

CINNAMINSON TOWNSHIP
PLANNING BOARD
MEETING
October 13, 2020

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 19, 2020, and in the Courier Post on January 18, 2020 and by advertising this Regular Meeting in the Burlington County Times on Wednesday, September 16, 2020 and in the Courier Post on Wednesday, September 16, 2020. In addition, notice was filed with the Municipal Clerk.

Members Present: – Mr. Bednarek, Ms. Birbeck, Mr. Jones, Ms. Lamon, Mr. Marshall, Ms. O’Malley, Mr. Segrest and Mr. Maradonna.

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

Ms. O’Malley arrived at the meeting at 6:42 p.m.

MR. BEDNAREK: Request for One Year Extension of Approval – Case #1803 – Harold and Judith Zimmerman – 217 N. Forklanding Road, Block 2003, Lot 19.06 – Preliminary Major Subdivision Approval.

MR. BURNS: Attorney for Harold and Judith Zimmerman. He made this request for the One Year Extension of Approval prior to knowing about Governor Murphy’s Covid Extension. We are still within our time frame. We are under an automatic extension.

MR. HEINOLD: With the Extension Act, we have a good window ahead of us.

MR. BURNS: He referred to another application that was given a one-year extension from Governor Murphy’ extension.

MR. HEINOLD: He was concerned about tracking. He suggested to wait and see or grant a one-year extension from today.

MR. BURNS: He would rather give the client more time. He will wait until November to see where we are. My request would be to carry this extension to a November meeting date. He will work with the Board Secretary.

The Board had no objection.

MR. MARSHALL: He suggested to hear Fieldstone Partners prior to Cinnaminson Plaza.

MR. BEDNAREK: Case #1906 – Fieldstone Partners, LLC 1203 Garfield Avenue, Block 1607, Lot 4 – Request for Extension of subdivision approval.

MR. MARSHALL: He had a resident contact him and question whether or not Fieldstone should have submitted their letter ten days prior to the meeting. He spoke Counsel thought it was best for Fieldstone Partners to come back to the next Planning Board Meeting.

MR. EHRHARDT: His client had no objection to carry this Request for Extension of subdivision approval to the next Planning Board Meeting.

MR. MARSHALL: We will postpone Fieldstone Partners, LLC until October 27, 2020 at 6:30 p.m.

MR. BEDNAREK: Case #2005 – Cinnaminson Plaza Lakshminarayan, LLC – Minor Subdivision – 2604 Route 130 and 2099 New Albany Road, Block 2701, Lot 45.

MR. BURNS: Attorney for Cinnaminson Plaza Lakshminarayan, LLC. They are here for Minor Subdivision Approval, to subdivide property at 2604 Route 130 North, Block 2701, Lot 45 into two conforming lots. The Tax Assessor advised that the new lots will be known as 45.01 and 45.02. One building will be contained on each lot with this subdivision. The existing storm water management basin will remain on its existing lot. There are no variances requested or required with this application. We will comply with the Engineer's review letter subject to the testimony by Bob Stout. He prepared a Subdivision Deed. He started to draft the cross easement agreement.

MR. HEINOLD: He swore in Mr. Stout.

MR. LAPIERRE: He reviewed his review letter of September 8, 2020 for completeness. He advised that there were no variances requested. He advised that an Affidavit of Ownership should be provided. Mr. Burns advised that the Affidavit of Ownership was provided. Deed Restrictions – Mr. Burns is working on the Cross Easement. He reviewed the waivers. The Tax Assessor verified the lot numbers. He recommended that the Application be deemed complete.

MR. BEDNAREK: Mr. Burns, do you have any issues with providing the markings of the cross easements for the storm, water and sewer and all of that?

MR. STOUT: I can add that in here. Everything is shown except the sanitary sewer on Lot 45.02 – Connelly Dermatology. We will track it down and show it as an approximate location.

MR. DESMUND: He is a Board Member of Temple Sinai Synagogue located at 2101 New Albany Road. I believe we are an adjoining property to the properties in question. We are having a problem with water runoff into our property. We are having a water runoff problem with properties located up the hill from us on Route 130.

MR. HEINOLD: He suggested addressing the issue of Completeness first.

