

**GLOUCESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
WEDNESDAY, DECEMBER 9, 2020**

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. Rosetti	Present
Mr. Treger	Absent
Mrs. Kelly	Absent
Chairman McMullin	Present

Chairman Simiriglia 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

Mr. Rosetti will sit in for Mrs. Acevedo.

MINUTES FOR ADOPTION

Zoning Board Minutes November 25, 2020.

A motion to approve the above-mentioned minutes 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

Minutes Approved.

RESOLUTIONS FOR MEMORIALIZATION

#202031C

Amanda Dube'

Bulk C Variance

Block: 8104 Lot: 6

#202039C

Nicole Webb

Bulk C Variance

Block: 18309 Lot: 5

#202041C

James Hunter

Bulk C Variance

Block: 16215 Lot: 1

#202044C

Genevieve Gaynor

Bulk C Variance

Block: 17203 Lot: 10

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. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Rosati	Yes
Chairman McMullin	Yes

Resolutions Approved.

APPLICATIONS FOR REVIEW

#202046CDPMSFMS

Gardens @ Marksmen, LLC

Zoned: R1

Bulk C, Use D Variance, PMS, FMS

Block: 13801 Lot: 5 & 6

Location: 1842 Erial Rd., Blackwood

Parking & maintenance (including lube & oil) facility up to 25 tractors, up to 18 trailers; 4 bay structure 60' x 80', etc.

Mr. Mintz Esq. presents the case for Res judicata. Mr. Mintz states the current application is significantly different from the one presented in August (references 2 legal cases).

This application has added another lot (lot 6) to the property. Lot 5 was a non-conforming lot is now consolidated with lot 6

(another 299 sq. ft.). The impervious coverage is now 20.7% with crushed stone included in that. Side setbacks currently comply, parking now complies, 25' buffers now, landscaping planning. Reduction of vehicles: was 20 trailers is now 18, was 29 tractors is now 26. 5 parking spaces for employees.

Mr. Costa states basically this application was heard and the board has to make a determination this one is substantially different. Same parties but with a substantial change to the application.

A motion for the change in application being significant (not Res judicata) was made by Mr. Bucceroni and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	Yes
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes
Chairman McMullin	Yes

Application to be heard

Mr. Costa swears in: Mr. Anthony Marks (owner), Mr. Jarrod Thomas (PE) and Ms. Tiffany Morrissey (planner).

Mr. Mintz, Esq.

3 exhibits:

1A -color up submitted but wasn't in color

2A- aerial of site and area

3A – aerial of current location of applicant in Winslow Twp.

Mr. Mintz continues:

- Use variance in R1 zone,
- Trucking no warehousing,
- Maintenance & repair request,
- C1 variance,
- Prelim/Final site plan approval,
- Requests to be in town,
- Applicant wants to consolidate locations,
- He hauls produce,
- Store refrigerator trailers that will not be running,
- Considered an essential business during the virus.

Mr. Thomas (PE):

The site is on Erial Road. The site is surrounded by R1 zones to the north. It is 2500 sq. ft. to the first residence on Windmill dr. To the south it is 484' to Deer Park Circle development. Lot 8 is owned by someone else. It is 153 Linear feet to the Marksmen site. The vertical rise is somewhere between 3' and 10'. A1 and A2 show considerable vegetation between the applicant's site and the nearest development. There is also a 638' utility easement in the rear of the property. There will be 5 buildings on site, one of which will be new. On the southside a 60' x 80' building will be constructed. 49 parking spaces with 5 of them being for employees and the rest: 26 for tractor spaces and 18 for trailer spaces, both unpaved and using dense aggregate. It will be paved at the entrance to the site. The

sidewalk will be maintained. Some driveway cuts will be curbed and sidewalk added. The buffer on A1 is dense to lot 4 with thick vegetation to property line beyond that. There will be LED lights on 25' poles with house shields and motion detectors. This is a major development with a run off rate: it will be graded towards the infiltration basin located in the rear of the property, which mimics the existing drainage pattern. This meets ground water recharge, water quality, runoff water continuation.

