

Ms. Augustine called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and had been duly noticed and published as required by law.

#### ROLL CALL

Present: Mr. DiNatale, Mr. Vandegrift, Mr. Nicini, Mr. Kleinman, Mr. Platt, Mr. Schallenhammer, Ms. Augustine

Absent: Mr. Rashatwar, Ms. Branch, Mr. Ravitz, Mr. Schwenke

Also present was Mr. Jeremy Noll, Board Engineer.

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Mr. Noll is sworn in as Planning Board Engineer.

#### MEMORIALIZATION OF RESOLUTIONS

Mr. Nicini made a motion to memorialize the block of resolutions for Planning Board appointments from the Reorg 2025 meeting, seconded by Mr. Schallenhammer. The following resolutions are memorialized by consent:

Resolution # 25-001 Planning Board Chairperson – Ron Schwenke

Resolution # 25-002 Planning Board Vice Chairperson – Maureen Augustine

Resolution # 25-003 Planning Board Secretary – Rashane Thapa

Resolution # 25-004 Planning Board Solicitor – The Platt Law Group

Resolution # 25-005 Planning Board Engineer – Rakesh Darji (ERI)

Resolution # 25-006 Completeness Review

Resolution # 25-007 Development Review

Resolution # 25-008 Planning Board Conflict Solicitor – John Palm

Resolution # 25-009 Planning Board Engineer – CME

#### NEW BUSINESS

PC#24-012

Voorhees White Horse LP

Preliminary and Final Major Site Plan

1101 White Horse Rd

Block 160; Lot 1.07

Mr. Kirk Pavoni, attorney for the applicant Voorhees WH LP approaches the board and is sworn in along with the following individuals from the applicant's team: James/Jim Henry of Dynamic Engineering, the applicant's engineer, David Lisa, the managing partner for Voorhees WH LP, and Todd Poli, consultant of the applicant. Mr. Pavoni testifies that the subject property is adjacent to Target and was formerly the location of Citizens Bank. He states that the current tenants of the property include Cannabis retailer Floro Voorhees, fitness tenant Powered by Polar, and the Vein and Vascular Institute. Mr. Pavoni explains that the first phase of the project involves demolishing the drive-thru used by the previous tenant Citizens Bank, and in the rear of the property on the side of the Vein and Vascular Institute is the proposed expansion for phase 2.

Mr. Henry gives some background on the site's existing conditions. He states that the total area of the existing onsite structure is 11,000 sq ft, and access to the site presently is off White Horse Rd. Mr. Henry testifies that the applicant is proposing a restaurant with drive-thru at the property along the northerly property line. He states that the proposed drive-thru would not

function as a freestanding fast-food use but will be similar to the existing drive-thru endcap for the former bank. Regarding the drive-thru and fast-food classification, Mr. Henry further testifies that as the drive-thru will be designed to be more integral to the overall structure and use, it would not be considered a fast food use. Mr. Vandegrift asks Mr. Pavoni and Mr. Henry whether food will be served in addition to coffee from the shop/restaurant tenant at the site. Mr. Noll testifies that a major distinction between drive-thru's for places like coffee shops and regular fast-food restaurants are the peak service times, with coffee/breakfast shops usually only having an AM peak, but standard fast food having breakfast, lunch and dinner peaks. He states that the applicant should clarify whether the drive-thru will function as a coffee shop or a standard fast-food restaurant, the latter of which would require a use variance from the zoning board.

Mr. Lisa, the applicant approaches the board and testifies that they have been in negotiations with a Coffee Shop, Harvest Coffee to be the tenant at the site, but have not yet reached a deal. He explains that currently they are seeking approval for non-fast food use for the expansion and other proposed improvements in the major site plan application. Mr. Noll states that the coffee shop use would be permitted within the zone right now, but should anything change with the proposed use at the site, the applicant would need to come before the board again for further approval, and depending on the change in proposed use, they may need to go before the zoning board at that time. Mr. Lisa agrees to proceed with the application with the originally proposed coffee shop tenant and should anything change with the use/tenant they would go before the appropriate board.

