

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, FEBRUARY 22, 2017**

Chairman McMullin called the meeting to order. Mr. Lechner read the commencement statement.

Roll Call:

Vice Chairman Simiriglia	Present
Mr. Bucceroni	Present
Mr. Scarduzio	Present
Mrs. Chiumento	Absent
Mr. Rosati	Present
Mr. Acevedo	Absent
Mr. Treger	Present (late arrival 7:40pm)
Chairman McMullin	Present
	Ms. Scully Absent

**Chairman McMullin had the professionals sworn in:
Also Present: Mr. Anthony Costa, Zoning Board Solicitor
Mr. James Mellett, P.E., Churchill Engineering
Mr. Ken Lechner, Township Planner**

The following application will be postponed until March 8, 2017.

**#152041PMSFMSa1DM
1840 Peter Cheeseman Road, LLC
Zoned: IN
Minor Subdivision; Final Major Site Plan
Block: 14003 Lot: 13& 14
Location: 1840 Peter Cheeseman Rd., Blackwood
Residential Healthcare Facility/Drug & Alcohol Rehab Facility.**

MINUTES FOR ADOPTION

Zoning Board Minutes for Wednesday February 08, 2017.

Motion to approve the above-mentioned minutes was made by Mr. Scarduzio and seconded by Mr. Rosati.

**Roll Call: Vice Chairman Simiriglia Yes
Mr. Scarduzio Yes
Mr. Rosati Yes
Chairman Simiriglia Yes**

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

Zoning Board of Adjustments 2016 Annual Report.

**#172001C #172002C
Angela & Keith Dugan Christopher Worthington
Bulk C Variance Bulk C Variance
Block: 8704 Lot: 16 Block: 3202 Lot: 41**

**#172003C
Rebecca Sonnheim
Bulk C Variance
Block: 3204 Lot: 23**

A motion to approve the above mentioned resolutions was made by Mr. Scarduzio and seconded by Mr. Rosati.

**Roll Call: Vice Chairman Simiriglia Yes
Mr. Scarduzio Yes
Mr. Rosati Yes
Chairman McMullin Yes**

Resolutions Approved.

APPLICATIONS FOR REVIEW

**#12201DSPW
The Villas of Broadacres (Parke Bank)
Zoned:
Landscaping Plan
Block: 13306 Lot: 1-2-3-4-5
Location:
Administrative Amendment for Revised Landscaping.**

Mr. Costa swears in: Mr. Gallo (Parke Bank), Mr. Gill (Gill landscaping).
Mr. Lechner briefly explains the reason for the new landscape plan.

Mr. Gallo states they have met with the homeowners and wanted to create something current and add some security. The Feedback from the residents was also reviewed by Mr. Lechner.

Mr. Gill states the security and beautification standards meet and surpass the township standards. The plantings will eventually take the focus off the fence. Mr. Gill is the on site maintenance contractor.

Chairman McMullin asks if there will be a variety of trees.
Mr. Gill states "yes".

Mr. Lechner goes into specifics: The fence was 25' from the road and caused short yards. The white fence was removed and the black fence was placed 8' from the road: 28 shade trees, 133 evergreens, 107 shrubs, and 180 grasses.

Mr. Costa asks Mr. Lechner if it will affect the bond.
Mr. Lechner states it can be done "in kind" .
Mr. Gallo states they will do whatever is appropriate.

Open to the public:
No Comments:

Open to Professionals:
No Comments:

A motion to approve the above mentioned application was made by Mr. Scarduzio and seconded by Mr. Rosati.

Roll Call: Vice Chairman Simiriglia Yes
Mr. Bucceroni Yes
Mr. Scarduzio Yes
Mr. Rosati Yes
Chairman McMullin Yes

Amendment Approved.

5 Minute Break:

Roll Call:
Vice Chairman Simiriglia Present
Mr. Bucceroni Present
Mr. Scarduzio Present
Mr. Rosati Present
Mr. Treger Present (late arrival 7:40pm)
Chairman McMullin Present
Mr. Costa Present

Mr. Lechner Present
Mr. Mellett Present

#172004CD

Gloucester Auto, LLC

Zoned: R3

Bulk C & Use "D" Variance

Block: 13504 Lots: 24, 25 & 27

Location: 1450 Erial Rd., Blackwood

5,400 SF Convenience store & fuel canopy w/8 MPDs & associated improvements including 68 parking stalls, trash enclosures, tiered retaining walls & preliminary landscaping.

Mr. Jason Tuvel (Esq.) briefly reviews the application before introducing the professionals.

Mr. Tuvel states there is vacant land and a single family home involved in the application. The applicant is looking for a use variance only but they did provide items for a site plan. Royal Farms characteristics will be provided if the board approves the use. They have met with the county about the intersection, in 2016 the county had conducted a traffic survey, and improvements the county recommended will be done. All buffers and setbacks comply with the commercial zone.