Traffic: we did not submit a traffic report initially. But we did give the county a traffic assessment (on Erial Rd./ county road). The peak traffic volume will be low at peaks. Peak trips not to exceed 12 trips, which is an extremely conservative number. The tractor trailers may leave 3 trucks per hour. The GTPD looked at the site and had no issues with the traffic.

Two bulk variances: front yard setback 38.3' and the use Variance.

Lot 4 next door is not owned by the applicant but there is a heavy buffer with a number of trees. The building on lot 4 is an apartment and a business.

The back of basin is a utility lot, which makes 638' to the nearest resident in the rear. The first 500' is wooded to the utility easement, which is grass under the high-tension wires. From the NE corner 107', rear property 50' offset natural ridge 109' to 111'. This reduces sight and sound.

A3- location currently in Winslow:

- SE side of Cross Keys Rd.
- County road like Erial Rd.
- Consistent to the site on Erial Rd.

- Foliage in Winslow is deciduous trees, there are also pine trees.
- In Winslow the site is 230' to the first residential lot and 256' across the road to the first residence.
- There have been no objections from neighbors or town citations.

Vice Chairman Simiriglia asks what the lot in Winslow is zoned?

Mr. Mintz states the frontage is commercial, across the street is residential.

Mr. Thomas states the use itself butts residential and they are much closer in Winslow with no issues.

Mr. Thomas continues w/ discussion on the site in Gloucester Twp.:

- There will be crushed stone in the rear but concrete will be by the diesel pumps. The tanks for the diesel will be double walled and above ground.
- If they can not comply with the free-standing residential sign they will come back to the board.
- Curb proposal on frontage, trash and recycle will be collected.

Mr. Anthony Marks (managing partner);

- Family was raised in town and they are raising their families in Gloucester Township.
- 80 employees for each business,
- No warehousing will be done on site,
- Their principle load is producing with no environmentally sensitive material hauled.
- Maintenance, repair, storage in the new building.

- They will repair landscaping vehicles in the new building too,
- Changing oil will be in a sealed unit that gets picked up by a professional hauler.
- No gas, just diesel,
- Refrigeration units will not run unless they are being repaired, inside the garage.
- All deliveries will be between 9am and 5pm.
- Vehicle tires that are being removed will be removed by a tire hauler,
- Staff: 3 to 4 mechanics and 1 or 2 administration, plus the drivers.
- Drivers will park where the tractor they use is parked.
- It is a 24-hour business, shop closed on Sunday, 1/2-day Saturday, 7am to 8pm. Unless there is an emergency with one of the trucks.
- No night shift for drivers,
- They have acquired lot 7 since the last application.
- They have never been cited in Winslow for noise and the sound regulations will be followed.
- Fumes standards are followed,
- Upgrade of the lot aesthetic,
- Signage allowed but they might have to come back if their sign is not allowed,
- Traffic impact is limited,
- Crushed aggregate in the rear but will pave the front, the 5 parking spaces in the front will be paved and concrete by the diesel pumps.
- All vehicles are post tripped and check for leaks,

- There have been no leaks at the Winslow site,
Mr. Lechner asks if the tires will be stored in the warehouse or trailers?

Mr. Marks states 1 or 2 trailers depending on the tire total.

Chairman McMullin asks how often the tires are picked up?

Mr. Marks states about 3 or 4 times a year, its not really needed more than that.

Mr. Lechner asks if there will be a trailer for new tires and used tires?

Mr. Marks states “no”, the same trailer for used and new tires.

Mr. Lechner states the tire trailer will have to be on the site plan, so we know where they’ll be kept.

Mr. Marks states they will be road worthy trailers and removed when they are full. Just 1 trailer will be needed.

Mr. Mellett asks in Winslow is your site paved?

Mr. Marks states the front section is paved but the rear is crushed aggregate.