Ms. Augustine asks Mr. Lisa if the coffee shop tenant would be serving premade/preheated food such as sandwiches under a warmer. Mr. Lisa states that the current Harvest Coffee location in Medford sells food with that method but they are now proposing bagels as a menu item, for the site, but nothing has been set in stone. Mr. Nicini asks what the applicant's end goal is with the tenant. Mr. Lisa testifies that the tenant would sell bagels.

Mr. Norman states that the resolution will include conditions for the restaurant tenant being able to sell only coffee and bagels/similar breakfast foods to function as an AM peak/breakfast restaurant, and should there be any deviation from that condition, the applicant would need to go before the appropriate board for new approval or change their tenant's proposed use to fit with resolution conditions.

Mr. Henry returns in front of the board to continue his earlier testimony. He states that the restaurant will have 21 seats and 6 employees and for phase 2 of the project a 5,000 sq foot building expansion is proposed at the rear of the existing building. Mr. Schallenhammer asks the applicant if there is a tenant lined up for the space in the proposed expansion. Mr. Lisa explains that a tenant has not yet been confirmed but they have some prospective tenants and currently are seeking approval for the expansion itself.

Mr. Henry testifies that the applicant also intends to have a menu board for the drive-thru and there are some existing non-conformities at the property, but none are being exacerbated in the application. He states that the applicant will be reducing the existing impervious coverage as well. Mr. Schallenhammer asks Mr. Henry what the side yard setback will be used for. Mr. Henry states that the area of the side yard setback is pre-existing and is associated with parking. Mr. Henry testifies that for parking they are compliant with the required 96 parking spaces. He states that for traffic circulation it will be two-way along the westerly and southerly sides of the building, and the rear parking area would be primarily for employees. Mr. Henry also testifies that a new loading area is proposed and for deliveries and trash pickup they anticipate having box trucks at the site 2-3 times per week, to occur during off-work hours. He states that the applicant will also add two more enclosures to the site. Regarding lighting at the site, Mr. Henry testifies that light poles in the front will be kept as is, and some poles in the back will be modified for reconfiguration and three more building lights are also proposed.

For utilities, Mr. Henry states that the applicant intends to keep the existing utilities in the building. He testifies that for stormwater management no major changes are proposed, the applicant will just be adding more inlets to aid in flow to the existing stormwater basin. Mr. Noll asks Mr. Henry if the applicant would agree to taking video of the existing pipes onsite as part of inspection of the stormwater management onsite. Mr. Henry states that the applicant agrees to this.

Mr. Vandegrift asks Mr. Henry if there will be outdoor seating for the restaurant site. Mr. Henry confirms there will be outdoor seating. Mr. Vandegrift asks Mr. Henry what the side setback on the drive-thru side of the building is. Mr. Henry states that the existing side setback is approximately 57 feet, and the proposed will be approximately 64.5 feet.

Mr. Platt asks the applicant about a roof leak issue during the time of the previous tenant and whether that will be fixed. Mr. Lisa states that they intend to replace the roof during the construction phase.

Mr. Schallenhammer asks Mr. Henry if access on the drive-thru side of the property will be expanded to allow two-way vehicle access. Mr. Henry states that the side access will be designed to have one lane for the drive-thru and one lane for bypass traffic.

Mr. Henry testifies that for sanitary sewer they will use the existing sanitary sewer currently but anticipate adding additional laterals. Mr. Noll asks if the applicant will be installing grease traps for the restaurant. Mr. Henry states that they will add grease traps but hope to maintain the existing system as well since coffee shops don't tend to generate much grease. Mr. Henry states that turning radius templates will also be added to the plans.

Mr. Schallenhammer asks the applicant about the intended times for deliveries and trash pickup. Mr. Lisa states that conditions can be included in the resolution for timing of deliveries and trash pickup, and the conditions will be relayed to the future tenant of the site. Mr. Lisa testifies that the site will also meet the noise ordinance. Mr. Henry testifies that for quick-serve restaurants there is usually overnight or early morning (4, 5AM) delivery of bagels and other breakfast foods and for dry goods the times can be coordinated. Mr. Schallenhammer states that the overnight/early morning deliveries could be a noise concern for neighbors. Mr. Noll states that there is a significant amount of wooded area between the nearest neighbors and the subject property, which would act as a noise buffer. Mr. Henry adds that delivery is usually by hand from box trucks, which makes deliveries quicker.

