

PLANNING BOARD MINUTES

May 11, 2022

The pre-meeting of the Planning Board was called to order by Chairman Mr. David Manders at 6:00 PM in the Second Floor Council Chambers of City Hall. Present were:

Michael Pantalone
Stephen Plevins
John Casadia
Sandy Velez
Doug Menz
Christine Scarpa
Robert Odorizzi
David Manders

Also present were:

Frank DiDomenico, Planning Board Solicitor
Kathleen Hicks, Supervising Planner
Ryan Headley, Supervising Engineer/Planner
Yasmin Ricketts, Planning Board Secretary

PRE-MEETING

Chick-Fil-A – located on the southerly side of Landis Avenue between Orchard Road and Moyer Street, Block 3503, Lot 5, Tax Map Sheet #35, Project No. PBA-21-00003. Preliminary/final major site plan approval to construct a 5,168 square foot fast-food restaurant (Chick-Fil-A) with double drive-thru and associated site plan improvements.

Mr. Headley explained that this location is in front of newest Shop Rite on West Landis Avenue. It will be going on a pad site. The applicant initially presented was jammed packed site plan. Staff suggested that they scaled back a little. They have resubmitted a revised plan revised and scaled back.

The only bulk variance is the front yard setback of 33 feet whereas 50 feet required for a proposed canopy. There will be dual lanes with a bypass lane. There are also variances for signage. They are proposing a monument sign of 60 square feet. The Inspira to west also has a monument sign. The proposed sign is not overly intrusive. There are area variances for signage on the three sides which is not allowed. Additionally, there is a variance for the number of freestanding signs for the frontage. There will be a total of 3 whereas 1 is permitted for the entire site. There are some waivers from the ordinance. There is a waiver for lane width of 10 feet whereas 12 feet is required. They indicated that their standard is 10 feet. Waiver for parking space width of 9 feet whereas 9.5 feet is required. There are some waivers from Community Design Standards. Building front entrance should be oriented to the street. They will be oriented to the east. The location of the drive-through should be located in the rear or side, and theirs will wrap around the front of the building. They are going to provide additional screening and landscaping along the front. Waiver for queueing or access lanes located between the building elevations facing the street. They do have significant lighting under the proposed canopies. The applicant has worked with the city to extend the pedestrian sidewalk network. They have added additional landscaping. The site has a lot of impervious coverage overall, but this will function better. They did a good job addressing the city's concerns. There is a lot of impervious coverage and it does seem to function better. They have done a good job finding a happy medium to what we were looking for. Most of the waivers and plan details have been addressed.

Appointment of Board Engineer and Board Planner-

The Chairman entertained a motion to appoint Ryan Headley as Board Engineer and Planner. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Yes

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 18, 2021 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

MINUTES

Approval of minutes from the April 13, 2022 board meeting.
The Chairman made a motion to approve the minutes.

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Abstain
Christine Scarpa: Abstain
Sandy Velez: Abstain
Robert Odorizzi: Yes
David Manders: Yes

RESOLUTIONS

Approval of resolutions from the April 13, 2022 board meeting.
The Chairman made a motion to approve the resolutions.

Resolution #6506

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Abstain
Christine Scarpa: Abstain
Sandy Velez: Abstain
Robert Odorizzi: Yes
David Manders: Yes

PUBLIC HEARING

Chick-Fil-A – located on the southerly side of Landis Avenue between Orchard Road and Moyer Street, Block 3503, Lot 5, Tax Map Sheet #35, Project No. PBA-21-00003. Preliminary/final major site plan approval to construct a 5,168 square foot fast-food restaurant (Chick-Fil-A) with double drive-thru and associated site plan improvements.

The applicant was represented by Duncan Prime, Esq. The property is located at 1211 W. Landis Avenue. The applicant requests a preliminary and final major site plan approval for a 5,168 square foot Chick-fil-A restaurant with dual drive-through lanes. The use is permitted in the zone.

John Martinez, Development Manager, testified on behalf of the applicant. Chick-Fil-A has operated at the mall for about 10 years, and it is a very successful location. The store will remain in operation. The capacity is starting to be strained based on the volume. They feel a second store is needed, and this is the right location. Covid impacted the restaurant and increased business. They tested a dual lane drive-thru, and those stores were able to manage traffic better. The outer lane does not make it to the drive-thru window. They replaced a typical window with a window door combination for the dual lanes. Due to Covid, there is no longer a child's play area. There is an outdoor seating area facing the road. Hours of operation are similar to the other location. Hours of operation are 6:30 am until 10:00 pm Monday thru Saturday. There will be a total of 80-100 employees with 20-25 on a main work shift. They realized that they need more parking that what was referenced. There is an agreement with Shop Rite for an additional 15 parking spaces to be used for employees.

Vincent Kelly, Professional Engineer, testified on behalf of the applicant. Exhibit A-1, landscaping plan. There will be landscaping around the perimeter and interior of the site. There will be a 4' high split rail fence. The fence will match the existing fencing on the site.

Exhibit A-2, site plan depicting parking. The applicant worked out a parking agreement with Shop Rite for an additional 15 parking spaces. They will be located on the northern part of the parking lot on the east side. There will be a total of 64 parking spaces.