Ms. Tiffany Morrissey (Planner),

- Use Variance,
- Located in a R1 zone,
- Use is not a permitted use:

Municipal Land Use Law: must have special reasons to advance the use of zoning with no substantial detriment to the zoning plan or the public good.

Positive and Negative criteria: Positive and special reasons:

- Site and use are particularly suited to one another. This promotes the general welfare. The property provides sufficient space and is an appropriate location.

- Some unique factors: R1 zone but the site has various uses, in the vicinity there is Public Works across the street.
- The west lot 4 is a mix use w/a garage in the rear,
- Landscaping business across the street,
- The residential neighborhoods are really outside of the R1 zone. Distances to the nearest residents are 484' and 638' with the rear of the property having a 100' wide utility easement.
- This property historically has been used in a non-residential fashion, as a commercial property.
- 7.4 acres in size, it is a long deep lot, 1000' long.
- It is close to major transportation routes,
- Commercial use in front of the property.
- 800 sq ft setback and a proposed building on the property, over 600' setback in rear to residents.
- The use is considered an essential service,
- No products stored on site,
- Conforms to all standards except the coverage requirements; Variance 20.7% where 15% is required. This is a residential requirement. If this were a commercial lot the percentage for coverage would be more like 35%.
- The 20.7% includes the aggregate in the rear,
- Buffering landscape will be 25' on all property lines,
- Not disturbing the buffer in the rear of 600'.
- Lot 4 will get buffering,
- Not vegetation on eastern property line where one already exists.
- Proposal is particularly suited for one another

Negative:

- Located in R1 zone, but things have changed during that time in the 1990's.
- PW has grown
- R1 according to the master plan parcels from agricultural area and encourages larger lot development.
- This area is more akin to a R3 zone,
- Smaller pocket of R1 has developed in the area because it has changed considerably.
- When you look at the master plan it talks about directing development and redevelop met to places with transportation capacities.
- This plan lets a large part of the site to stay in its largely vegetative state.
- Designed site so the garage doors don't face the roadway, new structure has a set back of 100'.
- As a whole the positive reasons outweigh the negative.
- No substantial impairment to the zoning plan or goals to the master plan.

Mr. Mellett's review letter:

Mr. Thomas (PE):

- The rear of the property is being proposed as gravel vs. paved. The existing facility is gravel w/no issues with noise. It will become more compacted over time and it was factored into storm water runoff.
- We are requesting a waiver of the traffic impact study. We did provide a traffic assessment to the county and would like to defer to the county's comments.

Mr. Mellett states the waiver for the gravel concerns me because the gravel will wear overtime with trucks turning on it.

You'll get low points or puddles that become a nuisance over time.

Mr. Marks states he has had no issues with it. They do have to maintain it yearly by leveling it off.

Mr. Mellett: If the board grants the waiver, the concern is over time the drainage patterns are affected. Maybe it doesn't get to the basin and creates a low point, then ponding where the runoff may go in another direction. Maybe to an adjacent property. If curbing was provided along the western property line of the parking lot.

Mr. Thomas: along the northern end of the parking lot, we do propose curbing to promote directing the water to the basin.

Mr. Lechner asks for a specific material that are in dense graded aggregate. He doesn't want concrete to be part of the material because of a dust problem with a previous property, from crushed concrete.

Mr. Thomas: It is a type of stone mix specified by the NJDOT to use as a roadway sub-base.

Mr. Mellett: DOT doesn't allow the use of crushed concrete. It is a set percent of aggregate.

Mr. Thomas: crushed concrete will not be used as a substitute; it will be specified on the detail.

Mr. Mellett: the applicant could look into a binder too. In regards to the traffic waiver; I would defer to the county *but, some sort of analysis should be to site distance for this project.*

Mr. Thomas: There are site triangles in the plan.

Mr. Mellett: Yes, vertical as well.

Mr. Thomas: We'll address that. Everything else can be addressed offline, nothing stood out.

