

BOROUGH OF PALMYRA
LAND USE BOARD MEETING MINUTES
May 24, 2023 at 7:00 PM

CALL TO ORDER

The Borough of Palmyra Land Use Board 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

Chairman Yetter 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

Chairman Yetter requested a call of the roll call:

PRESENT: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Ms. Belton, Mr. Gural, Ms. Cooper, Ms. Pappas, Mr. Rossignol

ABSENT: Councilwoman Cloud

Also present, Tracy Kilmer, Zoning Officer

APPROVAL OF THE MINUTES

Chairman Yetter asked if there were any questions or comments regarding the March 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. Vice-Chairman Beck 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, Ms. Cooper, Ms. Papas, Mr. Rossignol

NAY: None

Abstain: Vice-chairman Beck, Ms. Belton, Mr. Gural

CORRESPONDENCE

Chairman Yetter stated there was no correspondence.

BOROUGH COUNCIL UPDATES

Mayor Tait stated that Palmyra Day was held May 6, 2023 and fun was had by all. Mayor Tait noted the Juneteenth Celebration will be held on June 19, 2023 at Wood Park in Cinnaminson. Mayor Tait also let the board know that the second warehouse is proceeding forward and they should be beginning the construction soon. Mr. Gural also noted the 102 affordable housing units to be constructed in the redevelopment area.

OLD BUSINESS

Chairman Yetter noted there was no old business.

NEW BUSINESS

Chairman Yetter proceeded to the new application before the board:

Application 2023-02 Rt.73, Madison St. and Jefferson St, LLC – Block 137 Lots 1, 1.01, 2, 3, 4 & 5,

Site Plan Approval

Mr. Brewer explained that because they were requesting a D variance, Mayor Tait and Councilwoman Cloud would not vote on the application. Mr. Brewer noted there is a full board to hear the application.

Kevin Sheehan attorney with Parker McCay representing: Rt.73 Madison Street & Jefferson Street, LLC. noting that they are part of the Kerbeck network.

Mr. Sheehan explained the application noting that the property is in the HC Highway Commercial zone and a portion of the property is in the I Industrial zone. Mr. Sheehan stated the proposal is to construct a new Rolls Royce showroom along the Rt 73 frontage as well as an accessory building along Jefferson Street that will allow them to park high-end vehicles that are being serviced so they are not outside in the elements. Mr. Sheehan noted they are looking for site plan approval, a D variance to permit the accessory building in the industrial zone where it is not permitted, they also needed the showroom permitted as a conditional use in the HC zone

along RT 73. Mr. Sheehan noted a showroom in the HC zone is supposed to have five vehicles however this will only have three. Mr. Sheehan noted the maximum driveway is 30 feet which they believe can be worked out. Mr. Sheehan noted there are some c variances requested for setbacks, which are identified in the engineer's report, and there are waivers requested for signage of the building and possible lighting.

Mr. Sheehan introduced himself and the following:

Rich Hagmayer; representing the applicant, hear to speak about the operations and purpose of the building.

Bill Nicholson; Engineer for the applicant, who will speak about the site plan.

Mark Wiedmann, Architect for the applicant, who will go over the elevations and signage details

James Miller, Planner for the applicant, who will address the positive and negative criteria of the application.

Mr. Brewer sworn in Mr. Sheehan, Mr. Nicholas, Mr. Miller, Mr. Wiedmann and Mr. Hagmayer.

Mr. Sheehan submitted the flowing items as exhibits for the application:

- Noting: Exhibit A-1 Aerial view of site
- Exhibit A-2 Site Plan – Sheet 1
- Exhibit A-3 View of Showroom from Rt 73
- Exhibit A-4 Floor Plan
- Exhibit A-5 Elevations of Building & Structures
- Exhibit A-6 Accessory Structure Building

Mr. Sheehan began the application presentation by calling Mr. Hagmayer to explain the owner of the application and the operations of the business.

Mr. Hagmayer indicated the LLC is a part of the Kerbeck family, which he has worked for over 30 years. Mr. Hagmayer stated he is fully aware of the application and noted that they wished to build a separate showroom for that type of vehicle. Mr. Hagmayer noted it would not change any staffing, inventory levels or the flow of traffic and number of customers coming to the area, noting that it is the same thing they are currently doing, they are just centralizing it in another location on the property. Mr. Hagmayer noted that Rolls Royce is not a high-volume business, they may sell 1 or 2 a month. Mr. Hagmayer noted they may be one salesman working in the building. Mr. Hagmayer stated the accessory structure is mostly for housing vehicles being brought in for service. Mr. Hagmayer stated there will not be employees working in the building only entering and exiting to drop off or pick-up vehicles.