The applicant's construction consultant Mr. Poli approaches the board for testimony on proposed architectural improvements. Mr. Poli states that the applicant proposes adding tiling and/or stucco to the sides of the building for aesthetic updates. Mr. Platt asks Mr. Poli if signage for the restaurant will be an actual sign or more of a banner that is hung up. Mr. Poli states that the applicant will abide by the township ordinances on signage, and they cannot provide further information on signage right now without a tenant confirmed.

Mr. Noll asks the applicant if there is anything from ERI's latest review letter that they would like to testify on. Mr. Pavoni goes through a few items from the review letter. For impervious coverage, he states that as the applicant is reducing impervious coverage at the site, they should not be required to provide a contribution to the township. Mr. Pavoni asks about the necessity of bicycle racks onsite and Mr. Noll states that the applicant should abide by the township's policy as its clean streets program promotes bicycle transportation with numerous bike lanes throughout town. Mr. Lisa states that they would agree to comply with the bike ordinance. Mr. Pavoni asks if the applicant could supply a traffic impact statement as a condition of approval. Mr. Noll confirms this and states that if there is any change with the tenant at the site the modifications to traffic would require going before the zoning board with the traffic impact statement. Last, Mr. Pavoni asks that all other items from the review letter that the applicant agreed to comply with be conditions of approval. Mr. Noll confirms that the other items be conditions of approval that will be subject to compliance review. Mr. Henry states that they will also comply with landscaping requirements.

Seeing no further testimony, Mr. DiNatale makes a motion to open public portion, seconded by Ms. Augustine. Seeing no public comment, Mr. Nicini makes a motion to close public portion, seconded by Mr. Platt.

Mr. Nicini makes a motion to grant preliminary and final major site plan approval for the property located at 1101 White Horse Rd Block 160 Lot 1.07 for phases 1 and 2, with phase 1 being a restaurant with 21 seats and drive-thru work and phase 2 a 5,000 sq ft commercial space addition at the site with the following conditions/stipulations:

1. Applicant agrees to have the restaurant use be for an AM peak breakfast/coffee shop that serves bagels and similar breakfast foods to remain within the approval bounds of the planning board

2. Applicant agrees to the conditions of the board engineer's review letter dated January 15, 2025

Motion seconded by Mr. DiNatale. Motion carries by the following roll call vote:

AYES: Mr. DiNatale, Mr. Vandegrift, Mr. Nicini, Mr. Kleinman, Mr. Platt, Mr. Schallenhammer, Ms. Augustine

ABSTAIN: None

NAYS: None

PC#24-019

JBMT Inc

Minor Site Plan

310 American Way

Block 160; Lot 1.07

Mr. Jeff Brennan, the applicant's attorney from law firm Baron & Brennan approaches the board and testifies that the applicant is seeking minor site plan approval to convert an existing gravel area to asphalt pavement and install a chain link fence as an extension of an existing fence on the property. He states that a variance is requested for a front yard setback as the fence will extend into the front yard of the site given the unique site layout. The applicant, Mike Robinson and the applicant's engineer Anthony Dirosa are sworn in.

Mr. Dirosa goes over the existing conditions and background of the site. He states that 310 American Way has three lot frontages and there is currently a two-story structure onsite used as an office and for business operations. Mr. Dirosa testifies that there is also a two-story frame building and metal shed used for storing tools for site operations. He states that the gravel area is on the west side of the property near Preston Ave and is adjacent to an existing asphalt driveway, which the applicant seeks to expand onto the gravel area.

For the proposed fence, Mr. Dirosa explains that the existing fence is along Park Dr and the applicant proposes to extend that fence into the front yard on the Preston Ave side to the location of the existing parking lot. He states that the fence will be a 6-foot high privacy chain-link fence with privacy slats. Mr. Nicini asks Mr. Robinson if the existing vegetation on the sides of the property that will have the proposed fencing installed will remain following the fence work. Mr. Robinson confirms that the vegetation will remain.

