



TOWNSHIP OF GALLOWAY
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING AND ZONING BOARDS
300 E. JIMMIE LEEDS ROAD GALLOWAY, NJ 08205
(609) 652-3700 EXT. 218 FAX: (609) 652-5259

Pamela K. Alleyne
Planning/Zoning Board Administrator

MINUTES
PLANNING BOARD MEETING
October 4, 2012

The meeting was called to order at 7:00 PM. Ken Sooy, Chairman, chaired the meeting.

Present: Bob Bruno, Anthony Coppolla, Jim Cox, Tom Guercioni, Matt Geese, Dan Jones, Don Purdy and Ken Sooy

Absent: Beth McCann and Betty Mannis

Approval of Resolution #6-12 releasing escrow funds

Appointment of Board Solicitor: Richard King

Approval of Resolution #7-12 for Appointment of Board Solicitor

Approval of Contract for Board Solicitor

(Boardmember Cox recused himself from hearing the application, steps off dias)

SITE PLAN:

#3-12 Great Creek Partners

Great Creek and Pitney Roads

Preliminary Site Plan

B. 988. 01 L. 12. 01

Zoning District: NR (Neighbor Residential) and CVC (Community Village Commercial)

Proposed: The applicant is requesting preliminary major site plan approval to construct a total of 32,250 sq ft of mixed retail/office space. The development will be constructed in three phases as follows: Phase 1 includes a 9,750 sq ft building close to Pitney Road, storm water management basin and access drives. Phase 2 includes a 4,000 retail building drive thru restaurant and Phase 3 includes a second 9,750 sq ft retail building and a 10,750 sq ft

retail building. The parcel is located at the intersection of Pitney and Great Creek. The storm water basin is located within the NR zoning district. All other aspects of the commercial development are located in the CVC zoning district. The storm water basin is permitted in the NR zoning district.

Variances requested:

- From section 233-25.C (4) requiring a 40 foot setback to the parking area and a setback of 30 feet as proposed along Pitney Rd.
- From section 233-25. C (4) requiring all exposed storm water control devices to be located 40 feet from the front property line and a Bio-Retention area with exposed grates and concrete supports are proposed along Great Creek and Pitney Road within the required front yard setbacks
- From section 233-10 (b) permitting a maximum of one freestanding sign and two free standing signs are proposed. One on Pitney and the other on Great Creek

The applicant is represented by Steve Nehmad

Exhibits;

A-1 Aerial photo of PIQ w/site plan self imposed

A-2 Rendered overall site plan

A-3 Enlarged rendered site plan

A-4 Photos of bio-detention structures

A-5 Architectural floor plans

A-6 Rendered Architectural elevation

A-7 Rendered architectural perspective

Rami Nassar, Applicant Engineer comments that there are two means of access. 191 parking spaces are proposed we are fully compliant with the parking requirements. All of the parking is set closer to the street. The 10' x18' spaces are located in the front of the building. The plans call for 100 spaces to be 10' x18' and 91 parking spaces are to be 9' x18'. This application has received County planning board approval. The County recommendation was to make Pitney Rd right hand in and right out only which is shown on the plans. The other driveway along Great Creek Rd has been aligned with the existing driveway. The storm water management system has been redesigned. The existing basin is overgrown. The newly designed basin adheres to the new storm water regulations. The new basin overflow will be directed to the nearby existing delineated wetlands. The landscaping plan includes the planting of hundreds of plants, trees and shrubs. The basin has a large area

of natural woods and that will remain. There is a 50 foot minimum with a 90 foot maximum buffer. All buffers will remain undisturbed. There are six bio detention grates to be located in the front yard setback to meet DEP policy. The applicant has proposed to install the fence 40' from the property line. It gives the appearance that the rear neighbors will have an extra 40' of backyard space. The applicant proposes 2 free standing signs of 160 sq ft each sign. (Tiffany will meet with the applicant to go over the sign square footage) Lot 12.25 there is current access easement to existing basin is no longer needed. The access to the new basin will be through the site, it will provide ample access to the basin for maintenance purposes. The applicant has agreed to address the board professionals comments listed in their reports.

Randy Scheule, Planner stated that the variance requested are warranted and justified. The maximum permitted building coverage is 30% and the applicant is proposing 6.1%. The maximum permitted impervious coverage is 60% and the applicant is proposing 32.25%. The benefits outweigh the detriments.

David Horner, Traffic Engineer comments that they did a traffic study from the data provided from weekday afternoon and Saturday traffic which is the busiest. The level of service provided is B/C.