Mr. Mellett: addressing all storm water issues conditioned to the ordinance. Are you considering a deed restriction to the back section of the property?

Mr. Marks agrees to the deed restriction.

Mr. Mintz Esq.: As long as that provision allows either this board or counsel to re-view that in the future if necessary.

Mr. Mellett: Yes, if the applicant wants to come back to the board, he can do that. *The applicant will deed restrict the back portion of the property to remain wooded so that it would stay that way. Because their storm water management is based on it staying like that. It also buffers from noise and sight.* They can come back to the board if they want to revise it.

Mr. Lechner's letter:

Mr. Thomas: on page 3 of Mr. Lechner's letter we request a wavier of the environmental impact statement. Phase I site assessment as requested in Mr. Mellett's letter to satisfy the requirement.

Mr. Lechner: it is up to the board it's 2 different things. The E.I.S describes the geography of the property, soils, woodlands, water, underground water, vegetation, wildlife, any threatened or endangered species.

Mr. Mintz Esq.: significant part of the E.I.S would have already been testified to this evening.

Mr. Lechner: No, I wouldn't agree with that. E.I.S provides more generalized accounting of the geography of the property. Have you investigated NJDEP data base?

Mr. Thomas: I did have the NJDEP check to see if there were any violations to the site and there were none. Looked at

wetlands there were none on site. Reviewed the site and it is not a flood plain.

Mr. Mintz: a significant part of the site is being left in its natural state.

Mr. Lechner: page 1 looks for existing contamination issues. In my professional opinion some kind of environmental study should be done. A letter to the national heritage data base to confirm if there are any endangered or threatened species in the area.

Mr. Mintz: we will work w/Mr. Lechner on a modified statement.

Mr. Lechner: I prefer not to do that. It's up to the board to decide. It's a waiver, normally Mr. Thomas's firm would provide an E.I.S...

Mr. Mintz: we will work with Mr. Lechner to providing a statement.

Mr. Mellett: it could probably be addressed in a concise manner if you just follow the ordinance. Just walk through it (ordinance)and it can be done in a concise way.

Mr. Lechner: it was a surprise that an E.I.S wasn't provided.

Mr. Thomas: plantings being proposed. Page 6 of Mr. Lechner's letter, comments 3, 4, & 5; are evergreen plantings really necessary due to a natural obstruction. The natural grades actually totally block the view of the trash exposure to the road.

Vice Chairman Simiriglia: are you saying if you buffered that southside it wouldn't work?

Mr. Thomas: if the benefit is appeal form the roadway it doesn't work. Because there is no view from the roadway.

Vice Chairman Simiriglia: neighbors across the street will be able to look right into your yard.

Mr. Mintz: the neighbor has had a discussion w/Mr. Marks.

Mr. Mintz: we will be happy to landscape the enclosure.

Mr. Lechner: south and east of the trash enclosure need to be buffered.

Mr. Thomas: yes, we'll provide that.

Mr. Bucceroni: at least 6' to 8' in height w/woods along that buffer. Moot point about the trash enclosure.

Mr. Mintz: the plan reflects plantings.

Mr. Lechner: It is the boards' decision, a double row of evergreens on north. Recommend a single row along where the trailers will be parked on the north side to the supplement.

- The southside is the applicant's responsibility to buffer his property from adjacent properties.

Mr. Mintz: southside tree line existing and will be maintained and opposite side also. There is significant growth on lot 7, we did not provide it but kept it as deep as we can, close to the parking spaces. We will provide a deed disclosure if lot 7 is ever sold or developed. The deed will require that planting to take place between lots 6 and 7.

Mr. Lechner: a single row of trees is sufficient or enough trees to supplement deciduous trees. When the leaves drop you would be surprised how much you can see.

Mr. Marks: sufficient evergreens will be planted to Mr. Lechner's specifications.

Mr. Lechner: do the garage doors open facing the inside of site (south), how many doors?

Mr. Marks: there are 4 bays.

