

# Mount Laurel Planning Board

## Special Meeting Minutes

### December 5, 2023

Chairman Bathke called the Special Meeting of December 5, 2023 to order at 6:00 pm.

Chairman Bathke led pledge of Allegiance/Moment of Silence.

Roll Call taken by Board Secretary Ms. Hochreiter – Members in attendance: Chairman Bathke, Mr. Giegerich, Township Manager Riculfy, Mr. Pfeiffer, Mr. Lieberman, Mr. Coffey & Mr. Sorrentino (Alt #1) Absent: Vice-Chairwoman Lewis, Councilman Moustakas, Mr. Dewey & Ms. Kharoudh (Alt #2)

Open Public Meeting Notice was read by Chairman Bathke noting that all the postings, filings & emailing have taken place on November 22, 2023.

#### **Professionals in Attendance**

Mr. Greg Sullivan – PB Planner; Mr. William Long – PB Engineer, Mr. Brian McVey – Fire Marshal, Mr. Ronald Cucchiaro – PB Solicitor; Ms. Toni Sapio, T & M Associates & Trish Hochreiter – PB Secretary. Mr. Ashton Jones, PB Planner, & Mr. Michael Angelastro, PB Traffic Engineer.

The Board Solicitor swore in all the Professionals for the Board that attended.

**Discussion Items: the Board Secretary Ms. Hochreiter read the following.** Adoption of the Environmental Resource Inventory. Ms. Toni Sapio gave an over view of what could be found in this document and where the information is pulled from. After her presentation, Chairman Bathke asked for a motion to approve. Mr. Lieberman made the motion to approve the ERI as presented and Mr. Giegerich seconded, all present were in favor and the motion carried

#### **Public Hearing:**

The Board Solicitor made those on the zoom special meeting of July 13, 2023 that the jurisdiction of this Planning Board and every Planning Board in the State of New Jersey when they are analyzing a site plan application the uses here at the planning board are permitted by Ordinance. A member's view on whether a certain use should or should not be permit as well as the public view on whether a certain use should or should not be permitted it is irrelevant. That is a decision made by the governing body, the use in tonight-public hearings are a permitted use. Any comments or thoughts based upon the fact that you do not like a use is beyond this board's jurisdiction and is improper and basing your decision on such would be deemed arbitrary, unreasonable & capricious by a superior court.

He went on to discuss another concern not just this application but all applications is traffic. Whether a permitted use will generate traffic, the Planning Board has limited jurisdiction and that jurisdiction is only required to make sure the ingress and egress to a site is safe. The fact that additional general traffic will increase that may be true but the courts state this is a determination that the governing body would have thought about when making these permitted uses. Increases of traffic alone cannot support a decision to deny an application it should be pinpointed on the safety of ingress and egress.

Chairman Bathke described the first public hearing this evening as the Storage of Mount Laurel; LLC located 3018 Route 38, Block 306, Lots 9 & 10 and is being presented as a Preliminary & Final Major Site Plan Approval for a new storage facility.

Mr. Robert Baranowski, Esq of Hyland Levin Shapiro Law located in Marlton NJ represents the applicant. Those providing testimony tonight were listed as Mr. Neil Patel, who is representing the applicant Storage of Mount Laurel, LLC, the Professional Engineer, Mr. Mark Malinowski who is with

Stout & Caldwell Engineers, the applicants Traffic Engineer, Mr. Nathan Mosley with Shropshire and Associates, Mr. Bill Fearon who is the applicants Architect with Loomis and the Planner this evening is Mr. James Kyle. The board solicitor swore all those presenting testimony this evening.

After a brief overview of the location and the proposed storage facility, Mr. Neil Patel gave a brief statement of this state of the art class A storage facility that is being presented this evening. This facility differs from other facilities as well as the U-Haul facility located next to this location. This facility will have the capability to have everything done through your cell phone, you would pick out the unit and do all paperwork to rent online, you would use your phone to access the gate to enter as well as your phone to open your storage unit. Payments for these units is also done online. This limits the access of people having to do this in an onsite office. The office, will staff 1 fulltime person 7 days a week from 9:30 am to 5:00 pm the hours of this facility would be 6:30 am to 9:00 pm for tenant access only. After 9:00 pm there will be no access to the facility by anyone.