A MOTION IS MADE BY MS. O'MALLEY seconded by Ms. Birbeck to deem this application complete. ROLL CALL VOTE: AYE, Ms. Birbeck, Mr. Jones, Ms. Lamon, Mr. Marshall, Mr. Segrest, Mr. Maradonna and Mr. Bednarek, no opposed motion passes.

MR. STOUT: He identified the plan. The property is a 2.91 acre site which is outlined in red. He stated that this is a Buy Rite Application. Lot 45.02 will have approximately 28 parking spaces. The Rite Aid has about 75 parking spaces. He identified the subdivision and advised that there were no variances. The site is fully developed. He referred to Temple Sinai located directly south of them, behind this property. He spoke to John Stevens from Temple Sinai. He took a look at the site and identified the site to the Board. He spoke about the water runoff. The

owner contacted Plumbers. The Plumbers are going to connect the roof drains and put back into the basin the way they belong, per the original design. That will minimize the runoff that is coming across the two properties. That will lessen some of the runoff. He identified the properties. In our Application, we are correcting the one issue. That should help alleviate some of the water runoff from this site. We are meeting all Township Ordinances and requirements.

MR. BURNS: Once we became aware of the water issue, the client authorized immediate action to be taken. He contacted Mr. Stout. Mr. Stout spoke to Temple Sinai and John Marshall about the best way to approach this. That is the suggestion you just made.

MR. STOUT: That is correct. He believes it will minimize the runoff coming from the building itself.

MR. BURNS: We can comply with the Engineer's review letter in its entirety.

MR. LAPIERRE: We previously discussed the waivers requested.

Metes and bounds descriptions were provided and are acceptable.

Surveyors certification is on the plans.

The subdivision will be filed by deed.

The monument is requested to be filed prior to the filing of the deeds.

MR. STOUT: On the Map Filing Law, we have to set corners at the subdivision line where it intersects with the right of way. It is in the middle of the paving.

MR. LAPIERRE: I am open to an iron pin.

MR. STOUT: We can do that.

MR. LAPIERRE: He will work with Mr. Stout.

Lots numbers have been approved by the Tax Assessor.

MR. BURNS: They will provide Tax Certification, if it wasn't provided.

MR. LAPIERRE: I previously discussed the utilities.

I think they stated will they will make an attempt to show the remaining utilities.

Parking Space totals meet the requirement for each lot so there is no variance needed for required parking spaces.

Operations Maintenance Manual has been provided for the storm water management basins located on Lot 45.02, but service both lots. I asked for additional information to be provided in that document before it is filed.

We discussed the easement and the existing easements.

MR. BEDNAREK: Mr. Stout, you are okay with providing the additional data on the Storm Water Management.

MR. STOUT: Yes. We didn't have the final owner's name. We will make sure that is in there, prior to that being filed.

MR. BEDNAREK: He asked if any Board Member had comments. There were no comments from the Board Members.

MR. BEDNAREK: He opened the public portion of the meeting. He asked Mr. Desmond if he had any further questions regarding the storm water management.

MR. DESMUND: It seems like it is in compliance. Per Mr. Stout. He spoke about percolation of water in their retention pond. He understands what Mr. Stout said. I am glad they are correcting the down spouts.

A MOTION IS MADE BY MR. MARSHALL seconded by Ms. Birbeck to grant the subdivision. ROLL CALL VOTE: AYE, Ms. Birbeck, Mr. Jones, Ms. Lamon, Mr. Marshall, Mr. Segrest, Mr. Maradonna and Chairman Bednarek, no opposed motion passes.

MR. BEDNAREK: Ordinance Discussion – Ordinance 2020-9 – 180 Day Extension of Interim Zoning – To allow for Issuance of Zoning Permits, Effective for a time period of 120 Days.

The Board discussed the Ordinance and the outside dining restaurants.

A MOTION IS MADE BY MS. O'MALLEY seconded by Ms. Birbeck to grant the 180 Day Extension of Interim Zoning and deemed it not inconsistent with the Master Plan. ROLL CALL VOTE: AYE, Ms. Birbeck, Mr. Jones, Ms. Lamon, Mr. Marshall, Mr. Segrest, Mr. Maradonna and Chairman Bednarek, no opposed motion passes.

