

**PLANNING BOARD REGULAR MEETING**

Meeting Minutes

**June 3, 2021**

**MEMBERS PRESENT:**

William Barker, Chair  
Robert Musgnug  
Chris Chesner  
Dianne Walker  
Davin Zipin  
Harry Balikov  
Jeff Dey  
Melissa Acaro Burns  
Steve Pazienza

**STAFF PRESENT:**

Nancy Jamanow, AICP, PP, Planning Board Secretary  
Matthew Wieliczko, Board Attorney  
Mackenzi Kelly, Recording Secretary

**ABSENT:** Thomas Merchel, Ryan Vander Wielen

Mr. Barker called the meeting to order at 7:04 PM in a Virtual Meeting by reading the Open Public Meeting Act statement. The Pledge of Allegiance followed a moment of silence. Roll call was listed as above.

**New Business**

Referral from Township Council Ordinance 19-2021 Amending Chapter 180-73 of the Code of the Township of Moorestown entitled "Off-Street Parking Requirements"-If acceptable, Adoption of Resolution #2021-26; A resolution recommending to Township Council adoption of Ordinance No.19-2021 amending Chapter 180-73 entitled "Off Street Parking Requirements".

Mrs. Jamanow stated this is a positive ordinance and will help businesses with parking requirements.

Mrs. Taylor referred to her letter dated 5/28/2021. She testified the ordinance is consistent with the Master Plan.

Mrs. Chesner made a motion to approve Resolution #2021-26, seconded by Mr. Musgnug. The roll call vote of the Board was unanimous in favor with all eligible to vote.

Motion passes 9-0

**Public Comment:** None

Referral from Township Council Ordinance 16-2021 Capital Improvement Project and Funding for Construction of Percheron Park – If acceptable, Adoption of Resolution #2021-24; A resolution recommending to Township Council adoption of Ordinance No. 16-2021 appropriating monies and authorizing the issuance of bonds or notes of the Township to be used for the construction of Percheron Park.

**Public Comment:** None

Mr. Zipin made a motion to approve Resolution #2021-24 is consistent with the Master

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Plan, seconded by Mr. Chesner. The roll call vote of the Board was unanimous in favor with all eligible to vote.

Motion passes 9-0

PB# 2021-11 OPEX Corporation, Block 502 Lots 9 and 11; Preliminary and Final Site Plan  
Mr. Wieliczko stated this application is for preliminary and final site plan to expand the parking area on lots 9 and 11, block 502. They want to provide additional parking spaces and site improvements such as storm water facilities, driveway connection, landscaping lighting and other improvements.

Mr. Alan Fox is the Applicant's Attorney. Mr. Fox stated this is located in the BP-1 zone. There are two properties involved; 835 Lancer (Lot 9) and 301 Commerce (Lot 11) which are adjacent to each other. OPEX is the Tenant and occupies both properties. They both consent to this application. 305 Commerce is not part of this application, which is also occupied by Opex, which is their headquarters. On the other side, there is a vacant lot (7) which is owned by Opex. Directly behind 835 Lancer, there is a ground-mounted solar system.

They are proposing to expand the parking area by 100 spaces on 835 Lancer and 45 spaces on 301 Commerce. Overall parking will be 264 spaces. There will be a new storm-water system, an internal driveway connecting the two properties.

He described both existing buildings. They are located in an industrial area.

He stated there are no variances. They are requesting checklist waivers and design waivers, which have already been approved.

## **Witnesses:**

David Andrews Director of Facilities at Opex

Sam Agresta, Professional Engineer and Professional Planner

## **Professionals:**

Steve Lennon

Michelle Taylor

Chris Noll

Sam Agresta, is a Licensed Professional Engineer/Planner in NJ expert witness. He has testified before this board as well as other counties in NJ only. He was accepted as an expert witness. Mr. Agresta stated that his firm prepared plans for the Preliminary and Final Site Plan, dated 2.24.2021, revised on 5/10/2021.

## **Exhibit A1**

Shows existing conditions aerial. Mr. Agresta went over the details. Both sites are fully developed. They have established trees and buffers, with lights throughout the site. It is a very well maintained lot.