Mr. Dirosa testifies that the variances requested for the front yard setbacks and impervious coverage are existing nonconforming and are not being exacerbated in the application. Mr. Dirosa testifies that drainage onsite will not be reduced, and spot grades can be provided to demonstrate that. Mr. Noll asks Mr. Dirosa for testimony on drainage at the site. Mr. Henry explains that there are collection inlets for drainage along Preston Ave and American Way. Mr. Noll asks Mr. Dirosa and the applicant if they would agree to adding curbing along the parking area and some of the accessways to the streets to help prevent vehicles from parking on the grass. Mr. Dirosa states that they will look further at the plans and check with the applicant. Regarding a portion of the fence, Mr. Noll asks the applicant if a gate will be installed. Mr. Robinson states that they intend to install an access gate and will try to install a swing gate if elevation permits, but if not then a slide gate also works.

Mr. Schallenhammer asks the applicant what they intend to use the fence for. Mr. Robinson testifies that the fence is primarily for aesthetic purposes, to help tidy the appearance of the site. Mr. Schallenhammer asks the applicant if grading for previous asphalt paving work done at the site was naturally graded to flow to Park Dr. Mr. Noll states that the applicant's engineer will clarify the grades with updated grades to the plans.

Mr. Schallenhammer asks Mr. Noll about the feasibility of installing sidewalks along Park Dr and other streets adjacent to the property. Mr. Noll states that there are no sidewalks along Park Dr and American Way but the County has been working on adding bike lanes and pedestrian improvements along Preston Ave. Mr. Noll asks the applicant if they have requested or obtained a letter of no impact from the County Planning Board for the application. Mr. Brennan states that the applicant will submit to the county following the hearing.

Mr. Schallenhammer and Mr. Nicini ask Mr. Noll if there is enough space to install sidewalks along streets along the property. Mr. Noll states that there is space along Park Dr, and the County is attempting to install some sidewalks along Preston Ave as well.

Mr. Noll asks Mr. Dirosa if sight triangles were evaluated for the fence. Mr. Dirosa states that he has not yet but he will incorporate sight triangles on the revised plans.

Mr. DiNatale asks Mr. Noll if the only variance the applicant is requesting for the application is the front yard setback to allow for installing the fence. Mr. Noll explains that the applicant is seeking a variance for an existing non-conforming condition, and they have made improvements in the existing non-conforming area, which is why they are being heard by the board.

Mr. Robinson testifies that the business onsite, Robinson Waste has been operating onsite since 2002 at the property and the site has been used as a waste disposal business since approximately 1972. He states that the number of employees working at Robinson Waste is in the 40s, and around a dozen employees work at the property full-time. Mr. Robinson testifies that the business provides waste disposal dumpsters as well as port-a-potties and provides waste pickup services as well. He explains that the business is subject to NJDEP regulations for waste storage and disposal.

Seeing no further testimony, Mr. DiNatale makes a motion to open public portion, seconded by Mr. Nicini.

Joe Maxcy  
25 Country Ln

Mr. Maxcy expresses concerns about whether the applicant obtained all necessary approvals and permits for the property to operate as a waste disposal business. He also expresses concerns on noise generation from the site. He explains that he can hear loud dumpster activity noise from the site during the day as well as at night until 7pm. He also poses concerns on vibrations that he says he experiences from the site which can be felt from within his house.

Mr. DiNatale and Mr. Norman ask Mr. Noll about options for handling disruptive noise levels from the site. Mr. DiNatale states that noise problems would be handled by the Code Enforcement department of the Township. Regarding approvals for the property Mr. Noll states that a lot consolidation would have had to have occurred for the property.

William Jones  
29 Country Lane

Mr. Jones expresses concerns regarding disruptive noise from the subject property. He states that loud noise can be heard from the site from as early as 5AM to as late as 7 or 8PM at night. Mr. Jones explains that disruptive noise can be heard from the site operations, traffic to and from the site, as well as from some employees playing loud music while working. Mr. Robinson testifies that cameras with audio were installed around the premises to watch for disruptive activity and footage showed that noise was originating from employees of other businesses/entities in the surrounding vicinity. He states that plantings will also be incorporated along the fence that could aid in limiting noise from the site. Mr. Schallenhammer asks Mr. Robinson what the standard hours of the business are. Mr. Robinson states that work starts at 7AM and usually ends by 6:30 in the evening. Mr. Schallenhammer asks Mr. Noll if any buffering by way of fence material or vegetation can be incorporated along the fence area to help limit noise from the site. Mr. Noll states that material such as vinyl or wood with privacy slatting could be beneficial, but planting trees such as evergreens or Leyland Cypress would be even more beneficial in limiting noise from the property.