Mr. Costa swears in: Mr. James Kinonian (site engineer), Mr. Matthew Seckler (traffic engineer), and Ms. Tiffany Cuviallo (planner).

Mr. Kinonian (PE):

A1 - aerial exhibit

A2 - colorized rendering

- 3 lots surrounding used are residential, west of the property is commercial,
- Existing topography is relatively flat with a significant change along College dr. of about a 15' drop,
- Conceptual triangle shape of lot is adequate for the proposed use,
- Setbacks for commercial zone can be met,
- Setbacks for the canopy: 60' from College dr. - 40' from Erial dr.,
- There will be access along Erial drive,
- 20,000 sq. ft. of land will remain untouched,
- A very dense 25' landscape buffer from the residents with very tall evergreens,
- Topography: the steep grade change will be graded to tie in with College dr.,
- The elevation will be significantly lower than the south east residents and roadways south east of the property,
- Residential to the north will have large setbacks horizontally and added site line shrubs to help buffer, down oriented light fixtures will help with lighting,
- Pedestrian access will be worked out with the county to provide sidewalks plus crosswalks to the building,
- Driveways will be as far away from the intersections as possible,
- Shape and size of the property lend itself to this particular use,
- Large lot size allows the central location of the buildings,
- 23.7% lot coverage vs. 30% lot coverage if kept residential,
- will be ADA compliant.

Mr. Mellett discusses the intersection as the high point.

Mr. Kinonian states "yes".

Mr. Mellett asks if the drainage will be in the intersection.

Mr. Kinonian states it will be a sunken retention basin.

Mr. Mellett questions the distance from the residents to the east.

Mr. Kinonian states the building will be significantly lower, around 15' lower than the residences. There will be 10' difference where site features will be located.

Mr. Bucceroni asks how far the dumpsters will be from the homes.

Mr. Kinoshian states 140'.

Mr. Costa asks where the pumps location to the nearest resident.

Mr. Kinoshian states: East 200', SW 140', 170' building itself.

Mr. Matt Seckler: traffic engineer/planner for transportation: Stone Field Engineering/BS Union College/Masters Rutgers.

- reviews the December report and A3 aerial view.

- Regional perspective given:

Rt. 42 interchange changed the traffic pattern for the whole area, Gloucester Outlets area a commercial use and also changed the traffic, Camden County College expansion changes traffic, all of this makes College Dr. more of a thoroughfare than it used to be.

- Traffic is up 7% with 15,000 vehicles per day on College dr. which is a major arterial roadway now,

- 2 major county roadways,

- much discussion about left turn lanes on both College dr. and Erial Rd. along with changing turn signals.

- Applicant met with county 11/2016 and planner's access points were discussed,

- Traffic patterns 7am to 9am/11am to 2pm/4pm to 7pm (5pm to 6pm more accurate of traffic pattern),

Erial Rd. North bound in the AM is busy with College dr. being pretty balanced/midday 20% less than AM,

Erial queuing - 1/2 hour significant with 20 cars/College dr. 15 minutes.

There has been a 1% growth rate based on DOT.

- The projected number of trips generated by use is 2/3rds. of customers already driving by the area/not adding new customers. Businesses put gas stations on busy corners for a reason, customers don't go out of there way for gas, and they need to drive past the opportunity.

- there will be a 2 to 3 second delay in the future with this site built,

- DVRPC made suggestions for this intersection 6/2016,

A4 offsite roadway improvements:

1. eastbound approach fix / left turn lane on 4 plus a through lane,

2. retiming of lights, hasn't been done since the 80's,

3. left run phasing EB and NB approach,

4. create sidewalk along College dr./improve safety and efficiency for a road which hasn't been done in 30 years. No significant negative impact. The study does not contemplate these improvements.

On Site: A2 referenced:

- minimum 30' drive aisle,

- 68 parking spaces with over 1/2 of the spaces up against the building,

- flush curb with bollards along the building,

- ADA accessibility,

- underground tank will be north of the canopy,

- no real loading zone because all deliveries are made by box trucks,

- 3 or 4 deliveries of fuel per week,

- box truck deliveries are mostly soda trucks 2 or 3 deliveries,

- fuel delivery takes about 20 to 30 minutes,

- tanks are remotely monitored and the trucks arrive about 1 or 2 hours after peak business hours,

- truck turns can be approved,

- 8 to 10 employees per shift and park as far away from the store as possible,

- 45 to 50 total employees; 70% full time/30% part time,

- 24 hour business,

- low flow diesel for cars: 8 gallons pumped per minute/no tractor trailers will be allowed to fuel up,

- no parking for larger vehicles,

- garbage and recycle about 2 to 3 times per week and the hours can be controlled by the tenant,

- parking 27 spaces (5 spaces per 1000) but 68 spaces are provided for a little bit longer dwelling time,

- Erial driveway 370' from the intersection/stop bar/College dr./ right in right out/ 250' from stop bar,

- level of service at driveways: 30 second delay during worst time period,

- signal timing would help the delay,

- transportation uses and plan uses have changed the roadway over time and this site will take advantage of / or thrive from the congestion,

- Distance of driveways meets the industry standards to intersections/ 100' required and the driveways are 2 to 3 times greater than that.

