading space.

MR. LUBA: As far as the rear ramp being raised, it really won't provide issues for a box truck.

MS. O'MALLEY: She referred to Item # 9 –Self Storage - She wanted to make sure that the principle loading areas will be the sides and back, and not be permitted in the front of the building.

MR. LAPIERRE: Traffic Report – The Traffic Engineer represented his report – I have no further comment.

MR. LAPIERRE: Storm Water Management.

Items # 5 through 9 Details to be supplied to Mr. LaPierre as a condition of approval.

Operations and Maintenance Manual is a requirement for the New Jersey Storm Water Management Regulations. They supplied a Manual and there are comments and details to address and edit in the manual.

Item #2 – That manual has to be filed as a Deed restriction for their property for their system. The Joint Easement Agreement has to be worked out between the property owners.

E. The Grading Plan – He asked that the applicant have their Geo Tech consultant look into that further.

F. UTILITIES: Water and Sewer are handled by other agencies so they have to submit for their review.

Item #3 – Utility Box and Trash Enclosures – Make sure screening is acceptable. Do better design work on screening.

G. Landscaping Design – They agreed to everything except Item #5 – Trash Enclosures and Utility Boxes – They will work with the Engineer’s office for better screening.

H. Architectural – I have 602 storage units in my plan. There is a possibility that there is a range of units from 600 to 650. They are looking at a range from 600 to 650.

Items # 3 and 4 Are the Hours of Operation

I. Lighting - The entire site will receive new lighting fixtures.

J. Signs - They presented details for their signage.

K. Construction Details – It is just various comments to add to the plans that they agreed upon.

I. Trash Enclosure Solid Waste Management - They agreed that the enclosures will be architecturally consistent with facades or siding of the adjoining buildings. He asked for more information on trash pickup time.

MR. ELGEDDAWY: IHOP - We have three pickups. Two Solid and one Recycle. It is between 6:00 AM and 8:00 AM in the morning. Monday, Wednesday and Friday.

MR. MARSHALL: He did not want trash picked up before 7:00 AM, due to the age restricted housing development next door.

After discussion, the trash will not be picked up before 11:00 AM, from any of the uses in this site.

MS. GARRISON: Executive Director - Children of America – Their trash is picked up between 9:45 AM and before 2:30 PM. We start with one pick up until our enrollment increases and then we do two trash pickups per week . If we need to increase to three, then we do.

MR. LUBA: Self-Storage – Hours of Operation – The office hours 9:30 AM to 6:00 PM Monday to Friday. On Saturday, 9:00 AM to 5:30 PM. Customers have access to the property 6:00 AM to 10:00 PM every day including Sunday. The (inaudible) office is closed on Sundays.

In relation to trash, we are more than willing to work with any time slots. We generally have one pick up for trash and one pick up for recycling per week.

MR. MARSHALL: Will there be video cameras on the side of the former Acme Building where people are going to be walking to and from their cars in the back, when they park back there?

MR. LUBA: We haven't gotten that far with the specific layout of the security cameras, but I will tell you that every property that we maintain will have internal cameras and some do maintain external cameras.

MR. MARSHALL: His concern was external cameras on that side of the building because these employees are sure to go back here and park.

MS. O'MALLEY: The note that we just received says that the project will include cameras on both inside and outside of the facility for security purposes.

MR. PRIME: The property owner just whispered in my ear. There will be exterior cameras.

MR. LAPIERRE: Environmental Impact Statement Report submitted. I have no comment on that.

MR. LAPIERRE: Site Safety – It is relative to inspection for anybody going on the site.

MS. O'MALLEY: One of the things we have done in this Town, sometimes we have gotten the applicants to agree to be a little fancier in the landscaping to give it a softer look. Make the Pylon look less offensive.

MR. MARSHALL: He suggested to putting up an ornamental fence or barrier along the drive aisle coming in. That would keep your patrons on your side and not crossing that drive aisle to get easier parking on the other side of the drive aisle, coming off of Route 130.

They will work out with Engineer.

MR. BEDNAREK: He opened the public portion of the meeting.

MR. LOPEZ: He is excited about the project. He is concerned about security. He is concerned about trucks running their motors, cars racing and noise. He spoke about getting signage regarding turning the motors off. He spoke about getting security. He asked about getting lighting in the back and landscaping.

MR. MARSHALL: He referred to the employees parking behind the building. It is his hope that with that activity back there, it will not be used without proper permission. The loading and unloading will not be tractor trailers. It is going to be pickup trucks, cars and U-Hauls.

(Inaudible) Two Thirds of that parking lot in the back are not part of this application.

MS. BISHOP: He asked about lights. Concerned about noise and lights

(Inaudible)

MR. JOSEPH: Sole owner of neighboring lot. He spoke about his other properties. He is concerned about parking and trucks on his lots in the front and rear of the site. He spoke about meeting with the applicant regarding the lot.

The applicant testified that there will be no storage of vehicles, boats, trailers, or trucks permitted in the rear parking lot, as is sometimes associated with other storage facilities.

MR. BISHOP: He was concerned about the traffic coming out of Sweetwater. He asked for the hours

MR. BEDNAREK: He closed the public portion of the meeting.

A MOTION IS MADE BY MS. O'MALLEY seconded Ms. Lamon to grant Preliminary and Final approval to Phase 1 and Preliminary approval to Phase 2, which is the third Pad Site with 16 parking spaces, with the bulk variance, the pre-existing bulk and waiver variances. No loading and unloading through the front of the storage facility. ROLL CALL VOTE: AYE, Mr. Brennan, Mr. Jones, Ms. Lamon, Mr. Marshall. Ms. O'Malley, Mr. Segrest, Mr. McGill and Chairman Bednarek, no opposed, motion passes.

A MOTION IS MADE BY MS. O'MALLEY, seconded by Ms. Lamon to approve the Resolution granting Amended Preliminary and Final Site Plan Approval with Bulk Variances to McDonald's USA, LLC 100 US Route 130 North, Block 2102, Lot 46.01. ROLL CALL VOTE: AYE, Mr. Jones, Ms. Lamon, Mr. Marshall, Ms. O'Malley, Mr. Segrest, Mr. McGill and Mr. Bednarek, Abstain, Mr. Brennan, no opposed, motion passes.

MR. BEDNAREK: He opened the public portion of the meeting. No one came forward.

MR. BEDNAREK: He closed the public portion of the meeting.

A MOTION IS MADE BY MS. LAMON, seconded by Mr. Jones to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes. The meeting is adjourned.

Duly passed and Adopted

Respectfully submitted

Patricia Rucci