They tend to have 60 to 90 move ins and move outs monthly and 10-12 cars a day to the facility with about 25 on Saturday's this is what they see at their other facilities. Trash is minimal, so no public dumpsters are needed any trash that is left behind from the tenants they will be billed through the app that they used to rent the facility and cleaning out of these units the tenant will be billed for the clean out. The largest trucks that come to these sites would be a U-Haul type box truck, they will not have tractor-trailers or other large trucks entering or exiting the facility, these trucks are about 40 feet in length and are classified as SV40 Trucks.

The units will range from the smallest of the units 5 x 5 and the largest unit 10 x 30, no hazardous materials will be permitted to be stored and this is explained in the lease and agreed to by the tenant.

The next to give testimony was Mr. Mark Malinowski the applicant's planner; he went through the variances being requested as well as the location and accesses to this site. He indicated there would be an emergency access only and went through the storm management control for this site. The lighting for this facility will have led façade lighting mounted along the entire perimeter of this facility, and one pole mounted led fixture to add some more security lighting for this facility. He then went through the exhibits being presented this evening. As well as the sign variances being requested this evening.

Mr. Malinowski indicated they have agreed to comply with all the comments in the Townships professional reports. This concluded his testimony. He was available for any questions by the board members.

Mr. Mosley the applicant's traffic engineer provided credentials and the Board Chairman accepted them. Mr. Mosley gave the directional aspects of this project and the location as Union Mill Road and Danebridge, it currently operates as a Service B during the AM or during the PM peak hour hours and level of service, during both the PM and the Saturday peak hours with minimal delays and don't see any real changes in volume or delays he believes. They are providing a safe ingress, egress for this facility, and do not see any major issues. This is a one-way circulation around the building, and an analysis was done with a fire truck to make sure they have access around the building with no impact and this was done safely around the entire building perimeter.

Mr. Kyle the applicants architect explained the use of this land and how this type of facility would be beneficial to this area and that most of the housing being built in Mount Laurel are multi-family. He also

explained the location of this facility is quite a bit of a distance from the residential properties that are adjacent to this site. He went through the exhibits and the renderings submitted to the office.

He briefly went over the parking and how this facility will be run which is different than it was years ago. The level of service is low for this facility and discussed the sign variances that were being requested.

There is no access to this site from Route 38, it will be off of Union Mill Road and this will help with the signage that there are asking for this site. A lot of the vegetation will be used as it is today, and he discussed the new plantings they are proposing.

The façade signs in this case as shown, are not oriented towards the residential uses that we have to the south. Therefore, they are pointing to the east and to the north so there should not be any nuisance factors. The freestanding sign is perpendicular to Union Mill, so that facade of that sign is not going to face directly at the residential uses that we have to the South. They are scaled for the size of the building. Therefore, there is not a visual impact from the increases being sought. A few board members had questions and they were answered and satisfied.

The professional were called next to go through their reports. Mr. Gregory Sullivan of Remington Vernick who was in tonight to review the December 1, 2023 on behalf of Mr. Ashton Jones. Mr. Sullivan went through the report, posed several questions, and asked recommended several items if possible that the applicant could change so variances would not be required. Many questions were asked, answered, and agreed upon by the applicant, they have also agreed to work with Mr. Jones's office with several open items that Mr. Sullivan was asking. They have agreed to conform to the ordinance on several issues that were mentioned.

After extension discussion with the Planner's comments, the next to review was Mr. Long's report that was dated November 10, 2023, he has worked with the applicants professionals and most of his comments have been satisfied and they have agreed to work with Mr. Long and his office to resolve any outstanding issues in his review letter. Mr. Angelastro the Board Traffic Engineer was not present at the meeting but Mr. Long reviewed his letter dated November 29, 2023 and all comments have been satisfied or agreed upon with this evening's testimony. Fire Marshal McVey reviewed his report dated October 31, 2023 and all items in his report have been satisfied or agreed upon tonight by testimony provided. The last report to discuss was comments provided by Ms. Sapio the Board Environmental and they have asked for additional standard testing to be provide which the applicant has agreed to do.

