

BOROUGH OF PALMYRA
LAND USE BOARD MEETING MINUTES
MARCH 22, 2023 at 7:00 PM

CALL TO ORDER

The Borough of Palmyra Land Use Board Reorganization meeting was called to Order by Land Use Board Chairman Lewis Yetter at 7:03 pm.

The pledge of Allegiance was recited.

OPEN PUBLIC MEETINGS ACT

Secretary Jackson read the following into the record:

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Land Use Board Secretary in the following manner:

- A. Posting written notice on the Official Bulletin Board at the Palmyra Borough Hall on January 30th, 2023
- B. Mailing written notice to the Burlington County Times and Courier Post on January 31st, 2023
- C. Notice to all board members.

- A. Notice to all Board members.

ROLL CALL

Secretary Jackson called the roll of the board:

PRESENT: Chairman Yetter, Mayor Tait, Councilwoman Cloud, Ms. Cooper, Ms. Pappas, Mr. Rossignol

ABSENT: Vice-Chairman Beck, Mr. Gural, Ms. Belton

Also present, Tracy Kilmer, Zoning Officer

APPROVAL OF THE MINUTES

Chairman Yetter asked if there were any questions or comments regarding the February 22nd, 2023, Land Use Board Meeting Minutes. Hearing none, he requested a motion to approve the minutes as presented. Mayor Tait made the motion to approve the minutes as written. Dr. Cloud second the motion. Chairman Yetter asked for a call of the roll.

At the call of the roll the vote was as follows:

AYES: Mayor Tait, Councilwoman Cloud, Ms. Cooper, Ms. Papas, Mr. Rossignol

NAY: None

Abstain: Chairman Yetter

CORRESPONDENCE

Chairman Yetter read an email from Emma Melvin resigning from the Land Use Board. Mr. Yetter asked for a motion to accept her letter of resignation. Mayor Tait made a motion to accept Ms. Melvins letter of resignation. Councilwoman Cloud second the motion.

All member present voted in favor of the motion.

Chairman Yetter read the letter received from CherylLynn Walters, of Nehmad Davis & Goldstein, P.C. Mr. Andrew Brewer explained the letter and request for extension of time for Palmyra Urban Renewal Entity, LLC. to perfect their major subdivision & Resolution 2023-09 for consideration. There was some discussion and Chairman Yetter requested a motion to approve Resolution 2023-09.

BOROUGH OF PALMYRA LAND USE BOARD

RESOLUTION 2023-09

**RESOLUTION FOR EXTENSION OF AMENDED PRELIMINARY AND
FINAL SUBDIVISION APPROVAL**

Application No. 2022-LUB01

Applicant: Palmyra Urban Renewal Entity, LLC

Premises: 201 & 351 Route 73 South; Block 156, Lots 1, 1.01, 1.02, 2, 2.01, 3.01, 4.01, 5.01, 6.01

RESOLUTION

WHEREAS, Palmyra Urban Renewal Entity, LLC (“Applicant”) received major subdivision approval for property commonly known as Block 156 Lots 1, 1.01, 1.02, 2, 2.01, 3.01, 4.01, 5.01, 6.01 in the Borough of Palmyra by the adoption of Resolution 2022-09 on April 27, 2022; and

WHEREAS, the Board has received a request for an extension of the time afforded by N.J.S.A. 40:55D-52 and N.J.S.A. 40:55D-54 for the perfection of a major subdivision. Applicant requests an extension of one year from the date of the amended approval, to April 27, 2024; and

WHEREAS, the Board has considered the matter at its meeting on the date hereof and based upon the correspondence and the information received from Applicant has determined to grant the extension request;

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Borough of Palmyra in the County of Burlington and State of New Jersey on this 22nd day of March, 2023, as follows:

1. The Board hereby re-affirms the subdivision approval granted to the Applicant by Resolution 2022-09, dated April 27, 2022.
2. The time for perfection of the subdivision approval previously granted is hereby extended to April 27, 2024.
3. This Resolution shall take effect as provided by law.

Councilwoman Cloud made the motion to approve Resolution 2023-09. Mayor Tait second the motion. Chairman Yetter asked for a call of the roll.