Daniel Scott Mascione, Architect commented that the mechanicals will be shielded on the roof. Both sides of the building will be finished. The front of the building will have channel lettering which will be backlit.

Lennard Hammerschlag, Owner explained that he has had the site for some time and he and his partners are excited about this commercial venture.

Board Professionals

Tiffany CuvIELLO, Planner comments on her report dated July 19, 2012. Decorative lighting should be provided along street frontages with the fixtures used on the office complex on the northeast corner of the intersection. This will create a unified fixture as provided throughout the CVC zoning district street frontage. Agree that two signs are needed. However the size of the sign on Great Creek Road is excessive. (Will meet with the applicant to address the size of the signage) Not providing landscaping along basin is warranted. Should remain naturally vegetated. Enhance the landscaping along Great Creek Rd which is directly across from a single family house to serve as a better buffer.

Craig Hurless, Engineer comments on his report dated September 13, 2012.

Loading area will be provided along the back of the building. However would you provide loading for the other buildings? The delivery times will be coordinated by the tenant and usually during off peak hours. Advise the applicant to inquire with the county of any increase of time signal issues that as a result of this project and it can be made better.

Grading and drainage additional landscaping should be provided along the grates as a landscape feature. The sand wicks on the bottom of the basin should be removed and a full sand bottom should be placed.

Board Questions:

Mayor Purdy: What color is the fence going to be? (Beige or tan) 40' setback and having the neighbors take care of it. Disagree the applicant should have to maintain it. Lights on the rear of the building do you have an elevation? (14' can be brought down lower about 12' high so that the glow cannot go into neighbors yard) Trash pickup time. (After 7am and before 9pm) What types of trees are now provided in the buffer now? (Oak trees and underbrush) At the time of final grading and drainage plans for Phase 1 will be addressed as a standalone phase. Phase 2 (restaurant) will have to have their own signage. (This has not been addressed it will be at the time of final approval).

Great Creek Partners who are they? Lennard Hammerschlag, Richard Cohen and Ramsey Nassar (they are developers but they have not developed commercial before) Will this site cause drainage problems as a result? (Craig comments that: No the site will dramatically improve the drainage in the area.)

Board member Bruno: Asks if the back doors will have emergency lights. But they are not always lit. The lights on the back doors are minimum.

Board member Jones: Asks about the lighting on the rear of the building 15/16 wall backs with 200wattage. (Will bring to 12' the wattages will be adjusted. The tree spaces are about 30' apart it is not a wall of trees behind the proposed fence. (The trees are there to break the monotony of the fence not acting as a screen.) Any landscaping that will be installed as part of phase 1? (Fence and install the trees in front of fence, any other landscaping will be done as they relate to the phases) Talks of the basin and the overflow. (100 year storm both basins will be filled, with the sand bottom three days after the basins should be emptied out)

Deputy Mayor Coppolla: Asks if the County is requiring a deceleration or left turn lane off Pitney Road. (No the county is not requiring that because of the traffic light) When you abandon the easement do you have to execute documents? (The landowner is already treating this as his land, we are not going to execute documents of abandonment unless absolutely necessary).

Chairman Sooy: Asks the maximum depth of water in those basins? (4.3 ft and 4.1 ft) Has concerns of the depth of water to be held especially in a residential development wants it lowered to 3' . (It can be lowered but it would affect the property owners) Discuss the options with our engineer concerning the basin lever.

Public Comments:

Tom Darcy, attorney states that he is counsel for 22 members who live on Kelly Drive. His clients are aware that this is a permitted use. Three representatives will speak. Keep these questions in mind 12.8 acres this property is 20x bigger than the minimum lot size. Why is it that this applicant cannot submit an application that does not require variances? Why is it that this applicant has to invade the buffer and destroy the vegetation? Can this plan be modified to increase the buffer? (Steve Nehmad states that we are not invading the buffer according to §233-25C(5)b what we have proposed in the buffer are permitted) He also contests that his client never saw the current site plan. The site plan that they saw was one building. The width of the buffer strip was never reviewed and approved by his clients. The applicant can decrease the size of the drive aisle, remove landscaping areas in order to increase the buffer. It is possible. His clients want a 50' buffer. Not 40' buffer and remove 10' of trees to place a fence. Asks about the HVAC units (they will be set in the middle quadron of the building) In closing his clients are asking to preserve 50' undisturbed buffer to the north side to where the building are located and a 50' undisturbed buffer along the left side of Jon Seddons' property it is in conformance with the CVC intent. Also to relocate the two trash enclosures inside the building out cove as they have done on phase one, between the two buildings so that they are as far away from the residential buildings. Lastly in order to be sure that the board considers that the conditions of approval get recorded in the Atlantic County Clerk' s office. No reason why this concept is not included with site plans.