Mr. Nicholson summarized his credentials noting he was a licensed civil engineer practicing over forty years and is licensed in the State of New Jersey.

Mr. Nicholson displayed Exhibit A-1 explaining the aerial view of site and explaining the placement of the buildings on the site. Mr. Nicholson then explained Exhibit A-2 the Site Plan—Sheet 1 noting placement of signs. Mr. Nicholson explained the conditional use, the display of vehicles, distance from streets and the access driveway. Mr. Nicholson indicated the stormwater management is not required because the site is totally impervious noting that what is currently paved will be replaced with a building. Mr. Nicholson indicated there would be a decrease in the impervious coverage as some of the paved ground would now have landscaping. Mr. Nicholson spoke about traffic circulation, parking noting that 20 spaces are required and 39 are provided. Mr. Nicholson indicated the trash and recycling will be forward to another location behind the main building. Mr. Nicholson spoke about the lighting, which will be wall mounted and the landscaping along the showroom and on Jefferson Street. Mr. Nicholson stated that the boxwood plantings you see along the building will not be there as they decided to go with a cleaner look, noting Exhibit A-3 the view of showroom from Rt 73.

Mr. Sheehan then asked Mark Wiedmann, Architect for the applicant, to note his credentials. Mr. Wiedmann stated he received a Master's in Architecture from University of America and have been practicing for over thirty years. Mr. Wiedmann noted he is licensed in Pennsylvania, New York, and New Jersey. Mr. Wiedmann using Exhibit A-3 the view of showroom from Rt 73 explained the look in the area in front of the building noting the boxwoods removed. Mr. Wiedmann noted the jewel box design of the building, very open and clean. Mr. Wiedmann noted the colors, purple and gray which he indicated are indicative of Rolls Royce. Mr. Wiedmann then went on to Exhibit A-4 the floor plan approximately 4,900 sq ft. explaining the entrances and layout. Exhibit A-5 the elevations of the building and structures explaining the building is about 25.3 inches off the ground, noting the panel inlays for signage the colors, the glowing effect. Mr. Wiedmann then explained the signage on the building and the free-standing totem pole sign outside the building, noting the sign one is 11 sq. ft and next to the entrance door on north side, noting that the same sign appears on the rear of the building. Mr. Wiedmann stated they have a word mark which is 10 sq. ft. and along Rt 73 there is a small sign with the logo of Rolls Royce. Mr. Wiedmann also described the totem pole sign outside of the building on the corner of the property. Mr. Wiedmann then went over Exhibit A-6 the accessory structure building where they will be staging the vehicles. Mr. Wiedmann stated it will house four bays and will be colored to match the surrounding facilities, beige, and dark gray. Mr. Roberts asked if there would be workers in the building. Mr. Wiedmann stated no it would not be an occupied building just storage of vehicles.

Mr. Sheehan then asked James Miller, Planner for the applicant to state his credentials. Mr. Miller stated he was a licensed professional planner in the State of New Jersey and certificated by the American Institute of

Certified Planners, practicing for over forty years, and licensed in New Jersey and Pennsylvania. Mr. Sheehan asked Mr. Miller to address the positive and negative criteria of the application. Mr. Miller indicated he had evaluated the application in regards to the positive and negative criteria and found that the site is suited for the proposed use as described for the use waiver and variances. Mr. Miller then stated the proofs for the variances requested. Mr. Miller stated most of the requests are just an upgrade to the existing dealership and giving appropriate space for the showroom. Mr. Miller noted it is constant with the surrounding land use patterns and the zoning also. Mr. Miller noted various positive criteria and reasons way the variances should be granted. Mr. Miller stated the proof needed for the wavier regarding the signage is that the relief sought is reasonable stated that he felt the request for the totem pole sign is in the optimum place because if it were further back it would block the sign from view if it were further back. Mr. Miller spoke about the deviation in the number of signs that can be placed on a building and how given that some of the signage is incorporated in the building structure it was slightly different noting that they are well designed and tasteful. Mr. Miller stated the he did not believe the application had detrimental impact to the public welfare, or the surrounding neighborhood. Mr. Sheehan stated that was the presentation and asked if there were any questions.

