

Chairman Brod called the Sixth Regular Meeting to order at 7:00 P.M. in the Court Room
The Pledge of Allegiance and Moment of Silence led by the Chairman Brod
The Board Secretary read the open public notice which was published and posted on 1/12/16
Roll Call taken by Jenifer DeSimone, Board Secretary

Board Members: Ms. Jones, Present; Mr. Bailey, Absent; Mr. Folcher, Present; Mr. Green, Present; Mr. Killen, Present; Mr. Kramer, Present; Mr. Francescone, Present arrived at 7:15; Vice-Chairman List, Present; Chairman Brod, Present.

Board Professionals: Mr. Angelastro, Traffic Engineer, Present; Mr. McVey, Fire Marshal, Present; Mr. Petrongolo, Planner, Present; Mr. Long, Engineer, Present; Mr. Norman, Ms. DeSimone, Board Secretary.

Chairman Brod reviewed the Zoning Boards procedures. Announcement: Melissa Reiss, ZB#16-C-08 is continued to the August 3rd meeting.

Memorialize Resolutions:

YVETTE LINCOLN, ZB#16-C-07, 7 Woodlark Drive, Block 313.01, Lot 61.

Chairman Brod asked for a motion to memorialize the resolution. Board member Killen moved the motion and Board member Folcher second the motion. All present voted affirmatively with exception of Vice-Chairman List abstained from the vote and the motion was carried.

CSH MT. LAUREL, LLC, ZB#16-D-02, Centerton & Creek Rds., Blk. 203, Lot 1.02

Chairman Brod asked for a motion to memorialize the resolution. Board member Killen moved the motion and Board member Folcher second the motion. All present voted affirmatively with the exception of Board member Vice-Chairman List abstained from the vote and the motion was carried.

Minutes: Chairman Brod asked for a motion to adopt the Regular Meeting Minutes of May 04, 2016. Board member Folcher moved the motion and Board member Green second. All present voted affirmatively with the exception of Board member Vice-Chairman List abstained from the vote and the motion was carried.

Zoning Board Professionals: Mr. Joseph Petrongolo, Planner; Mr. William Long, Engineer; Mr. Michael Angelastro, Traffic Engineer; Mr. Brian McVey, Fire Marshal, were sworn in by the Zoning Board's Solicitor Mr. Norman.

Petitions before the Board:

1. LARCHMONT EQUITIES II, LLC, ZB#16-D-06, 3121-3123 Route 38 – I- zone Block 301.22, Lots 28 & 28.01. The Use Variance/Conditional Use sought is from section 154-21 D (1) through (15) of the Zoning Ordinance to Enable the applicant to construct a Royal Farms convenience store with 8 gasoline pumps. The application was certified complete. Mr. Damien O. Del Duca, Attorney at law represented the applicant. The witnesses to give testimony for the applicant: Mr. Dave Horner, PE, Traffic Engineer; Mr. John M. Pettit, Engineer/Planner; were sworn in by the Board Solicitor. Mr. Del Duca introduced and marked the exhibits A-1 Aerial plan; A-2 Color Rendering Concept Plan; A-3 Color Rendering of Royal Farms; A-4 Concept Plan. Mr. Del Duca stated the property is in an Industrial zone and the proposal for a convenience store with 8 gasoline pumps and an off-site freestanding sign at the driveway of the adjacent shopping center. Mr. Del Duca discussed the D-3 Use variance standard of proof – Coventry Square case. The gas station is permitted in this zoning district the convenience store is a conditional use. The site accommodates the proposed use. The Board Solicitor, Chris Norman, stated for the record that Board member Francescone arrived at the meeting before any witness' gave testimony.

Petitions before the Board: 1. LARCHMONT EQUITIES II, LLC, ZB#16-D-06 – continued: Mr. John Pettit, Engineer discussed the adjacent commercial uses and properties. The shared access to Larchmont Boulevard, the two drive aisles, cross access and parking easements deferred. This is a typical convenience store with fresh food such as chicken. Deliveries in a box trucks and the driver goes through the front door. The applicant is changing the gas tank location to the west side of the property. The fuel is delivered 3 times a week at off peak, 7 to 10 employees. The proposed height of the building will be 21'9" ordinance is 20'. The off-site sign is warranted as people won't have to go onto Rt. 38. Generally the proposal complies with the bulk standards. The use is consistent with the surrounding neighborhood and will promote the general welfare and won't have a negative impact on the zone plan. Mr. David Horner, Traffic Engineer discussed the convenience store uses, in the adjacent shopping center and the right in and right out with no adverse effect. Mr. Petrongolo, ZB Planner reviewed his report dated May 19, 2016. Mr. Long, ZB Engineer reviewed his report dated May 19, 2019. Mr. Angelastro, ZB Traffic Engineer reviewed his report dated May 20, 2016. Mr. McVey, Fire Marshal reviewed his report dated May 17, 2016. Board member Kramer was concerned with the residential properties in back of the property with the gas pumps and potential fires. Mr. McVey stated the gas pumps are tested yearly. Mr. Del Duca summarized the application the variances are what they need are few in scope no substantial or impairing the intent of the zone plan Thank you. Chairman Brod opened the hearing to the public, seeing none, closed the public portion and asked for a motion. The Board Solicitor read the conditions:– A (D-3) Conditional Use approval for a convenience store and 8 gas pumps; The Zoning Board's Professionals reports; Site Plan and Bulk variances; Submit a Traffic Study; The Off-Premises freestanding sign for Royal Farms. Chairman Brod asked for a motion. Vice-Chairman List moved the motion to approve the application subject to the conditions stated and Board member Killen second. Roll Call vote: Vice-Chairman List, Agree; Board member Killen, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Green, Agree; Mr. Kramer, Agree; Chairman Brod, Agree. Motion carried approved.