Charles Johnson, 304 Kelly Drive discusses the master plan intent they were trying to overdevelop the lot. There is a lot of land. If they reduce the number of buildings and put them closer to the street. Since 2000 the applicant has been responsible for that drainage basin has he maintained it? This is a stable community. The board should not give variances that negatively impact the surrounding neighbors and force them to want to move out of their houses.

Ernest Huggard, 320 Kelly Drive states that there are several issues. He is adjacent to Deer Creek, changing the topography will cause the water to gush down to his property. It's a lot of clay. Understands if the basins are constructed properly it will not be a problem he must maintain the basins. If he has been the property owner since 2000 he has not maintained his basin, there are weeds and snakes in that basin.

Jon Sedddon, 317 Great Creek Rd his mother lives in the house he has three big problems he needs the 50' buffer. There are nice big trees and a ton of underbrush. It's at my mothers' living room and as the cars come around the shopping center the lights are going to shine into her house. Would like a vinyl fence down the side of his property. There is a trash dumpster the noise and the smell from the trash dumpsters would disturb his mother's quality of life.

Reaction to the above testimony:

Steve Nehmad states that the site is being developed well within the requirements of lot coverage. Nowhere near the maximum that the ordinance requires. Can provide a 50' natural buffer which is not required but encouraged, we can eliminate the fence and have a 50' natural buffer. Our concern was to be good corporate neighbors by providing the fence and the buffer. Rami Nassar said that in the general area of the Seddon property they are taking six oak trees that provide no buffer and planting 22 evergreen 10' high trees using double rows that will provide a better buffer. It is possible to combine the trash enclosure or move the enclosure and a fence could be put along the property line. The drive aisles as proposed are more than adequate and appropriate design it gives you more room to maneuver your automobile.

Board Planner, Tiffany in regards to the fence along the north eastern side property line a couple of trees can be saved. The fence and the undisturbed fence provide an extra benefit. Would recommend highly recommend the fence. The same is true on the western property trees two trees are to be removed. Providing the additional fence is great.

Mayor Purdy having the fence is necessary, moving the trash enclosure is a plus. The fence on the side yard will provide a sound buffer. The fence will contain any type of debris from the neighbors. The neighbors should want the fence to remain. Both property lines having a fence is a great idea. Likes landscaping throughout the development.

Board member Bruno: Across the back of the building can the fence be moved to the back of the curb? (It cannot be done would only add a couple of feet not much because you have to add landscaping, also willing to work with Tiffany to see if a couple of the trees can be saved.

Board member Guercioni: Would like to see the fence stay it is an advantage.

Board member Jones: Like the spacing of the drive aisle. This is a great approach. With respect the buffers, adding the evergreens is a much better buffer than allowing it to remain natural. Like the fence along Seddon property. Would like the spacing of the trees every 30' along the fencing to the rear of the property to be narrowing. Putting the dumpsters as it is in Phase 1 is a good idea.

Board member Geese: Is pleased with the changes especially with the fence.

Deputy Mayor Coppola: Understand the reservations of the residents but I believe that the fence along with the buffer is a great idea. The fence would be better served in the location as presented. It will buffer against, debris, sound. It will provide for a better aesthetic appearance. The proposed aisle width is appropriate.

Chairman Sooy: The fence is necessary would like to see it readjusted to save a few trees, the relocation of the dumpster, and the enhanced buffer along Great Creek is a good idea to keep lights out of the house.

Tom Darcy: The applicant's professionals have offered to meet with Jon Seddon to discuss the location of the fence along his property line. If they cannot come to a conclusion then Tiffany will be the decider.

Steve Molliver, Galloway resident, a member of Economic Development committee, not speaking on behalf of the group. He speaks concerning the economic development in the area especially this site. It is nice to see that the applicant is working with the homeowner. This will be a nice asset to Galloway.

Motion to approve application #3-12 Great Creek Partners, Preliminary and variance approvals was motioned by Purdy and seconded by Jones.

Those voting in favor: Bruno, Coppola, Guercioni, Jones, Purdy, Geese and Sooy
Recused: Cox

Meeting adjourned at 10:57pm