At the call of the roll the vote was as follows:

AYES: Chairman Yetter, Mayor Tait, Councilwoman Cloud, Ms. Cooper, Ms. Pappas, Mr. Rossignol

NAY: None

BOROUGH COUNCIL UPDATES

Councilwoman Cloud noted the following upcoming events:

Borough Council Budget workshop meeting March 25th, 2023

Easter Egg Hunt, April 1, 2023, 9:00 am at Legion Field

Temple Boulevard improvements- Rain Garden to begin around April 4, 2023

Downtown Community Clean-up April 30th, 2023

Palmyra Downtown Safety Day, May 6, 2023

Mayor Tait noted the soft opening of the first warehouse stating that the attendance was good. Mayor Tait also stated they will be starting the second warehouse sometime during the summer. Mayor Tait stated she attended the Mosque for an interfaith discussion. Mayor Tait also noted the upcoming Juneteenth Celebration on June 19th, 2023, in Cinnaminson.

OLD BUSINESS

Chairman Yetter noted the following resolution 2023-08 for memorialization,

Resolution 2023-08– Resolution of Memorialization in the Matter of 321 E. Broad Street, **Application 2023-01 -321 E Broad Street, Blk 80 Lot 6, Elm Office, LLC, Site Plan Approval**

PALMYRA BOROUGH LAND USE BOARD

RESOLUTION 2023-08

RESOLUTION OF MEMORIALIZATION IN THE MATTER OF ELM OFFICE, LLC
APPLICATION NO. 2023-LUB01

WHEREAS, Elm Office, LLC (“Applicant”) is the owner of property located at 321 East Broad Street, Palmyra, New Jersey, more particularly described as Block 80 Lot 6 on the Tax Map of the Borough of Palmyra, (“subject property”) which is improved with a two-story structure formerly owned by the Knights of Columbus; and

WHEREAS the subject property is located in the Town Center Commercial Zone (TC Zone); and

WHEREAS, the property was the subject a Redevelopment Plan in 2021 and a Redevelopment Agreement was entered into by the Borough and the Applicant is 2022; and

WHEREAS, Applicant filed an application for a minor site plan to renovate the existing structure and utilize the property for offices for research and development and engineering purposes (“Application”); and

WHEREAS, Michael J. Roberts, P.E., CME the engineer for the Land Use Board provided a review letter dated February 2, 2023 of the Application which was reviewed by the Applicant; and

WHEREAS, William H. Kirchner, PE, CME, the Borough Engineer, prepared Standard Details for the proposed Borough of Palmyra sign, dated July 18, 2022, and forwarded to Mr. Roberts, by letter dated February 8, 2023; and

WHEREAS, the Planning Board held a duly notice public hearing on February 22, 2023; and

NOW THEREFORE, the Palmyra Borough Land Use Board makes the following Findings of Fact and Conclusions with respect to the Application:

1. The Applicant was represented by John C. Gillespie, Esquire, of Parker McKay, P.A. Mr. Gillespie provided an overview of the project, noting that the proposed minor site plan was consistent with the Redevelopment Plan that was presented to the Borough Council on July 18, 2022 and the Redevelopment Agreement entered into by the Applicant and the Borough. The proposed use of the building is for research and development related to several significant projects for Sea Box, as designer and manufacturer of shipping containers and specialized storage units with the Corporate Office in nearby Cinnaminson, New Jersey.

2. The Applicant submitted and the Board reviewed the following documents in support of the Application:

- a. Development Application
- b. Minor Site Plan prepared by Stout and Caldwell Engineering, LLC, dated December 22, 2022, consisting of six (6) sheets.

- c. Stormwater Narrative prepared by Stout and Caldwell Engineering, LLC, dated December, 2022.
- d. Redevelopment Agreement by and Between Borough of Palmyra and Elm Office, LLC, dated November 17, 2022.
- e. Letter from County of Burlington Planning Board, dated February 9, 2023.

3. During the Application, sworn testimony was offered on behalf of the Applicant by Robert Stout, PE, PLS, who was accepted as an expert in the field of engineering. A colorized rendering of the landscape plan dated February 2022 was marked as A-1 for identification. The subject property is triangular shaped corner lot, with 114.56 feet of frontage on East Broad Street and 24.57 feet of frontage on Elm Street. The existing 2,076 square foot building is situated toward East Broad Street, with the parking lot in the rear with access from Elm Street. The Applicant is proposing a 10 foot by 40-foot addition on the rear of the building for the stairs and elevator, as well as an access ramp that is ADA (“Americans with Disabilities Act”) compliant.