Mr. Roberts stated there were two totem signs on the plans which one is being requested. Mr. Sheehan indicated the smaller. Mr. Roberts asked if the existing driveway pavement in the front of the proposed building was going to be removed. Mr. Sheehan noted that was not part of the property. Mr. Beck and Roberts indicated they were talking about the driveway opening. Mr. Sheehan indicated they could request that closure and filling in with grass/curbing from DOT. Mr. Roberts indicated the handicap assessable parking space makes a necking between it and the other spaces, can it be shifted over and remove a space in the front to behind the building. Mr. Sheehan agreed. Mr. Roberts stated there was a gap between the existing building (upper left corner) and the curb line, is that to be used for pedestrian access between there and some place else. Mr. Wiedmann indicated it was so the ramp could be built, they would make sure the area was tighten-up with a wall or something. Mr. Roberts noted that all designs will be designed to meet all regulations regarding flood hazards. Mr. Wiedmann indicated yes; they understand that.

Ms. Stanley noted the ordinance does indicate street line when referring to sign placement. Ms. Stanley asked if they were considering consolidating the lots. Mr. Sheehan indicated yes.

Chairman Yetter requested a motion to open the application to the public for comment. Vice Chairman Beck made a motion to open the application to the public comment. Mayor Tait second the motion.

All members present voted in favor of the motion.

Seeing no one else wishing to make a comment Chairman Yetter requested a motion to closed the application for public comments. Mr. Gural made a motion to closed the public comment. Vice-Chairman Beck second the motion.

All members present voted in favor of the motion.

Chairman Yetter requested a motion to approve/deny the application as presented.

Mr. Brewer stated this will be a motion to approve the preliminary and final site plan application, conditional use variance, D variance, and all the C variances along with the waivers which were listed and testified to, along with three conditions, the applicant will request from DOT approval to remove the curb cut, they will shift the handicap space and delete a space as identified by the board engineer, Mr. Roberts, and install a railing or wall to prevent anyone from falling in the previous area which was testified to. Ms. Kilmer added the condition; must submit a flood plain permit from the Borough of Palmyra and agree to correct anything else which may arise after review of said permit.

Mr. Gural stated the property of request is current a non-script parking lot with a 6 ft. chain link fence around it. Mr. Gural stated it will be a quality improvement for the Rt 73 corridor/gateway of Palmyra.

Mr. Gural made a motion to approve application 2023-LUB-02 with the conditions noted above. Vice-Chairman Beck second the motion.

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

AYES: Chairman Yetter, Vice-Chairman Beck, Mr. Gural, Ms. Belton, Ms. Cooper, Ms. Pappas, Mr. Rosignol

NAY: None

Not voting: Mayor Tait, Councilwoman Cloud

PUBLIC COMMENT

Chairman Yetter requested a motion to open the meeting to the public for comment. Vice Chairman Beck made a motion to open the meeting to the public for comment. Ms. Belton 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. Vice-Chairman Beck made a motion to close the public comment portion. Ms. Belton second the motion.

All members present voted in favor of the motion.

Mr. Brewer stated that there were some items he needed to speak to the Board about in closed session. Mr. Brewer indicated the subject matter was litigation.

Chairman Yetter requested a motion to approve Resolution 2023-10 Resolution Excluding the Public from Certain Meetings Pursuant to Section 8 of the Open Public Meeting Act C. 231 P. L. 1975 for matters relating to: **Litigation**.

Mayor Tait made a motion to approve Resolution 2023-10. Ms. Cooper second the motion.

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

AYES: Chairman Yetter, Vice-Chairman Beck, Mayor Tait, Mr. Gural, Ms. Belton, Ms. Cooper, Ms. Pappas, Mr. Rossignol

NAY: None

The Board went into closed session at 8:06 pm.

The Board returned from closed session at 8:26 pm

Chairman Yetter requested a motion to re-open the meeting to the public. Vice-Chairman Beck made a motion to re-open the meeting to the public. Ms. Pappas second the motion.

All members present voted in favor of the motion.

ADJOURNMENT

Having no further business, Chairman Yetter requested a motion to adjourn the meeting. Mayor Tait made a motion to adjourn the meeting. Vice-Chairman Beck second the motion.

All members present voted in favor of the motion.

Meeting was adjourned at 8:27 pm

Doretha R Jackson, RMC

Land Use Board Secretary

Borough of Palmyra

Approved: July 26th, 2023