## **Exhibit A2**

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Shows the site plan rendering. This shows the areas they will be improving, such as the parking areas. They are proposing overall approximately 1.5 acre of improved parking. They will be including new ADA stalls. The existing ADA stall will be removed and replaced. All ADA spots will be 100% compliant. He stated now there are 219 spots on 835 Lancer and 45 spots on 301 Commerce. They are proposing an additional 100 on Lot 9 and 45 on Lot 11, with a total of 409 spaces. Mr. Agresta stated they did a turning analysis. Their loading areas have no trouble accommodating WB50 trailers with no problem. There are no proposed changes for the circulation of trucks. Emergency and other pedestrian vehicles will have 360 access around 835 Lancer Dr. The truck designation is in accordance with Moorestown's larger fire truck unit. Site circulation at 301 Commerce will remain the same. The proposed driveway can be used for vehicle traffic as well as pedestrian use without going on Lancer Dr. The driveway behind 835 connects into the headquarters, however by adding the new parking lot will allow circulation around 835 Lancer. People will also be able to walk to the 305 Commerce building. There is a walkway between 301 and 305 Commerce.

Mr. Agresta stated the storm-water management system is for both 301 Commerce as well as 835 Lancer. The new basin will accommodate the additional flow generated from the new impervious surfaces from both lots. They are putting an MTV in there, which acts as filter. They are reducing the flow, negating any negative impact they may have with their improvements.

The existing site is well lit. They are proposing seven new units and introducing them to newly paved areas. They are matching the lighting out there. The existing buffers are in great shape. There are few tweaks such as adding additional shrubbery and evergreens to conceal the driveway along Lancer Dr. Everything will be well screened to anyone passing by.

The access to the properties will remain the same. Mr. Agresta agreed the traffic flow with new parking lot will be adequate to handle existing traffic, truck and emergency vehicles.

Mr. Fox stated they have no problems with the review letters in respect to the storm water management. They have some comments with Mrs. Taylor's review letters in regards to landscaping. They do not feel they need any physical structures around the outdoor containers. They feel the lighting at the property should remain. They have had some theft of vehicles and want to keep the lighting out there. In respect to the Gazebo, they want to clean it up and keep it. Mr. Fox stated the comment in Mr. Noll's letter, they will provide a cross access easement for the parking between the two properties as well as an easement for the Basin. When Mr. Agresta puts together the maintenance plan they will put in there they will maintain the basin. They do not think the milling and overlaying are necessary.

Mr. Andrews, he is Director of Facilities at Opex for 25 years. He oversees facilities, planning, and growth. He is knowledgeable about the whole site. He gave an overview of the business. 835 Lancer has both offices and warehouse, its their primary assembly building. They currently have 306 employees at 835 Lancer. There are two shifts 6am to 230 (235 employees), and 3pm to 1130pm (21 employees). They have about 4 to 6 visitors

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a day. They have UPS delivery once in the morning once in the evening. The parking is needed for employee and visitors. Opex is growing and expanding, and will need the new parking in the next few months.

There are four dock doors on the right side of the building. There are about 3-4 trucks a day that come a day. The traffic is an easy flow with no backup of trucks. There may be about 2 to 3 tractor-trailers coming in a day. Their times are staggered. The traffic flows quickly. The first delivery is about 7-730 am. The last delivery is at 4pm. They are closed on weekends; there will be no truck traffic. On the left side of the building is the shipping area. There is an outer and inner dock on this side. There may be 2-3 trucks leaving a day. They have had no issues with congestion, they come in and unload and leave right away. They have never had any complaints from neighbors regarding traffic.

In 2012, they went live with sustainability. They have a solar roof, field and canopies. They are a net zero company.

They use LED lighting. The parking lot lighting is light sensitive. They have had some vehicle theft. They prefer to keep the lighting for safety.

There are no problems with truck traffic or emergency vehicles circulating the property.

There are no shipping or receiving at 301 Commerce Dr.

They have a 34-yard compactor loaded from inside the building as well as 8 yd single stream recycle bin. There is a wall there they will fill in with shrubbery for a buffer. The bins are kept on concrete slabs. You will not be able to see the docks or trash compactor. They keep it very clean and there are no neighbor complaints about the visibility.

They recently incorporated 301 Commerce, it holds 80 people. It is primarily used for experiments for engineers and storage with minimal truck traffic. There are no traffic problems. There are two containers there and are out of sight. It will be filled with 80 employees within the next 12 months. They will need the additional parking. The hours are from Monday through Friday 7-4. They would love to keep the Gazebo, however it needs work.

## **Board Professionals:**

Michelle Taylor stated the applicant has addressed most of their comments in the letter dated 5/25/2021. The most important comments are the visibility of the loading areas, containers and receptacles. As provided in testimony they will be willing to plant material as requested.