Seeing no further public comment, Mr. Schallenhammer makes a motion to close public portion, seconded by Ms. Augustine. Motion carries by the assenting voice vote of all present board members.

Mr. Noll asks the applicant if they would agree to planting evergreen or Leyland Cypress trees along the fence, as well as changing the fence material to aid with buffering noise from the site. Mr. Robinson states that they would agree to those conditions.

Mr. Nicini makes a motion to grant minor site plan approval with bulk (c) variance for the property located at 310 American Way Block 160 Lot 1.07 for the installation of a fence and asphalt paving at the site with the following conditions/stipulations:

1. Applicant agrees plant evergreen trees along the fenced area of the property
2. Applicant agrees to the conditions of the board engineer's review letter dated January 13, 2025

Motion seconded by Mr. Kleinman. Motion carries by the following roll call vote:

AYES: Mr. DiNatale, Mr. Vandegrift, Mr. Nicini, Mr. Kleinman, Mr. Platt, Mr. Schallenhammer, Ms. Augustine

ABSTAIN: None

NAYS: None

At this time, the board announces a 10-minute break from the meeting. The board returns after the 10-minute break to resume.

PC#24-020

Voorhees Sports Complex

Minor Site Plan & Minor Subdivision

120 Britton PI

Block 150.05; Lot 2

Mr. Brian Hall, the applicant's attorney from law firm Ward, Shindle and Hall appears before the board and provides a brief introduction on the application being for 120 Britton PI and introduces the applicant and applicant's professionals. The applicant/property owner Mr. Sam Balducci and the applicant's engineer, Mr. Greg Simons are sworn in. Mr. Hall testifies that the applicant is seeking minor subdivision and minor site plan approval to consolidate lot 2 that has the existing gym with lot 1.03, which is currently vacant. He states that parking improvements are proposed for the Giant Fitness sports complex gym. and there are some variances for parking and impervious coverage which are being requested in the application.

Mr. Simons gives an overview of the existing site conditions and what the applicant proposes in the application. He testifies that the presently vacant lot 1.03 is where the 37 proposed parking spaces will be located and for variances being sought, the parking variance is existing non-conforming and is not being exacerbated by the proposed improvements. For the impervious coverage, Mr. Simons states that the lot 2's existing 74.2% coverage, which is beyond the 60% max, will be reduced to 65%. Mr. Noll states that the ordinance allows for exceedance of impervious coverage past 60%, but there is a fee per sq ft for impervious coverage over 60%. Mr. Simons asks the board if the fee can be waived as the impervious coverage will be decreasing from the existing amount even though it is still over the 60% ordinance maximum.

Mr. Schallenhammer makes a motion to deny the requested waiver of fees for the impervious coverage. Motion seconded by Mr. Platt. Motion carries by the following roll call vote:

AYES: Mr. Vandegrift, Mr. Platt, Mr. Schallenhammer, Ms. Augustine

ABSTAIN: None

NAYS: Mr. Nicini, Mr. Kleinman

Mr. Simons continues his testimony on the application. He states that the applicant agrees with the conditions noted in the board engineer's review letter, except for a few items, including the tree compensation plan. Mr. Noll provides a background on the state of trees on the property. He explains that clearing of numerous trees onsite had occurred without permits, and a violation from the NJDEP for clearing a riparian zone was issued. In addition, the township had also issued a violation for the tree clearing. Mr. Noll states that the NJDEP violation has since been abated following the replanting of 76 trees at the property. Mr. Noll testifies that following the tree clearing violations, ERI also conducted an assessment of trees cut at the site and found that 126 trees had been felled in total, however 7 of those trees do not count against the township tree ordinance as they were 4 inch caliper, where the ordinance notes 5 inch or greater caliper requiring replanting or compensation. He states for the applicant to abate the township tree ordinance violation, they will need to provide evidence of trees being replanted or compensate for the remaining felled trees. Mr. Noll testifies that a chart showing the number

of trees replanted should be incorporated into conformance plans. Mr. Simons agrees to provide the chart on conformance plans.