That concluded the review letters, Chairman Bathke asked for this hearing to continue since it has gone over the allowable time for a hearing. All board members agreed to allow this to continue. The meeting was then opened to the Public at 8:58 pm, seeing no comments from the public, the public portion was closed. At this time, Chairman Bathke asked the Board's solicitor to review the conditions and then asked for a motion to approve this application as presented.

Township Manager Riculfy made the motion to approve the application as presented and Mr. Lieberman seconded. All present were in favor and the motion carried.

Chairman Bathke read the next public hearing to be heard tonight as Holman Automotive, located at 4110-4112 Church Road, Block 13, Lots 1.02-1.06 this is for Preliminary and Final Major Site Plan approval for a proposed reconditioning center for new and used cars.

Michael Floyd, Esq with Archer & Greiner represented the applicant for this hearing, he introduced those providing testimony this evening as David Allen, Real Estate Manager for Holman, Ahmad Tamous, the applicants, planner and engineer, Mr. Nathan Mosley, traffic engineer with Shropshire Associates and Patrick Swift, the Senior Project Manager from the Penny Design Group. They

introduced several exhibits this evening number A1-A6 and they consisted of Aerial photo of the existing property, color rendering of the overall site plan, conceptual floor plan 1<sup>st</sup> floor, conceptual roof plan, rendered elevations and proposed exterior perspective. These were submitted prior to the hearing and were marked as read.

Mr. Daniel Allen explained his position with the company and how he is responsible to oversee all real estate development in this region. He proceeded to explain the site that is before the board this evening as always been used under Holman's ownership as an overflow parking facility and what they are looking to do now with this underdeveloped site is to make some improvements to allow them to centralize their reconditioning processes, and create more bandwidth in their current retail location and with potentially creating 100 new jobs to this area.

This proposed center would be used for new and pre-owned to recondition these vehicles when they come from the manufacturer. They will go through a PDI, which is a post-delivery inspection when they come off a truck. The wrapping is removed, photographed and goes through a detail process and then shipped out to the retail location for sale.

Preowned vehicles will come from trade in or off an auction and will go through the inspection process. Sometimes a light recondition occurs that could be changing the fluids, maybe minor mechanical nothing significant, they go through a full detail and photographs are taken at that time and then shipped to the retail location. The goal is to turn vehicles in about 3 to 5 days so they will only remain on site for a short amount of time. On an average, they receive around 3 to 4 car carriers daily. These are normally routed to the retail location instead; they will first come to this location.

This location will be entirely an internal use site and not open at any time to the Public. Mr. Allen explained that in the first couple of years they anticipate 50 employees who will have staggered hours at the site that will begin at 7 am, over the next 5 years they expect that number of employees to go up to 85 as they increase production. He discussed the trash at this location, and how they will have independent vendors for all the waste and recycling created at this site. The hazardous materials will consist of bulk oils, and some automotive flows along with some car wash products. Holman has a very robust risk management teams with a lot of policies and procedures in place and are very familiar with the handling of these materials.

Mr. Floyd indicated they were requesting a few variances and design waivers in connection with this application and Mr. Tamous will run through them during his testimony. In the past Holman has been to this board and requested a variance on parking stall sizes to be 10 x 18 rather than the 10 x 20 in size as indicated in the ordinance, and this is a Holman standard that has been approved in the past and another request for that is asked for tonight with this application. They are also asking for relief in providing a short-term truck parking space when one is not needed and Mr. Allen confirmed this evening all delivery vehicle will come to sight unload and immediately leave the site. Relief is also being asked for this evening for signage, which will be addressed by Mr. Tamous.