She stated they understood there were security issues out there and were seeking testimony.

Mrs. Taylor is satisfied the landscaping will suffice in place of a masonry enclosure, as well as the loading area in a manner acceptable to her and the landscaping architect.

Also, she feels it is acceptable to maintain the lighting at the current levels.

Chris Noll stated in his 5/26/2021 letter:

There are three checklist waivers recommended:

1. Elevation, there is no architect improvements being proposed
2. Soil testing- the proposed improvements will be on the existing site.

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3. Letter of Interpretation- there are no evidence of wetlands onsite.

Design waivers for the parking spaces

1. Stall width minimal is 23 feet, they are proposing 22 feet
2. Parking space minimal width required is 9 feet, they are proposing 8ft.
3. 24 feet for circulation width for 90degree parking

The applicant has agreed to provide cross easements for parking, storm water, cross access etc. There will be a night light function test required by the Board Engineer prior to CO or release of bond. They have agreed to all the storm-water management comments. In regards to the milling and overlay they had it in their previous letter. It is the access throat coming off Commerce Parkway. The plans do say the asphalt area should milled and overlaid as needed. Mr. Noll stated the area is in bad shape.

Mr. Wieliczko stated this from the ERI review letter dated 4/21/21 comment 11 on page 3. Recommending mill and overlay on lot 11 from the loading dock area to the Commerce Lane driveway to address deteriorating pavement issues. Mr. Agresta stated the original interpretation was they needed to pave the whole driveway. It is only a small area that needs to be addressed. Mr. Wieliczko stated as a condition of approval and in a manner acceptable to the Board's Professional, they will fix this area. They applicant agreed.

Mr. Barker inquired about the storm water and runoff being less even though there is impervious. Mr. Noll stated the rate is less than the existing rate and is reduced by 50%, 75%, 80% for the two, ten and hundred year storms. It meets the State requirements and the township's ordinance.

## **Board Questions:**

Mr. Balikov inquired about a written response from the Environmental Advisory Committee. Mr. Wieliczko stated they do not, the latest letter they have is from 5/20/2021. There was a request for when inspections to the basins were to be submitted to the township. Mrs. Jamanow up until now there was no storm-water basin on the property. There were no reports they should have addressed, however moving forward Opex will submit annual reports on the basin and treatment device once installed.

Mr. Chesner inquired about the block concrete enclosures from the Bancroft school. Mrs. Taylor stated they were more visible and were concerned they have been relocated into parking stalls. Mr. Barker stated this site is exceptionally clean and they cannot be seen. Mrs. Taylor stated at this site it appears to be a reasonable request.

Mr. Chesner stated with the new parking space ordinance going from 9x19 to 9x18, should they move theirs to 9x18. Mrs. Taylor thinks it is a great idea. It would technically be a variance. Mr. Fox stated it is not currently part of the code.

Mrs. Walker inquired about the letter dated 5/25/2021 regarding tree preservation, was it around the storm basin was it addressed. Mrs. Taylor said she talked to Mr. Agresta about this, generally she is satisfied. Some trees will be removed and replaced as necessary. Mr. Wieliczko stated that Mr. Agresta addresses this in the letter dated 5/14/2021 in the revised grading plan. Mr. Agresta stated they agreed to put in more than is necessary for

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the plan.

Mr. Dey inquired if Mr. Noll is satisfied with the number of requests for clarification in the storm-water section of his letter. Mr. Noll stated yes, the applicant has agreed to address any items.

**Public Comment:** None

Mr. Fox asked if the Application for Preliminary and Final Site Plans should be marked as exhibits.

## **Exhibit A3**

Application

## **Exhibit A4**

Preliminary and Final Site Plans both original and revised.

Mr. Wieliczko summarized the application and relief sought.

Mr. Barker stated he is impressed by the site as it is well maintained.

Mr. Dye made a motion to approve the application with conditions stated, seconded by Mr. Zipin. The roll call vote of the Board was unanimous in favor with all eligible to vote. Motion passes 9-0

**Public Comment:** None

## **ADJOURNMENT**

Mr. Barker stated the next meeting would be 6/17/2021. A motion to adjourn was made by Mr. Chesner and seconded by Mr. Dey. The meeting was adjourned at 8:25 PM.

Next Meeting: 6/17/2021 at 7:00 pm