4. New lighting fixtures are proposed on 16’ poles, where 13’ poles are permitted, which requires a waiver from Section 158-37. D.2.d of the Borough’s Land Use Ordinance. The proposed fixtures will have a color temperature of 4000-kelvin, with cut off shields that limit spillage toward the adjacent residential properties. The additional height of the poles is proposed to reduce the number of lighting fixtures needed to adequately light the parking area due to the size of the parking lot.

5. The aisle width of the parking lot for 90-degree parking stalls shall be 22 feet for one-way traffic and 19 feet is proposed for the last stall on the northern side of the parking lot, requiring a waiver from Section 158-37. C.8.a.3. There are two driveways proposed on Elm Street, with one-way circulation from the rear driveway, through the site, to the front driveway. The Applicant will overlay the existing parking lot. There are 9 parking stalls proposed along southern side of the parking lot and an ADA compliant parking space on the northern side of the parking lot near the proposed ramp.

6. A row of arborvitae is proposed along the rear of the parking lot and additional landscaping is proposed on near the ADA space.

7. A Welcome, Borough of Palmyra, New Jersey monument sign (“Palmyra Sign”) will be located on the eastern corner of the property, at the intersection of East Broad Street and Elm Street. The Applicant and the Borough will enter into an Easement Agreement for access and maintenance purposes.

8. The Applicant is proposing a monument sign for the proposed use, which has not been designed yet but will be code compliant and subject to the review and approval of the Board’s Engineer and Planner.

9. An overview of the architectural design was provided to the Board and the following were marked for identification:

- a. A-2 – Proposed Elevation prepared by Holiday Architects, dated June 18, 2021, revised through October 6, 2021.
- b. A-3 – Colorized Rendering of the front elevation of the building, prepared by and date unknown.
- c. A-4 – Colorized Rendering of the rear elevation of the building, prepared by and date unknown.

10. The existing building is structurally sound, so the Applicant is proposing to maintain the building, with the proposed addition, interior renovations and updated of the exterior façade. The interior of the building shall consist of 4 offices on the main floor, with storage in the basement and a conference room on the second floor. The total increase in impervious coverage, for the ADA parking stall is 300 square feet and the total lot disturbance, with the addition, is 2100 square feet.

11. There are 4 employees and the hours of operation are typically 8:00 a.m. to 5:00 p.m.

12. During the public portion of the hearing, Gordon Reeves raised concerns regarding the lighting and the impact to his nearby residential property. The proposed lighting will be compliant with the Township’s Lighting Ordinance and there will be no spillage onto the adjacent properties.

13. The testimony offered by the Applicant supports the finding and determination that the site plan is consistent with the Redevelopment Plan and the Redevelopment Agreement and meets the Township’s Standards for Site Plan Design.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Palmyra that the Findings of Fact and Conclusions are hereby adopted as though they were set forth herein at length and made a part of this Resolution; and

BE IT FURTHER RESOLVED, that the site plan approval requested by the Applicant set forth above herein, be and hereby is **GRANTED**, subject to the following Conditions.

- 1. The Applicant and the Borough Governing Body shall enter into an Easement Agreement to allow the Borough to operate, inspect, maintain, repair, renew or replace the proposed Palmyra Sign located on the subject property.
- 2. The proposed light fixtures shall have a color temperature of 4000 kelvin and be compliant with the Borough’s Lighting Ordinance, Section 158-37. D. The intensity at property lines shall not exceed 1.0 footcandles and 0.25 footcandles where adjacent to residential uses.
- 3. The Applicant shall confirm that the lights are glare shielded to restrict view of the light source, per Section 158-37. D.2e.
- 4. The lighting intensity shall be reduced in the evening, subject to the review and approval of the Board’s Engineer and Planner.