Mr. Mellett asks a question regarding the right turn only at College dr. going east. Suggestion to make 1 drive on Erial rd.; one in and one out.

Mr. Seckler discusses the convenience and stand point but this suggestion can be explored.

Mr. Mellett continues: no loading zone doesn't meet the ordinance. Consider this for the site plan in case another tenant is using the property. No large vehicle parking spaces? This may cause an issue with landscaping trucks trying to park with trailers.

Mr. Seckler states they could look at over size spaces but there is an abundance of parking spaces.

Mr. Lechner states sometimes those large spaces are being used as truck stops. Overnight trailers are being parked or just trailers unhitched.

Mr. Tuvel states the goal is not to have that here for a reason. The tractor trailers would be told to navigate off site.

Mr. Treger states the right turn only is a good idea.

Mr. Seckler states it can be revisited.

Mr. Bucceroni asks questions about the improvements to Erial Rd, and College dr..

Mr. Seckler states the improvements will be made.

Mr. Rosati asks what will stop people from cutting through the parking lot to College Dr..

Mr. Lechner states the police department will ask the applicant to allow title 39 (allow the police to ticket).

Mr. Bucceroni states limiting the parking spaces to single spots will limit who will get in the business.

Mr. Seckler states they may designate an area.

Vice Chairman Simiriglia asks the applicant if they had looked in the township with the proper zoning for this business.

2 MINUTE BREAK:

Roll Call:

Vice Chairman Simiriglia Present

Mr. Bucceroni Present

Mr. Scarduzio Present

Mr. Rosati Present

Mr. Treger Present

Chairman McMullin Present

Mr. Costa Present

Mr. Lechner Present

Mr. Mellett Present

Ms. Tiffany CuvIELLO (planner):

- R3 no commercial permitted,
- across the street is highway commercial zone,
- R2 zone and R3 zones surround the area,
- development patterns have changed and this is a left over R3 zone. The growth since 1999 has changed the class of the roadway.
- A3 interchanges and expansion of the roadways/businesses/& college,
- 2015 creation of the redevelopment area along College dr./additional traffic,
- the site R3 - 3 units/8 or 9 homes on a corner that gets 15,000 vehicles per day. Front yards and back yards will be on this heavily travelled roadway.

Special Reasons:

- residential use vs. better fit.
- new use doesn't add traffic to the area,
- unique features of property; not attached to vacant land to attach to other residential homes.
- a grade change with 10' drop adds to the ability to screen residential area,
- traffic patterns and volumes fit the use,
- size and shape of the lot makes it adaptable to the use,
- 20,000 sq. ft. to buffer the residences,
- enhanced corner with landscaping,
- promotion of general welfare, better development for property,
- design setbacks even greater than required,
- discussion of redevelopment zone/outlets/Rt. 42 interchange,

Negative Criteria:

- re-examination of the zoning report in 2015,
- focus on changes in community,
- master plan since 1999 but the recognition of previous mentioned changes with Rt. 42 being the most significant on College dr..
- Not a substantial impairing of the zoning ordinance,
- This is not a detriment to the public good,
- being considerate to the residential area,
- fix interchanges/timing lights/ sidewalks.
- in the highway commercial zone gas stations are permitted,
- looked at other properties in the are and non were as appropriate or they weren't available, this was the best fit.

Vice Chairman Simiriglia asks which properties they looked at.

Ms. CuvIELLO states she's not sure which properties the applicant looked at.

Mr. Tuvel states the tenant is Royal Farms, but the use is the question.

Mr. Mellett asks about the impact of noise.

Mr. Tuvel states they have to meet DEP local and county noise ordinances. All deliveries can be done at 2 am if it's agreeable.

Mr. Mellett states the trash pick up is the noisiest.

Mr. Rosati asks if there are any close Royal Farms that are built.

Vice Chairman Simiriglia states there is one in Evesham and White Horse Pike.

PUBLIC PORTION:

Ms. Sarah Tidenpool - 1329 Erial Rd.

- lived here for 66 years on 10 acres,
 - wants to know why the use has to change from residential,
- Asks Mr. Tuvel if anyone else wanted to buy the property.

Mr. Tuvel states "no".