Mr. Lechner: trying to head off any complaints about pneumatic drills or noise.

Mr. Marks: doors will be open during business hours. I don't see my site being any noisier than public works. They haven't had any complaints in Winslow.

Mr. Lechner: Public Works is zoned for that use.

PUBLIC PORTION:

Mr. Rick Wunderlin: Windmill dr.

(A lot of this recording is unintelligible/garbled):

- Residential property not like Public works,
- People have homes not wanting to be near tractor trailers,
- Restrictions to this property R1,

Mr. Costa explains deed restrictions vs. zoning board

- Not permitted in a residential area,
- 24-hour business doesn't belong here,
- LED lights are very bright,

Mr. Lechner: states Mr. Wunderlin is over 500' from the applicants property.

Mr. Wunderlin: states he is 423' to lot 5 but I'll take your word for it.

- Trucks and trailers will make a lot of noise that wasn't there before.
- The professionals have to paint a rosy picture because the work for the applicant.
- Previous business was small with a 2-car garage,
- Lot coverage and parking discussion,
- It was a quiet neighborhood,

- Discussion of Winslow twp. Being different than Gloucester Twp.,
- Big trucks come out of garage too,
- It takes time for those big trucks to enter and exit, it will slow down traffic on an already busy road,
- Far side of deer park not as affected,
- This isn't right,
- Substantial detriment to the area and for sure the public good,

Mr. Bucceroni: I drive the whole area. I can't see anything at night from your house. There is a huge berm, for you to see it you would have to be on top of your house. Lights in the parking lot will have shades on them. So, the light won't bleed off onto your lot. Work will be done in the building towards lot 7 not towards you. Its not that loud.

Gene D'Orazio: Blue Grass Rd.

- Lights will be seen; I can see the house lights now.
- Trucks coming in, LED's we, will not have a night time anymore.

Mr. Bucceroni: no other houses behind you.

Gene D'Orazio: 60' to power lines from my house, behind that I see house lights.

Chairman McMullin: these lights from this applicant will go down w/shields not out like house lights.

Gene D'Orazio: 3 trucks per hour, coming down Erial Rd.? traffic is horrible now, it takes me 10 minutes to get out of my development.

- I used to hear nothing sitting in my yard,

- Not like tractor trailers going up and down the road,
- Speeding will be an issue,
- Don't need all that noise,
- I'm from South Philly I'm used to noise, but I'm used to a quiet neighborhood now.

Ruby Cochran: Bluegrass Rd.

- They stated the facility would repair trucks and landscaping trucks.
- More than Winslow,
- 7 am to 7 pm refueling facility 24 hours a day,
- Trailers occupy parking spaces; just stating what Mr. Marks said in August.

Mr. Costa: what Mr. Marks said in August has nothing to do with tonight.

Ms. Cochran: will refueling or putting tractors in trailers spots,

- There will be a car in the spot if the vehicle is gone,
- If empty trailer not in tractors spot,
- Anytime to refuel say 4am or 2am.

Mr. Marks: extremely rare.

Ms. Cochran:

- 6:30 pm on Sunday night I recorded the quiet in normal circumstances (plays recording on her phone).
- I've been in this neighborhood since 1988,
- If tractor trailers are coming in and out in the summer, I'll hear that.
- Worried about noise pollution,
- Residential neighborhood and quiet was the primary reason for moving here,

- Understands the economics of moving from Winslow.

Mr. Lechner: It's still quiet with woods removed according to the recording that was taken. Someone cutting their law will be noisier than the tractor trailers.

Mr. Don Beeler: Blue Grass Rd.

- Found out about this meeting around 5 pm tonight,
- Very quiet and I can hear turkeys and dogs,
- Been in the neighborhood since 1988,
- My old neighbor had a rig, they are very loud,
- I rarely see big rigs coming down Erial Rd...

Leon D'Orazio: Blue Grass Rd.