Mr. Ahmad Tamous the engineer for the applicant provided his credentials and accepted by Chairman Bathke. Mr. Tamous began his testimony explaining several exhibits that were previously submitted for this evening. He explained the location and the area around this proposed site. He explained that they are proposing to consolidate both lots as part of the application and once it is consolidated the total area of both lots would be approximately a little over 9.14 acres and zoned industrial where this is a permitted use for this site. Several approvals have been asked of by NJDEP of interpretation to verify the wetlands and buffers also submitted is an application on the proposed development for a transitional averaging and a general permit. Applications are currently under review with the State. The applications were submitted a few months ago along with a flood hazard area application. Copies of all permits when received will be provided to the Township and the Professionals.

Mr. Floyd provided information that a call was received from Mr. Ken Morgan who represents the owner a day care center that is adjacent to this site, and provide that they have no objections to this application they had only one concern and that is the poison ivy that is growing along the property line and the fence and that ask if Holman would have this remove and make sure it doesn't grow back they confirm this information. They were given Mr. Daniel Allen's contact information to have this addressed and was informed that this would be put on the record at this meeting tonight.

Mr. Nathan Mosley the Traffic Engineer was asked to provide his credentials and were accepted by the Chairman of the Board. Mr. Mosely indicated that this site is located along Church Road and is county Road #616. So under this jurisdiction Burlington County approval would be required and for the modifications to the driveway and the operations of that driveway.

The counts at the existing intersection were done during the weekday am peak period 6 am to 9 am and then in the afternoon weekday pm peak hour from 3 pm to 6 pm. The existing peak hours in this area are 7:45 am to 8:45 am and from 5 to 6 pm in the afternoon. Therefore, those are the busiest 1 hour in the morning. In the afternoon which they analyzed as part of the project the pm peak hours are slightly higher about 7 or 8 higher than the am peak hour but overall fairly similar traffic volumes. It is directional, with the traffic kind of flip-flopping between the AM and the PM peak periods and peak hours. Mr. Mosley believes that they can and will provide for a safe efficient access for this use. This was the end of testimony being provided by the traffic engineer.

The last to provide testimony this evening for the applicant was Mr. Patrick Swift the senior project manager for this project and taking the lead on this project but also there for additional answers is Jonathan Penny a licensed Architect with the Penny Design Group. Both provided their credentials and the Chairman accepted them. They provided testimony on the layout and floor plan for this facility where the roof would also be used as a place for the storage of these vehicles. They as discussed the look of the building, lighting and type of lighting at the building.

Mr. Sullivan who was providing a report on behalf of Mr. Jones the Board Planner reviewed the report dated September 13, 2023 and with a response from the applicant on December 5, 2023 along with the testimony provided and after asking several questions of the applicant completed his review and asked if the applicant would work with Mr. Jones and his office on several matters that were discussed and they have agreed to that.

Mr. Long the Board Engineer reviewed his report dated October 5, 2023 and with a response from the applicant on December 5, 2023 and with the testimony provided, they have agreed to work with Mr. Long's office on anything that remains outstanding and will comply.

Mr. Long reviewed the Board Traffic Engineer Mr. Angelastro's report dated October 4, 2023 & November 29, 2023 and with testimony provided they have agreed to satisfy the comments and work with Mr. Angelastro's office on anything that shall remain outstanding.

Mr. McVey the Fire Marshal reviewed his report dated September 5, 2023 and the applicant has agreed to all comments.

Ms. Toni Sapio the Environmental Consultant reviewed her report dated November 22, 2023, along with testimony provided they either complied with or will comply. They have agreed to comply with the State Standards also.

This completed the reviews by the professionals at 10:55 pm. Chairman Bathke asked if any board members had an additional questions seeing known, the public portion of the meeting was opened at 11:00 pm and closed seeing no public that wished to speak.

Chairman Bathke asked the board Solicitor Mr. Cucchiaro to state the conditions. Chairman Bathke asked for a motion, Mr. Giegerich made the motion to approve with the conditions as stated and Mr. Pfeiffer seconded it. All present were in favor and the motion carried.

Chairman Bathke asked for a motion to adjourn, Mr. Pfeiffer made the motion, Mr. Giegerich seconded, and the motion carried. The meeting ended at 11:10 PM.

Respectfully Submitted,

*Trish Hochreiter*

Planning Board Administrator

Adopted On: January 11, 2024