Ms. Tidenpool continues:

- there are millions of gas stations and fast food places in town,
- trucks delivering and using this new facility will be a problem,
- neighbors are overwhelmed by what has happened to Erial Rd. ,
- Whose general welfare is this helping,
- large trucks overnight making noise with deliveries,
- same thing happened with CVS, they made lots of promises but the run off from that property comes under College dr. and into the lake by her house; where is this run off going.
- don't need another 24 hour place,
- what if this tenant doesn't work out: ,
- my husband spend most of his retirement picking up trash and they get notices from the county about "her not keeping up with her trash"...that's not "her" trash!
- Mr. Costa explains that the state statute allows anybody to come before this board to request a use variance, it is up to the board if the applicant has enough proof to change the zoning. If the tenant goes away the zoning doesn't change; the zoning would go back. After 2 years the use goes away if the project isn't built.

Ms. Tidenpool asks if they would like to live across the street from this project. She also asks the specifications for notice for the zoning board.

Mr. Costa explains that everyone within 200' gets notified along with it being published in the paper.

Mr. Lechner states the board has 120 days to vote on the use if they don't feel they have enough information to vote tonight.

Vice Chairman Simiriglia asks Ms. Tidenpool if she would be happier about the project if it wasn't 24 hours.

Ms. Tidenpool states "yes".

Mr. Bucceroni asks Ms. Tidenpool to contact him about the trash so he can get someone out to pick it up.

Mr. Scarduzio states they shouldn't have night deliveries because children need to sleep in the residences that are close by.

Mr. Costa states the hours of delivery can be restricted, only the use can be approved.

Mr. Tuvel states the fuel delivery is usually midnight to 5am but he's not sure.

Mr. Bucceroni states 10pm to 7am is the noise ordinance.

Mr. Mellett states some drainage and technical issues need to be addressed.

Mr. Robert Wynn and Mrs. Deborah Wynn: 36 Windmill dr.,

- Mr. Wynn states they have been living here for 25 years and he's not sure how he feels about the project. He states unless they build a wall it will affect them. He isn't sure why there can't be homes there. Mr. Wynn believes there are plenty of Wawa's and gas stations, how many do we need? He states there is no way I'm not going to see and hear this project. Getting out of his driveway is hard already and takes quite a while to get out. He would much rather see residences.

Mr. Bucceroni states that if 6 homes were built on the site they would either face or back up to Erial Rd.. Would those home be marketable?

Mr. Wynn states discusses the buffer strip and inlet and outlets of the parking lot with Mr. Bucceroni.

Mr. Rosati asks if the trees buffer Mr. Wynn's residence.

Mr. Wynn states you hear everything and the buffer won't help along with the driveway coming into his front window.

Mrs. Wynn states she walks into those neighborhoods all the time. There are accidents all the time and extra driveways will add to the issue. It also takes forever to get out of The Quail Hollows development. Kids drive all around there and those left turn lanes aren't going to help.

Mr. Bucceroni states they can restrict the left turn lanes.

Mrs. Wynn states the Wawa is only a 3 or 4 minute walk.

Mr. Mike Grant: 41 Sunset dr.:

Mr. Grant discusses the smells that go along with this type of business, smells of cooking food and gas smells. There are 3 gas stations within 1/2 mile. The first thing he'll see when he looks out over his front yard will be a Royal Farms.

Mr. Costa explains the use variance decision process which doesn't take into account how many gas station are in town.

Ms. Diana Meirs-Ritz: 1501 Erial Rd. Owner of land for sale:

She has been a resident for 63 years with 30 years on Erial Rd. and originally she didn't want to sell, it took a lot of persuasion. But her husband has been hospitalized 12 times and they have this big piece of property they can't take care of. She thought she was going to be carried out of her house. She is hoping the new business will help the town and residents tax wise. This has impacted her on a personal level and she feels they were forced into a decision she didn't want to make. Her and her husband pick trash in front of their property too. She pleads to the board and residents to look at the entire picture when they look at this project.

Chairman McMullin asks if there were any other offers.

Mrs. Ritz states they always said no because they didn't want to sell. It was not an easy decision. All the offers have been commercial non were residential. She has friends that were surprised her land was zoned residential. She adds the roads have needed to be fixed for years and now it can be done. She feels this development doesn't make anything worse.

Mr. Lechner asks if the property was ever developed next to her.

Ms. Ritz states that Korman never took care of it but a home/structure on that property fell down and collapsed.

Mr. Tuvel state they will do everything possible to make the impact minimal. There will be no delivery between 11pm and 6am. There will be the Royal Farms elevation. Korman has owned this property since the 1960's and it will never be developed as residential.

A motion to approve the above mentioned application was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

**Roll Call: Vice Chairman Simiriglia No
Mr. Bucceroni Yes
Mr. Scarduzio Yes
Mr. Rosati Yes
Mr. Treger No
Chairman McMullin Yes**

Application Denied.

A motion to Adjourn was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

Respectfully Submitted, Jean Gomez, Recording Secretary.