- Can see the lights across the way,
- I'm Outside all the time,
- Does hear cars on Erial Rd...
- Wildlife where are they supposed to go?
- Some clearing still left?
- Need the evergreens in back so I can use my deck,
- The trucks are going to make a lot of noise,

Nichol Gordon: Blue Grass Rd.

- Agrees with her neighbors,
- Just found out I'm close to Deer Park and received a 200' letter.

Mr. Mellett: their lot is very deep which is why you received a letter. That end of the property will not be developed and will be deed restricted to stay wooded for 600'. It will not impact your home.

Ms. Gordon: I drive a school bus; how will the diesel pollution affect me.

Mr. Bucceroni: the diesels run clean diesel now.

Ms. Gordon: my daughter is asthmatic and air quality is important. I don't want to hear anymore noise.

I can hear fire trucks and traffic. In the early morning and at rush hour in the evening the PW trucks come out and try to get in to PW, which slows traffic. When you have large vehicles, they slow traffic.

Maria Barcena: Blue Grass

I work back shift and sleep during the day. I need quiet when most people are working.

Ms. Mary Dintino: Vicksburg

- I work at that end of town. If any township doesn't allow business to come into town because of "what if's" no town would have businesses. I work down the other end of town. I totally respect peoples concerns about noise and things like that. There is a trucking company right on Hickstown Rd. They are on Erial road all the time. I think their name is Thompson trucking. This company (Marksman) are up and down Erial road now coming from Winslow. There really isn't any difference.

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Mr. Joe and Mrs. Dawn Czechowski: Erial Rd.

Mr. Czechowski: we have fostered a friendly relationship with the Marks family. We just have a couple of concerns. The

lighting having deflectors is a good thing. Will the refrigeration trucks be on the property?

Mr. Marks: The refrigeration trucks will not be running unless they will be repaired. Repairs in the building will be between 7 am and 7pm; that will be the end of repairs inside the building. If the refrigerator trailers will be switched out if they break down. When the refrigerator trailers get tested 30 minutes when being repaired in the building.

Mr. Czechowski: will the property be limited to Marksman vehicles?

Mr. Marks: Marksman registered vehicles only.

Mr. Czechowski: 24 hr. 7 days a week. Is this in case of emergency only?

Mr. Marks: Yes, and emergencies happen rarely.

Mr. Czechowski: This sounds like an open checkbook in case you want to add a shift (night), that is a concern.

Mr. Bucceroni: not granting a night time operation,

Mr. Czechowski: we are across street from them and our driveways are across from each other. We request right hand exits only towards College dr. from the Marksman property.

Mr. Marks: the hours are 7am to 7pm a few trucks would come out at night hours. We will work w/him knowing there is an impact. We can put a berm and trees to block lights.

Mr. Bucceroni: maybe you can make a donation and you can put extra trees on Mr. Czechowski property.

Mr. Marks: driveways are not directly across from each other but we have had discussions.

Mr. Czechowski: will dumpsters be behind trees.

Chairman McMullin: Yes, trees.

Mrs. Czechowski: hopes it stays this way and they don't take advantage.

Mr. Omar Barcena: Blue Grass

- The NJDOT states are that Mr. Marksman 30% vehicles are disabled vs. the state average of 20%.

Mr. Lechner asks Mr. Marks to describe a typical emergency.

Mr. Marks: on call mechanic will be called in. The dispatcher will let the mechanic know there is an issue. The Mechanic will head to the shop while the driver brings the truck back. They try to coordinate so they meet at the same time.

Mr. Lechner: is the dispatcher on site.

Mr. Mark: yes

Mr. Lechner: someone will be there 24 hours?

Mr. Marks: yes, potentially.

-Use, Preliminary/final, bulk variances w/set conditions.

Waiver, traffic study site, implications of intersections, curb line added, deed restriction for rear of property, follow ordinance on E.I.S and work with Mr. Lechner. Work w/neighbor on buffering of property.

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

Roll Call:

Vice Chairman Simiriglia No

Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes
Chairman McMullin	Yes

Application Approved.