2. SCARBOROUGH LAND GROUP, LLC, ZB#16-D-04, 523-525 Pleasant Valley Ave. Block 1205, Lots 1 & 2 -R-1 zone. The application was certified complete. The Use Variance is sought from section 154-15 of the Zoning Ordinance to enable the applicant to construct a Dunkin Donuts restaurant with drive thru. Mr. Stephen R. Nehmad, Attorney at law represented the applicant. The witnesses to give testimony: Mr. Edmond Speitel, Professional Engineer; Mr. David Shropshire, Traffic Engineer/Transportation Planning; Mr. James Miller, Professional Planner; Mr. Arun Mandi, Owner/Operator of multiple Dunkin Donuts franchises throughout NJ; were sworn in by the Board Solicitor. The exhibits marked into evidence A-1 Aerial Photograph of Property in Question (from Google Earth, undated); A-2 Color-rendered Conceptual Site Plan prepared by Speitel & Speitel, Inc. dated 3/28/16; A-3 Color-rendered building elevations-Proposed Dunkin Donuts prepared by TK Studio, LLC; A-4 Photographs of (2) existing homes on the site; A-5 Conceptual Site Plan for Daycare Speitel; A-6 Aerial of Starbucks on Route 73. Mr. Nehmad stated this was a Use variance application for a 1,800 sq. ft. Dunkin Donuts with a drive thru on ¾ of an acre. Currently, the property has (2) single-family dwellings to be demolished. Mr. Speitel, Applicants Engineer reviewed the adjacent properties and discussed exhibits A-1, A-2, A-3 & A-6. There will be two driveways (1) on Fellowship Road and the other on Pleasant Valley Avenue. Mr. Shropshire, Applicants Traffic Engineer evaluated the Use variance and the traffic on the project and discussed exhibit A-5.

Petitions before the Board: 2. SCARBOROUGH LAND GROUP, LLC, ZB#16-D-04

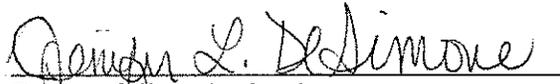
The trip generation of the Dunkin Donut use and he prepared a plan for a Daycare center and used the data for a coffee shop compared to a Daycare with 44 students. There is a lot of traffic on the roads already the peak traffic will be in the morning hours. The location of this lot is not suitable for a residential dwelling. The public already on the roads will be the Dunkin Donuts customers. Mr. Arun Mandi, Owner/Operator of Dunkin Donuts testified that he had 30 Dunkin Donuts Restaurants in the area such as Atlantic City, Cape May and Camden. The number of employees at the morning peak hours would be 4 to 5 and the hours of operation would be from 5:00 AM to 11:00 PM and 80% of customers go through the drive thru. Mr. Jim Miller, Applicants Professional Planner testified to reviewing the proposed Use variance plan from a Planning and Zoning perspective. He discussed exhibits A-1 & A-4 and the purposes of the Municipal Land Use Law a.) & g.). Further discussed was the positive and negative criteria. Mr. Joseph Petrongolo, Board Planner reviewed his report dated May 19, 2016. Mr. William Long, Board Engineer reviewed his report dated May 18, 2016. Mr. Michael Angelastro, Board Traffic Engineer reviewed his report dated May 20, 2016. Mr. Brian McVey, Fire Marshal reviewed his report dated May 17, 2016. Chairman Brod opened the hearing to the public. Dr. Joshua Schwartz, residing at 8 Edinburg Court was sworn in by the Board Solicitor and spoke about the traffic gridlock at the intersection of Pleasant Valley Avenue and Fellowship Road and the surrounding area. Chairman Brod closed the public portion of the hearing and asked Mr. Nehmad to summarize the application which he did. The Zoning Board Solicitor reviewed the conditions: The applicant applied for a Use variance; Mark the big tree to save on the property; Submit a Site Plan; Submit a Traffic Impact Study and the Zoning Boards Professionals reports. Chairman Brod asked for a motion. Board member Green moved the motion to approve subject to the conditions stated by the Board Solicitor and Board member Vice-Chairman List second. Roll call vote: Mr. Green, Agree; Vice-Chairman List, Agree; Mr. Folcher, Agree; Mr. Francescone, Agree; Mr. Killen, Agree; Mr. Kramer, Agree; Chairman Brod, Agree. Motion carried and approved.

Temporary Use Permit:

1. Laurel Capital Group, LLC, ZB#16-73-04, Oregon & Beaver Aves., Blk. 1305.02, Lots 4, 5, 14 & 15 – RA3 zone. Proposing: 6' Chain link Fence and (1) Office trailer and (2) Storage trailer 8' x 20'. Requesting 12 mths. Temporary use is to construct the drive aisle and utility lines for I-Fly. Chairman Brod asked for a motion. Board member Francescone moved the motion to recommend to Twp. Council for (1) year from the date of the issuance of a permit and Board member Killen, second. All present voted affirmatively and the motion was carried.

Adjournment: Chairman Brod asked for a motion to adjourn at 9:45 P.M. Board member Killen moved the motion to adjourn and Board member Green second. All present voted affirmatively and the motion was carried.

Adopted on: August 03, 2016


Respectfully submitted:
Jenifer DeSimone, Secretary
Zoning Board of Adjustment