

STRATFORD JOINT LAND USE BOARD  
MINUTES  
February 28, 2019

The meeting was called to order by Chairman Santora at 7:00 pm and the public statement was read that the meeting was advertised in the Courier Post, the Collingswood Retrospect and a notice was posted on the bulletin board at the Borough Hall stating the time and place.

The Chairman led the board in the pledge of allegiance and a prayer.

ROLL CALL:

Present

A. Santora, Chairman  
M. Mancini, Vice Chairman  
J. Keenan, Mayor  
F. Hartman, Councilman  
J. Keenan  
T. Kozeniewski  
R. Morello  
P. McGovern  
T. Hall, Alternate #1  
L. Mount, Alternate #2  
M. Wieliczko, Solicitor  
A. DiRosa, Engineer  
S. McCart, Secretary

Absent

R. St. Maur

APPROVAL OF MINUTES: Motion was made by Mr. Keenan and Seconded by Mr. McGovern to approve minutes of January 24, 2019. All members voting aye. Mr. Kozeniewski abstained.

APPROVAL OF RESOLUTIONS: Resolution 2019:01. A resolution providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, NJSA 10:4-12. The topic of discussion is related to Attorney/Client Privilege. Motion was made by Mr. Morello and seconded by Mr. Keenan to approve Resolution 2019:01. All members voting aye.

BOARD ACTION: None

PUBLIC PORTION: Mr. Santora stated we have invited Tim Horton's Restaurant to speak to the board. Our Counsel would like to give some direction on what we can and cannot say. This is not an approval tonight. It is just an introduction.

Mr. Wieliczko stated the applicant is here this evening to introduce themselves and the proposed project. We want to reserve the integrity of the process. They are here as a courtesy. Questions are ok but try to refrain from making any comments on the merits of the application. Save your analysis until formal application is received.

Mr. Santora welcomed Kerrim Jivani, Developer and Franchisee for Tim Horton's and Mr. Satyen Rawal, Mr. Jivani's architect,

Mr. Keenan asked if this was the empty lot next to the TD Bank. Mr. Satyen Rawal stated yes.

Mr. Mancini asked why they had to come before the JLUB. He stated the property is already zoned commercial.

Mr. Wieliczko stated we don't know that they will have to come before the board. They will have to engineer the site, they may need set backs for various items, so they would not have the ability to get a

construction permit. When the applicant makes the plans, their engineer and planners will tell them whether their construction is in conformance with ordinance or not.

Mr. Satyen Rawal thanked the town. He stated he was an architect certified in both New York and New Jersey. Mr. Satyen Rawal was here before the board with a concept presentation.

Mr. Kerrim Jivani was the developer and franchisee for Tim Horton's. Mr. Satyen Rawal stated the site is on the corner of S. White Horse Pike and New Road. TD Bank has given easement to enter the back side of the property. The site has access on the White Horse Pike and New Road. We are proposing a double drive through which will go into a single drive to the window. You can exit out or make the loop back in. It is a one-story building. It will have nicely lighted parking lot, landscape and signage also to support the town. Mr. Jivani stated he was the franchisee. This would be his 5<sup>th</sup> location and he already had 4, 3 in Staten Island and 1 in New Jersey. All product is made on site. It is high quality beverage and high quality food. Company is owned by Burger King.

Mr. Mancini asked if this was a franchise and Mr. Javani stated yes.

Mr. Keenan asked if site would be owned by Tim Horton Corporate and Mr. Javani stated no it would be owned by him. Mr. Keenan asked how long have you been in operation. Mr. Javani stated since 2014. Mr. Keenan asked if they were similar looking. Mr. Javani stated the one in New Jersey started in 2016 and is similar.

Mr. Mancini asked if all signage was corporate required, size, shape. Mr. Javani stated everything.

Mr. Keenan asked what seating capacity was. Mr. Javani stated approximately 40-45.

Mr. DiRosa asked if they were stand alone or in strip mall. Mr. Javani stated we had one in-line and customers didn't like it. They like drive through so stand alone is better.

Mr. Javani wanted to see what the town thinks. We have to choose the site. If town thinks it would be good in this area then we would spend additional funds to get application.

Mr. Santora stated we think it would be a great addition to our town.

Mr. Mancini asked if Mr. Javani had received approval from corporate to come into this area. Mr. Javani state we have verbal approval.

Mr. Keenan asked what type of time line if you did move forward. Mr. Javani stated it depends on how fast he could get an ok from town.

Mr. Wieliczko stated you are appearing at a public session. There is no notice of application. The chairperson told you that you would be a welcome business in the town but we cannot give you formal approval. He stated you can tell corporate that you were given a positive response and we encourage you to file an application. The application will be considered on its merits.

Mr. Santora encouraged Mr. Javani and Mr. Satyen Rawal to work with our town engineer and solicitor to get whatever help you need.

Mr. Keenan stated it is not unusual to have informal meetings to make town aware of what their idea is so when the application comes you are not caught off guard.

Mr. Wieliczko stated in some other towns there are screening sessions or staff meetings where applicant comes in with their professionals and meet with our professions informally. By the time you get to the hearing the plans have become modified. You don't have this in place but it is just one of the suggestions that I will make and I will defer to the board on how they want to do it. It is user friendly and customer friendly. Mr. Wieliczko finds it to be a very efficient process. There are two different ways to do it. One is a staff meeting. The secretary is there, director of community development, and the professionals are

there. There is also a screening meeting which is more formal. It would consist of the Chairman, Vice Chairman, Solicitor and possibly planner. They meet informally with the applicant.

Mr. Keenan questioned how long it would take to make an application if you go that way. Mr. Satyen Rawal stated we have all pieces in place and we would start plugging them in.