#202049CDPFS

Emerson Drive Equities, LLC

Zoned: R4

Bulk C, Use D Variance, Prel & Final Major Site

Block: 13301 Lot: 1

**Location: 1410 Blackwood – Clementon Rd., Clementon
Chipotle Restaurant & 3360 SF retail Space & Parking lot**

Mr. Del Duca Esq.:

The site is the old Denny's restaurant location. The new Chipotle plus retail space will be 5640 SF it was 5000 SF when it was a Denny's.

A1- Aerial from Google as the site is now.

A2- 3 pages of site plan w/color.

- The site is actually on 3 streets not just Blackwood – Clementon Rd.
- The board has the site plan,
- Square building with retail space on opposite side.
- This is the 3rd Chipotle we've done w/this owner,
- New concept, "Chipot-lane": you order from a phone/tablet/laptop and pay for it. It's not a drive-thru.

You pull up to a window, you show them your phone they scan it and they hand you a bag. The whole transaction might take 30/40 seconds.

- There is no menu board, no speaker. If the order isn't ready there are parking spaces. You can get back in line when the order is ready and sometimes, they bring it out to you.
- The pickup lane is cashless.
- It is in a HC (highway commercial) zone where you can't have fast food store w/a drive thru.
- In the ordinance it says a fast-food restaurant w/a drive thru is a conditional use. Permitted as long as you meet the conditions. One condition is you can't be within 1,000' of another fast-food restaurant with a drive thru, a church or a school.
- We are w/in 1,000' of another fast-food restaurant and w/in 1,000' of senior apartment building.
- We need a D3 conditional use variance w/reference to the statute.
- It is a lesser and easier burden to carry since the use is permitted.
- No significant impact w/traffic or noise
- Looking for Preliminary and Final site plan approval

Three exceptions from the ordinance:

1. p/u lane 19' from R.O.W of Emerson Dr., ordinance requires a s/b of 25'. Right now, the Denny's building is closer. So, what we are proposing is less impactful.
2. Sign variances for front façade
3. Sign variance for height of interior directional sign

- No objections to Mr. Lechner's' or Mr. Mellett's letters.
- One caveat, Mr. Lechner request black street scape lights. We agree to do that but request not to do it on Emerson dr., we don't think it's necessary.

Mr. Mellett:

Your side walk will be placed on all the places requested.

Mr. Del Duca: "yes"

Mr. Lechner: the ordinance requires sidewalks on Blackwood-Clementon Rd., Emerson Dr., & Plaza Dr.

Mr. Del Duca requests to do Blackwood-Clementon, Emerson but not Plaza.

Mr. Lechner has no objection to Plaza dr. waiver because there's not a sidewalk on that side. The Republic bank was given waivers (across the street from Denny's site), so it would be consistent.

Mr. Costa swears in: Mr. Andrew Fernada Traffic Engineer PE, Mr. Jason Sciuillo (PE & Planner), Mr. John McDonough Project Planner.

Mr. Sciuillo:

- The site plan exhibit is the same site plan,
- Adequate parking and locations of spaces don't change all that much,
- 2 curb cuts on Emerson w/no access on Blackwood-Clementon.
- Meet ordinance requirements for lanes and parking circulation and access.
- Landscaping will be compliant to Mr. Lechner's letter.

- Parking spaces exceeds what is required,
- Chipotle is open 7 days a week 10am to 10pm,
- Deliveries to chipotle are 4 or 5 times a week before/after business hour. The truck drivers have master keys to all locations.
- The product is in a refrigerator truck, the product is wheeled off the truck on a pallet and rolled into the refrigerator of the store. The whole process takes about 10 minutes. The trucks go to multiple locations a night. The truck is 26' straight truck.
- Number of employees: 9 to 11,
- No loading zone needed,
- Trash S.W. corner of the site, recycling as well

Variances:

