

Borough of Clementon

Planning/Zoning Board

March 11, 2021 Meeting

The March 11, 2021 meeting of the Clementon Planning/Zoning Board was called to order by Chairman Feldman. It was announced that the meeting has been properly advertised and posted Pursuant to N.J.S.A. 10:4-6, The Open Public Meetings Act. The meeting was then opened with a salute to the flag and called to order at 1900hrs by Chairman Feldman.

Roll Call: Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Armbruster, Member Lofland, Member Kuns, Member Saunders, Solicitor Rhodes, Engineer Anthony DiRosa; Present, Mayor Weaver, Member Saunders, Member Shover: Absent

Chairman Feldman: We do have 5 zoning members and a combined board of 5 planning and zoning members so we have sufficient members to cover anything on this meeting's agenda.

Chairman Feldman: Regarding January 21st minutes, any changes alterations or corrections that need to be made?

Member Lofland: page 6 1/3 way down Solicitor Rhodes says off premise needs correction.

Chairman Feldman: Any other changes before we approve these minutes? Hearing none can I have a motion for their approval? Vice Chairman Kunkel motioned to approve 2nd by Secretary McKelvey and roll call was called upon. All in favor no one opposed. There were no minutes for February no meeting to go on the record.

Chairman Feldman: There is no old business the first thing on the agenda for new business is;
Gregory Morrison 100 Erial Rd 6ft fence variance.

Miles Dumbleton: Chairman Feldman we have one issue with this permit, the newspaper ad did not get published until the 5th so he will have to be pushed back to the April's meeting

Chairman Feldman: So, you are saying it is insufficient.

Miles Dumbleton: The only thing he didn't meet was the newspaper ad.

Chairman Feldman: So, it was published the 5th today is the 11th that is only 6days and we need 10 days thst is required by law. Are you aware of that Mr. Morrison?

Gregory Morrison: I did submit to the Courier Post on the 25th and they assured me it would be published and printed before the 1st, but I have no proof of that.

Solicitor Rhodes: How did we end up with the 5th was it published on the 5th?

Miles Dumbleton: All the documentation he submitted says it was submitted on the 5th. He gave me all the emails back and forth to Courier Post but unfortunately that is when that got it published.

Solicitor Rhodes: Mr. Morrison just so that you understand the statute that governs how this Board operates, dictates that it has to be at least 10 days' notice, before the meeting so in this case the Board can not act on your application, even if we proceeded it would be invalid, so you are better off waiting a month I know its difficult and everything is a mess with this Covid. I am sorry about that but the Board has no authority to act on your application tonight. You don't have to re notice we can make an announcement that your application carried over till next month, which we will ask the chairman to do so that all you will have to do is appear next month.

Chairman Feldman: If anyone is in the audience regarding this application it will be delayed, postponed from this month and be heard the 2nd Thursday of April.

Chairman Feldman: The next item on the agenda is a mercantile for the Dollar Tree 168 White Horse Pike anyone here regarding that application?

Yes, this is Scott Kipness and Nickolas Molito we are national council to Dollar Tree stores also with us is Stephen McMahon architectural manager for Dollar Tree stores, and Valerie O'Kean from Anchor signs who is our national sign vendor. I do believe the developer is here also Ben Negri.

Benjamin Negri: Yes, I am here

Scott Kipness: We are here today to profess our request for a variance, to increase the size of the channel letters and square footage

Chairman Feldman cut in: Sir this is not the application I am referring to I am referring to a mercantile application

Scott Kipness: Ok that was applied for by our new set up group,

Chairman Feldman: I am asking if there is anyone here for that application?

Scott Kipness: That would be us as well

Solicitor Rhodes: You also have an application pending for a variance? Is that part of the package?

Chairman Feldman: They have a sign variance application

Solicitor Rhodes: Do you want to work on the mercantile application or do you want to handle it together?

Chairman Feldman: I don't think we can handle it together it has to be done individually, so lets do the mercantile license first and get that out of the way, then the sign but the sign is part of the mercantile license. Let's get this resolved expeditiously.

Scott Kipness: I don't know what the problem was with the mercantile our new set up group sent the wrong officer raster they sent the one from Family Dollar so I sent out an email.

Chairman Feldman: So that is a minor adjustment is that the only one for this application?