5. The access ramp shall be redesigned to allow for full movement and access to the building, subject to the review and approval of the Board's Engineer and Planner.
6. The access stairs on the rear of the building shall be reconfigured to face away from the parking area, subject to the review and approval of the Board's Engineer and Planner.
7. The Palmyra Sign shall be incorporated into the Site Plan.
8. The Applicant's monument sign details shall be code compliant and subject to the review and approval of the Board's Engineer and Planner.
9. The Applicant shall submit a full set of architectural drawings, including elevations and floor plans, subject to the review and approval of the Board's Engineer and Planner.
10. There shall be no dumpster or trash enclosure on the site; Applicant shall arrange for interior garbage pickup by a cleaning service.
11. The Applicant shall obtain approval from the Burlington County Planning Board.
12. Sight triangles at the site egress should be added to the plans. Any existing or proposed landscaping within those triangles shall be relocated or trimmed such that the maximum height of any bush is less than 3 feet and the minimum height of any tree limb is 8 feet.
13. Concrete wheel stops should be provided at the end of all parking spaces where no curb exists or is proposed.
14. The plans shall be revised to indicate the design intent for the parking lot (overlay or milled).
15. If the design intent is to overlay the existing parking lot, additional spot grades shall be provided at the corners of the lot.
16. Existing landscaping, including all trees greater than 4" caliper, shall be identified on the plans as to remain or be removed, where appropriate.
17. The location of the proposed landscaping along the north property line, adjacent to the residential dwelling, shall be checked against the sight triangle for site egress and revised where necessary.
18. Applicant shall provide basic construction details of the proposed ADA ramp and any required hand rail, subject to review and approval of the Board's Engineer.
19. The proposed concrete curb and apron require that an asphalt repair strip shall be provided as face forming the curb is not acceptable. A curb detail that depicts the proposed pavement repair shall be provided.
20. A detail specifying the thickness of the asphalt within the Borough Right-of-Way shall be provided. The standard Borough Street paving cross section shall consist of 2 inches FABC-1 on four inches bituminous stabilized base on six inches dene graded aggregate.

21. A detail specifying the thickness of the proposed overlay shall be provided. It is recommended that a minimum 1 ½ inch for hot mix asphalt surface course mix 9.5M64 be utilized.
22. The approvals contained in this Resolution are conditioned upon the Applicant receiving and complying with any and all other municipal, county, state and federal approvals required and shall comply with all other municipal, county, state and federal rules and regulations; and

BE IT FURTHER RESOLVED, that the relief requested by the Applicant is subject to all conditions placed on the record during the hearing held on February 22, 2023; and

BE IT FURTHER RESOLVED, that the Applicant shall pay all outstanding professional fees and bills in connection with this Application within thirty (30) days after receipt of billing. Should the Applicant fail to pay such professional fees and bills within thirty (30) days, then the Applicant's approval hereinbefore set forth shall be deemed null and void and said approvals shall be deemed withdrawn with no further force and effect; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution of Memorialization and Findings of Fact and Conclusions to which it is attached be sent to the Applicant within ten (10) days from the date of adoption, the Borough Clerk, the Borough Construction Official, and any other person who may request a copy of the decision; and the Applicant shall publish a brief notice of this in the official newspaper of the Borough of Palmyra.

Chairman Yetter requested a motion to approved resolution 2023-08. Dr. Cloud made a motion to approve application 2023-LUB-08. Mayor Tait second the motion.

At the call of the roll the vote was as follows:

AYES: Mayor Tait, Councilwoman Cloud, Ms. Cooper, Ms. Pappas, Mr. Rosignol

NAY: None

Abstain: Chairman Yetter

NEW BUSINESS

Chairman Yetter noted there was no new business.

PUBLIC COMMENT

Chairman Yetter requested a motion to open the meeting to the public for comment. Councilwoman Cloud made a motion to open the meeting for public comment. Mayor Tait second the motion.

All members present voted in favor of the motion.

Chairman Yetter asked anyone making comments to state their name and address for the record.

Seeing no one wishing to make a comment Chairman Yetter requested a motion to close the public comment portion of the meeting. Councilwoman Cloud made a motion to close the public comment portion. Mayor Tait second the motion.

All members present voted in favor of the motion.

Having no further business, Chairman Yetter requested a motion to adjourn the meeting. Dr. Cloud made a motion to adjourn the meeting. Ms. Cooper second the motion.

All members present voted in favor of the motion.

Meeting was adjourned at 7:20 pm

Doretha R Jackson, RMC

Land Use Board Secretary

Borough of Palmyra

Approved: May 24, 2023