Mr. Javani asked if the board could go over anything that they could do to save time. Mr. Wieliczko stated we want to protect the records. Once you get the application together, you can schedule a staff meeting so that we can make the application as clean as possible.

Mr. Steve Gagliardi, 13 College Circle, asked if it was opened 24 hours. Mr. Javani stated the drive through would be 24 hours but the lobby would close at 11. Mr. Gagliardi stated that DRPA owns new road. Do you see any problems with them? Mr. Keenan stated they would be using back entrance. Mr. Jivani stated they were not putting in any new curb cuts.

Mr. Javani stated today he was here for feedback. Mr. Wieliczko stated I think you can accurately report back to corporate that you received positive feedback.

Motion was made by Mr. McGovern and seconded by Mr. Mancini to close public portion. All members voting aye.

Motion was made by Mr. Mancini and seconded by Mr. Keenan to reopen the public portion. All members voting aye.

Dr. Ed Balling, Stratford Dental Center, 62 Warwick Road, stated he appeared before the JLUB 2 years ago to correct the property line. He would now like to improve the parking lot and asked what he would need to put together an application. Mr. Wieliczko you will need an application for a bulk C variance due to increase on impervious coverage. That is without seeing your plan so there may be additional items that need to be addressed.

Mr. Santora asked Dr. Balling if he had hired an engineer. Dr. Balling stated he had an engineer but it was before he had the money to do anything.

Mr. Morello asked how many spots would Dr. Balling be adding. Dr. Balling stated 6 spots.

Mr. Mancini made a motion to close the public portion. Second by Mr. Keenan. All members voted aye.

CORRESPONDCE: None

OLD BUSINESS: None

NEW BUSINESS:

Mr. Santora welcomed Mr. Wielizcko to our board. Mr. Santora stated he felt Mr. Wielizcko is going to do a great job for us in guiding us to make the right decision so that we do not have problems going forward. He tells us exactly the way it is and that is what is needed with future projects. We agreed upon the fee for residential applications being \$150 unless they come in for something that takes a lot of time.

Mr. Wielizcko thanked the board for the appointment. He gave an overview of his background both personal and professional. His goal is to protect the process, protect the board members, and protect the applicant so they get a real approval that can be defended.

Professional surveys: Mr. Santora stated professional surveys have been an ongoing issue. He asked where should we set the standard? Mr. Keenan stated in the past we have not required a professional survey for construction or minor variance. The borough has accepted a suitable drawing. Most of our lots are square lots. The only time we got into professional surveys is sight triangles where you may have

fences on corners or curves. We aren't professionals and we cannot determine who can see around the corner.

Mr. Santora stated an updated survey would be needed for instance if a resident would be adding an addition, a garage, a possible sight triangle or coverage issues.

Mr. DiRosa stated the difficulty with an old survey would be if any additions, garages, shed, etc had not been added to the survey. The other issue that has come up is coverage. Mr. DiRosa stated his personal opinion is always a current survey. If the resident has an old survey, they can get resurveyed or recertified.

Mr. Keenan stated to Mr. DiRosa if we could get a call early, we could make applicant get new survey, if necessary.

Mr. Wielizcko stated they could use a work sheet to figure out impervious coverage. The impervious coverage worksheet would become part of the application. Mr. Morello stated he thought the worksheet would work.

Screening Meeting: Mr. Wielizcko stated the applicant comes in for an informal meeting. It normally would be the chair, vice chair and professionals. The problem with the screening meeting is there are no escrows for payment. The town ends up paying their professionals. Other towns put a line item into their budget to provide funds for professionals to attend screening meeting. It is offered as a courtesy.

Mr. Keenan stated a screening meeting may not always work. The meeting has 2 members and our professionals. At our meeting we have 9 members that may point out something that was missed. They are not guaranteed to work.

Mr. Santora stated we may get 20 of 30 issues resolved and the other 10 issues have to come before the board.

Mr. Santora stated when a meeting for a new applicant comes in and wants to meet with the town, would it be possible to have someone from the JLUB at the meeting. Mr. Wielizcko stated JLUB is a separate entity and council would have to invite you. We could pass a resolution to the extent that when borough met with a developer that would potentially be going before our board, we would like to be notified and invited to the meeting. It gets sent to council and council uses their discretion on whether they want to invite JLUB or not.

Staff Meeting: A staff meeting would occur after the application has been filed, reviewed and has paid their escrow. The applicant would meet with the professionals to help eliminate items from their application that is inconsistent with our plan. Nothing would be approved at a staff meeting. All we can do at a staff meeting is give a recommendation based on our requirements or redevelopment plans.

Mr. DiRosa asked if this would be a requirement or an option. Mr. Wielizcko stated you cannot make them attend a staff meeting but it would be in their best interest to work out as many issues as possible before the meeting. It protects your agenda. Only applicants ready for a meeting would make the agenda.

Motion was made by Mr. McGovern and seconded by Mr. Mancini authorizing our professionals to hold staff meetings at their discretion and with notice to the secretary and to the board share to convene staff meeting for nonresidential applicants when professional deemed necessary with no requirement for the applicant to attend to facilitate the application process. All members voting aye.

Location: It was agreed for a larger application the JLUB meeting would be held downstairs in court room.

EXECUTIVE SESSION: Mr. Santora stated we would be going into executive session and thanked everyone for attending.

Mr. Wielizcko stated let the record reflect that we already passed the resolution to go into executive session.

Motion was made by Mr. McGovern and seconded by Mr. Mancini to come out of executive session. Meeting was back in regular session. Everyone that was present before executive session is present now. No action was taken in executive session.

ADJOURNMENT: Motion was made by Mr. McGovern and seconded by Mr. Keenan to adjourn. All members voting aye.