Scott Kipness: Yes, sir

Chairman Feldman: So essentially the only thing that this Board has to look at regarding your application, is that you do comply to the zoning regulations in that particular area, and since you are considered a retail outlet? What is it that you call your business?

Scott Kipness: We are a national variety store, we are a general merchandiser we operate roughly 8000 stores nation wide

Chairman Feldman: So besides being aloud in that zone our next concern is trash disposal and we approved that as part of the site plan, and sign size is still pending as per the next application is that correct?

Scott Kipness: Yes, that is correct

Chairman Feldman: Is there any other issues regarding this mercantile application?

Member Armbruster: Joe, I have a few questions because of the issues we have with Dollar general another store in town. Would you be having any outside storage? Deliveries stored outside, any type of racks?

Scott Kipness: We operate differently we have tractor trailers that deliver we take off on rolling carts and they get stored in storage area, I believe there is no room at this site or outside storage units. We don't store any materials outside.

Member Armbruster: Where will the dumpster for Dollar Tree be located?

Benjamin Negri: The Dollar Tree has their own enclosed dumpster area that is located on the right-hand side of the larger building.

Member Armbruster: Looking at the building to the right?

Benjamin Negri: Yes, they have their own non-sharing enclosed dumpster area

Member Armbruster: So, there will be nothing stored directly behind the building?

Benjamin Negri: Not for dollar tree

Vice chairman Kunkel: On the application the building inspector there is nothing attached, and the Police department no background check.

Chairman Feldman: The background check was overlooked because it is a corporation anything else Mr. Armbruster?

Member Armbruster: Mr. Chairman only other thing I would ask upon approval it be stated first of all they have to comply before mercantile is granted they have to be following site plan. It is still under construction and still work to be done, that they are following the construction department and meet all requirements of their site plan.

Scott Kipness: Dollar tree is not developing the site

Member Artmbruster: I understand that but you could open your business without the site without it complying.

Chairman Feldman: I don't think so, they will not get a certificate of Occupancy until all the authorities are appeased. So, I am not to sure that is a consideration councilman.

Scott Kipness: As far as I know we have not been granted a permit yet for the tenant fit out.

Chairman Feldman: On the next application for the sign it appears that Dollar Tree is not taking up the entire building, is that correct?

Scott Kipness: That is correct we are not taking up the entire building.

Benjamin Negri: So, the main building is approximately 16,000 sq feet, which 10,000 square feet will be allocated for Dollar Tree, so there is 6,000 square feet still available and there is an out parcel which is about 4,500 square feet.

Chairman Feldman: Ok that matches what is on the plan for the sign variance, is there any other questions regarding this?

Anthony DiRosa: Mr. Chairman if I can make a comment to follow up on Mark's comment, and also a question for Mr. Rhodes, if this pertains to this application or not. There are some deficiencies in site inspections escrows and they would not be compliant with there site plan approvals so we would not be able to issue a certificate of occupancy, so I don't know if that would pertain to this application, or if that can be a condition of approval.

Solicitor Rhodes: The short answer Anthony is that we can make that a condition of approval obviously that is discouraging if they are deficient in escrows, given the environment at this time sounds like, as Scott told us Dollar Tree is a large national organization and they will fulfill their responsibility, they will supplement that escrow as directed.

Anthony DiRosa: Understood I just want to make sure that it is on record and we don't get too far ahead of ourselves.

Solicitor Rhodes: How deficient are we do we know?

Miles Dumbleton: About \$23,000 that is related to the project.

Benjamin Negri: This is news to me

Miles Dumbleton: Ben, I emailed it to you today

Scott Kipness: So, we haven't started the fit out as far as I know at this time we are usually 6 weeks out when we start.

Member Armbruster: No this has to do with the developer not Dollar Tree itself, but wanted to put it out there before you can open your doors. That is not your issue it is with the site developer.

Scott Kipness: Well it is important to us we do about 600 projects a year and we schedule out openings. There are people that travel to do these projects.

Chairman Feldman: Any other comments or questions? Hearing none can I get a motion to send this mercantile on to council for their approval?

Vice Chairman Kunkel motioned to approve 2nd by Secretary McKelvey and roll call was called upon; Chairman Feldman, Vice Chairman Kunkel, Secretary McKelvey, Member Armbruster, Member Lofland, Member Kuns; Ayes