MR. BEDNAREK: Ordinance Discussion and Redevelopment Plan Review – Authorizing Adoption of Amended Redevelopment Plan.

MR. MINTON: Member of Economic Development The Governing Body and Economic Development respect your independent reviews. They thought it would be helpful to the Board to let them know where they are at.

Mr. Minton referred to the Site – The Old Garden State Inn, Friendly's and Barone's and Azelia Farm.

In 2013, the area was deemed in need of Rehabilitation. In November 14, 2016, the Township Committee agreed to invest in the removal of the Garden State Inn. From 2016, we have worked with the cornerstone of that development being the Lidl Project. We look forward to closing on that property, breaking ground and moving forward.

Approximately three years ago the Township purchased the Azalea Farm. Westrum made a proposal to purchase the Azalea Farm

Westrum – Is a Senior Living Community. Westrum is a facility that has different levels of care.

He advised that Westrum has existing properties in King of Prussia and Glen Mills.

In February, 2020 we executed an Agreement of Sale with Westrum to buy that parcel.

We would provide for an Amendment of the Redevelopment Plan.

The Westrum building looks like a H. He identified the residential area of the Westrum building. The cross section, is dining, doctor, post office, administration, recreation, social areas and theatre. He advised that the building is a three story building.

Mr. Minton gave the Board an overview about the Westrum Project.

MR. HEINOLD: He swears in Ms. Fegley.

MS. FEGLEY: We did a Redevelopment Plan dated November 16, 2018. This Amended Plan is dated September 22, 2020. She wanted to go through what had changed. The Lidl, Friendly's and two pad sites that were at the Azalea Farm property. She referred to the Concept Plan at the end of the Redevelopment Plan. She referred to the H shape of the Westrum. The two pads site were eliminated and in its place is a Senior Living Community. This community appears to be a senior living community. There are a variety of uses. This senior living community offers commercial activities and employment. She spoke about the Master Plan. She continued to review the Amended Redevelopment Plan.

MR. HEINOLD: He swears in Mr. Minton.

MR. MINTON: This is a series of steps. He explained the parking number. It has independent care, assisted living and memory care. It has approximately 146 units.

MR. MARSHALL: Are these all rooms or stand, alone apartments?

MR. MINTON: These are all apartments of one size or another. All their own bathrooms. All their own kitchenettes.

MR. MARSHALL: He asked about the building façade that aren't facing the streets. He referred to the residential neighborhood.

MR. MINTON: The entire exterior is consistent with its finishes. He showed the Board a rendering of what the facility would look like. All four exterior elements are exactly the same materials.

MR. MARSHALL: He wanted the building to be aesthetically pleasing to the neighboring residents.

MS. O'MALLEY: She referred to the mechanicals and screening.

She suggested the following language: Where it is determined for sound or aesthetics purposes screening will be provided.

The Board, the Professionals, Mr. Minton and Ms. Fegley continued to discuss the Amended Redevelopment Plan. They spoke about sound, aesthetic purposes for screening, building

material on all facades, sidewalk along Route 130 to entrance drive, signage on Highland Avenue entrance, buffering and landscaping.

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 MR. MARSHALL seconded by Mr. Jones regarding Ordinance 2020-10 – Ordinance and Redevelopment Plan is not inconsistent with the Master Plan. The Planning Board Comments will be sent to the Governing Body. ROLL CALL VOTE: AYE, Ms. Birbeck, Mr. Jones, Ms. Lamon, Mr. Marshall, Ms. O’Malley, Mr. Segrest, Mr. Maradonna and Chairman Bednarek, 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. Marshall to approve the June 9, 2020 Regular Meeting Minutes. VOICE VOTE: ALL AYE, no opposed Abstained, Mr. Segrest, motion passes.

A MOTION IS MADE BY MS. LAMON seconded by Mr. Jones to approve the July 14, 2020 Regular Meeting Minutes. VOICE VOTE: ALL AYE, no opposed Abstained, Ms. O’Malley and Mr. Segrest, 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.

The Board spoke about applications in the pipeline.

A MOTION IS MADE BY MR. Marshall, seconded by Ms. Lamon to adjourn the meeting. VOICE VOTE: ALL AYE, no opposed, motion passes. The meeting is adjourned.

Duly passed and Adopted

Respectfully submitted

Patricia Rucci