1. S./B of the pick-up lane to Emerson dr., didn't realize the pick-up lane would be considered a parking area. It is an existing condition. The building is 12' off the edge along the parking spaces. So, we will be better than the existing conditions. If we move, we violate the parking on the other side.
2. Façade Signage:
 - A3 colored renderings;
 - Those 2 signs are 38 SF in area, same sign on both elevations, Emerson and Blkwd. -Clem.
 - Up to up to 5% of façade signs,
 - No tenant for the retail space,
 - Two 40 SF façade signs, for each one of the tenants. Not sure if we'll have one or two tenants, so we're asking for 2

signs that face Blkwd. -Clem. Rd. which requires a variance:

- 5% façade = 88.4 SF (blackwood-Clementon rd.)
- 5% façade = 78.4 SF Emerson dr.
- So, between the 2 signs = 162 SF, the four signs will be less than that.

A4 Marketing sign:

A3 Emerson dr. signs no variance is needed, but the Blackwood-Clementon Rd. side needs a variance: ordinance 88.4 SF asking for 118 SF for 3 signs. The size and number of façade signs on Blackwood-Clementon Rd no more than 160 SF. We are 32 SF over the front façade sign.

- Discuss directional sign: internal directional sign: ordinance 4' asking for 6'8" tall.
- Ordinance stacking spaces in a drive thru lane which is 6, we have the length to exceed that.
- Tractor trailer access will not be utilized: 26' straight truck is used.
- Proposed landscape buffer doesn't meet ordinance, we request any relief and will follow Mr. Lechner's letter and comments to add landscaping.

Mr. Lechner: additional landscaping on Plaza dr. will buffer the residential from the commercial.

Mr. Sciuolo: no wetlands, they are staying w/in current boundaries,

- Outside seating in front corner will be fenced (open black picket), with Bollards.

Andrew Fernando: traffic engineer:

- Traffic report, heavily travelled road,
- Proposed & use will have no impact on the road use,
- There will be a small amount of additional traffic from the “drive-thru”. But there is a traffic light on Emerson and it can handle the additional traffic.
- “drive-thru” lane circulation will be accommodated on site.
- There are no bus stops or school bus stops, a sidewalk is present for pedestrians along with a traffic light for safety.
- Access road is exactly the same.

Mr. McDonough: Planner

- A conditional use variance:
- D3 relates to “drive-thru” benefits the public, handicap and weather benefits plus the convenience.

Negatives: separation standard 1,000 ft in proximity.

- Wendy’s on the other side of the highway 300’ and Starbucks is 1,000’ away on the same side,
- Residential use is 200’ away and across the street. More robust buffering system will help the separation from the residential use,
- Lighting, noise, glare of drive-thru will be mitigated by the landscaping and the fact we have an ambient, active use in-between.
- Visually and functionally no negatives from the drive-thru, safe and efficient.
- All demands for land use are not here,
- A5 – GIS maps, land use, aerial, HC Zone, adequate separation. Residential use is remote from site.

- Bulk Variance:
 1. D relief
 2. 3 variances: 1. s/b to Emerson, 2. façade sign package, relief on area façade sign and 3. navigation sign height.
- Site is 3 times bigger than it needs to be,
- Unified project

Mr. Lechner: curbing fix where you have old meeting new curbing.

Applicant agrees to the new curbing.

Open to the Public:

No Comments:

Open to the Professionals:

No additional Comments:

A motion to approve the above-mentioned application w/conditions, waiver side walk on Plaza dr., replace curbing, add landscaping on Plaza dr., no architectural lights on Emerson dr. was made by Mr. Rosati and seconded by Mr. Scarduzio.

Roll Call:

Vice Chairman Simiriglia	No
Mr. Bucceroni	Yes
Mr. Scarduzio	Yes
Mr. Rosati	Yes
Mr. Rosetti	Yes
Chairman McMullin	Yes

Application Approved.

A motion to Adjourn was made by Chairman McMullin and seconded by Mr. Rosetti.

Respectfully Submitted, Jean Gomez, Recording Secretary.