Mr. Simons testifies that from another item in the board engineer's review letter on an access easement, the applicant will need to extend the easement to lot 1. Mr. Noll asks Mr. Hall and Mr. Simons if the parking will be for just the sports complex gym and if the access easement will be in place for lot 1. Mr. Hall confirms that the easement is just for ingress and egress. For another item in the review letter, Mr. Simons states that the one-way access in lot 2 has traffic flowing to the west, and he states that the traffic direction arrow will be updated on the plans.

Mr. Vandegrift asks Mr. Noll if there has been any comments from the Fire Marshal on the plans. Mr. Noll states that comments from the Fire Marshal have not yet been received, but they are a condition of approval for the application.

Mr. Simons asks Mr. Noll if removal of a row of parking would be fine to help reduce impervious coverage on the site. Mr. Noll states that such action would be at the applicant's discretion, but for the reforested area of the site there should be a buffer between the parking area and grass to prevent parking on the grass and forested areas of the site.

Mr. Noll states that a note from the NJDEP on the tree map should be incorporated on the plans as well. Mr. Simons agrees to this. Regarding impervious coverage, Mr. Noll states that as a condition of approval, the impervious coverage onsite shall not exceed 65%, and for any coverage over 60% the applicant shall pay the required per sq ft cost.

Mr. Nicini asks Mr. Noll if the proposed parking will affect drainage onsite. Mr. Noll states that the applicant has the necessary sheet flow so as to prevent all drainage from going into the ditch. Mr. Nicini asks Mr. Noll if a specific type of barrier between the parking area and grass was determined. Mr. Noll states that a fence or an additional line of trees would be acceptable barriers.

Mr. Schallenhammer asks Mr. Balducci if all prior violations at the property have been abated. Mr. Balducci states that he is willing to replant additional trees to abate the violations.

Mr. Balducci provides testimony on the property and gym operations. He states that the sports complex gym operates 24/7, and there are no operations or activities that occur outside. For employees and shifts Mr. Balducci testifies that there are approximately 5 employees for the morning shift, and 3 for the night shift. He states that for trash pickup it is generally done in the morning, around 11AM.

Mr. Noll asks Mr. Balducci if the property has outside tenants. Mr. Balducci testifies that there are a few outside tenants onsite. Mr. Noll asks Mr. Balducci if any parking is used for outdoor activities or services. Mr. Balducci states that no parking is used for outdoor activities as there are no outdoor services that occur.

Mr. Schallenhammer asks Mr. Noll if he can go through the tree compensation requirements for the application again. Mr. Noll re-iterates that a tree compensation/replanting plan is required on the plans to show that all necessary trees have been replanted. Mr. Schallenhammer asks Mr. Noll what the per tree cost is for tree compensation for any trees not replanted. Mr. Noll states that it is \$300 per tree.

Mr. Balducci asks Mr. Noll if the \$300 per tree cost is part of the township's tree ordinance. Mr. Noll states that the board decides on the per tree cost and the current cost is what has been used in other applications for tree compensation as well.

Mr. Nicini makes a motion to grant minor subdivision and minor site plan approval for the property located at 120 Britton PI Block 150.05 Lot 2 for lot consolidation and parking improvements with the following conditions/stipulations:

1. Applicant agrees to pay the fees per sq ft for impervious coverage over the 60% ordinance maximum
2. Applicant agrees to pay fees for each tree not replanted as part of the Township's Tree Compensation Ordinance
3. Applicant agrees to having no outside activities occur onsite

4. Applicant agrees to install a barrier between the parking areas and grass onsite to prevent parking on vegetated areas
5. Applicant agrees to the remaining conditions of the board engineer's review letter dated January 14, 2025

Motion seconded by Mr. Platt. Motion carries by the following roll call vote:

AYES: Mr. Vandegrift, Mr. Nicini, Mr. Kleinman, Mr. Platt, Ms. Augustine

ABSTAIN: Mr. Schallenhammer

NAYS: None

Seeing no further business, Mr. Schallenhammer makes a motion to adjourn, seconded by Ms. Augustine. Motion carries by the assenting voice vote of all present board members.

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Rashane Thapa

Planning Board Secretary

Voorhees Township Minutes prepared by Rashane Thapa. The minutes are intended to reflect the basic comments and action. Verbatim transcripts of all electronic recordings can be available upon proper request and payment