Mr. Martinez explained that the Cumberland Mall store has a single drive -thru lane with stacking for 18 cars. The new store will have stacking for 40 cars and can serve multiple cars at one time. It is very important to make sure the site functions properly. Incoming cars do not cross the cars leaving the site. The layout is screened from the road by the building. Peak hours are 11 am to 2pm; 2pm to 4 pm and dinner time. They are

open for breakfast, but it is a low utilized portion of the day. Tractor trailer deliveries are 4 times a week after hours using a key drop system. Local produce and bread vendors deliver by small vans. There is an exterior trash bin with storage for equipment that cannot be stored indoors. There will be two weather protection canopies for their employees. There will also be heaters and fans under the canopies. They have internal roof drains and are piped into the system.

Mr. Kelly explained that access will be via the existing Shop Rite entrance from Landis Avenue. They are proposing 74 interior seats and 22 exterior seats. There will be two EV level 3 charging stations are on the east side. They are proposing 4 building signs. One building sign on each wall located on the north, west and east sides of the building. Only one building sign is permitted per code. There will be a 60 square foot, 10 foot high monument sign from the west drive isle. One freestanding sign is permitted per lot, but the shopping center already has two existing signs. They are providing landscaping that will be 1' higher than headlights. Lighting has shields that will direct the light down. They will be proposed LED lights. The lights in the canopies are also directed down in that vicinity. Storm water system, perimeter inlets, fill terrier systems are proposed.

Nicholas Verderese, Traffic Engineer, testified on behalf of the applicant. Cars queuing has increased to about 40. This is an ample site with a duel drive thru. Employees can park off of the property to ease some parking demand on the site. Circulation of truck and trash vehicles will occur off peak hours. The 9` x 19` parking spaces are suitable for this site. The drive way is not directed towards Landis Avenue, so queuing will be done on the property.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. The canopy front yard setback variance should be granted, because it is low and will be difficult to see. The canopy is set well back from Landis Avenue. The main building will be set back farther back than the Panda Express. There are a few properties in the area that are not conforming as to setback. There will be very little impact with the canopy and the way it is designed. The variance for the monument sign is appropriate. This is a very big property, and by zoning it could be subdivided into 3 lots. It could allow for 3 freestanding signs. The monument signs will be spaced out nicely. They allow identification of the site and blends in along Landis Avenue. The wall sign variances are typical for shopping centers throughout the city. They are small signs and are not close to 10% and do not overpower the façade. Building front entrance is not oriented towards the street. The design of the building was designed nicely for the front façade.

The Chairman entertained a motion to close the public hearing. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Yes

SPECIAL BUSINESS

Landfill Redevelopment Analysis

Ms. Hicks explained that this was referred to the Planning Board for review. The board has to evaluate the old municipal landfill to determine whether it is eligible to be a redevelopment district. It is city owned so they are not proposing it be a condemnation redevelopment district. There are criteria established in state statue to make this determination. In her opinion, the landfill met 3 criteria.

One criteria is that there are two existing buildings on the property that are very dilapidated. There is a construction trailer that is approximately 10'x14'. It is very old and in very poor condition both interior and exterior. There is also an old shed in poor condition. There are currently constructing a new structure on site exclusively for the storage of electronics. The bulk of the site is not being used. There is a portion where they are distributing containers, and storage bins with minimal amount of construction debris. The east side of the landfill has leaf composting. There is another criteria that is a bit broader. It is city owned and vacant for over 10 years. Also, the conditions of the soil and topography. It has a clay cap with top soil on it, and that cap cannot be penetrated. The property has steep sides and flat tops. Lastly, it is targeted for growth in the State Development and Redevelopment Plan. Based on those 3 criteria, this area does qualify as an area in need of redevelopment. She does not know what is planned for the property. There is a park at the north end she opted to leave it in.

Melissa Fuller, member of the public, wanted to know if they were going to remove the park.

Ms. Hicks explained that she is suggesting to keep the park portion.

Mr. Headley explained that they are not expanding landfill. This allows the city to work with someone to redevelop and make the land useful.

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Yes

Request for Zone Change- Re-zoning Block 7503, Lot 1.01, part of Lot 6.01, Lot 47 and Lot 48.01 to I-B zone.

Ms. Hicks indicated that City Council had a public hearing on the Northeast Precast rezoning at Lincoln and Sheridan. There were concerns expressed by residents leading up to that public hearing. The applicant pulled back from 100 acres to 14.5 acres for rezoning. There are 3 lots in the corner of Lincoln and Sheridan, and there is a portion of lot 16.01 which is further to the east. City Council voted down the ordinance and made a referral to the Planning Board to review the revised request. The corner is currently in the R-6 zone, the eastern lot is in A-5 zone and both areas be will re-zoned I-B. The biggest concern expressed was traffic in the area.

Vice-Chairman made a motion to make a recommendation to City Council for approval. Ms. Velez so moved, Mr. Odorizzi seconded.

Roll Call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Abstain

Vice-Chairman entertained a motion to approve Resolution #6509. Mr. Casadia so moved, Mr. Odorizzi seconded.

Roll Call:

John Casadia: Yes
Stephen Plevins: Yes
Doug Menz: Abstain
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Michael Pantalone: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

John Casadia: Yes
Michael Pantalone: Yes
Stephen Plevins: Yes
Doug Menz: Yes
Christine Scarpa: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
David Manders: Yes

TIME: 8:10 PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary