

## MEDFORD TOWNSHIP PLANNING BOARD MEETING

September 27, 2023 @ 7:00 p.m.

Public Safety Building-91 Union Street

Chairman Hartwig called the Planning Board Meeting to order at 7:01 p.m. and read the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Law.

### PLEDGE OF ALLEGIANCE

### ROLL CALL:

Present: Bielec, Braatz, Czekay, Hartwig, Juliano, Muckenfuss, Perks,  
Watson, Devlin, Anapete  
Absent: Ross  
Professional Staff: Attorney Anthony Drollas, Engineer Christopher Noll, Planner Scott  
Taylor, Secretary Ann Bell

**EXECUTIVE SESSION:** None

**MINUTES:** August 23, 2023 Regular Meeting Minutes

Mayor Watson made a motion to adopt the minutes. Vice Chairman Juliano seconded. Mr. Braatz and Mr. Muckenfuss abstained. A voice vote of the other Board members in favor of adoption was unanimous.

**CORRESPONDENCE:** None

### REPORTS:

Chairman Hartwig reported that insufficient escrow balances over 6 months would continue to be listed on the monthly agenda. He acknowledged that the list had grown, but some of the other escrow balances may never be collected, which is unfair to the professionals who are not compensated for services rendered. He thanked Ms. Bell and the staff for their continued efforts to collect the arrears.

**MEMORIALIZATION:** (Moved to end of the Agenda)

### APPLICATIONS/OFFICIAL ACTIONS:

**The Estaugh T/A Medford Leas, 1 Medford Leas Way, 805/15.01, 15.02, 16, 17.01, 17.02, 17.03, 18, 19, 22.01, 22.02 & 23, SPR-5767**

Preliminary and Final Major Site Plan application for the construction of a 6,600 sf addition with an indoor swimming pool.

**SWORN:** Gary Zangerle, Esq.  
Jeremy Vickers, CEO-Medford Leas  
Gary Vecchio, PE & PP-Taylor Wiseman & Taylor

Mr. Zangerle opened the testimony by describing the application as a 6,000 square foot addition to the existing 30,000sf community center to construct a new indoor pool. There are no proposed changes to site operations.

As is the Board's practice, Chairman Hartwig stated that the requested submission waivers would be voted on first.

Mr. Zangerle stated that there were two submission waivers requested. As summarized in Mr. Noll's September 14, 2023 review letter, the first was concerning the site plan and a written description provided for proposed uses and operations. Mr. Zangerle noted he is prepared to address these issues during testimony, and if so Mr. Noll stated in his letter he would recommend approving the waiver with said testimony. The second waiver was requested for the submission of an Environmental Impact Statement. Mr. Zangerle stated Mr. Noll recommended approval since the Medford Leas campus site is substantially developed.

Mayor Watson made a motion to approve the two submission waivers as requested. Vice Chairman Juliano seconded.

Recorded Vote:

Ayes: Bielec, Braatz, Czekay, Hartwig, Juliano, Muckenfuss, Perks, Watson, Devlin  
Nays: None  
Abstentions: None  
Motion carried: 9 - 0 - 0

Mr. Vecchio was next to testify. He described Medford Leas as operating with 225 daytime employees, 200 evening employees and 20 overnight employees in total. The community center operates from 7:30 am until 6:00 pm seven days a week. The existing pool primarily services residents, but some water exercise classes are offered.

The proposed new pool will be 30% larger, and will have a maximum depth of 4-4.5 feet. There are no lifeguards; residents have call to aid wearables. The old pool area will be backfilled and a new humidity and temperature-controlled gymnasium will be constructed.

Mr. Vecchio then went thru Exhibit A-8; a color rendering display board of the site plan dated 9/25/23. The area where the new pool will be located totals 6,700 square feet. Stormwater requirements per current NJDEP standards have been included. The existing sewer line will need to be re-routed. No Pinelands Commission permits are required. Burlington County Soil Conservation District permits have been obtained.

Chairman Hartwig asked if any architectural renderings are available; specifically detailing the materials and colors to be used. Mr. Vickers stated that the existing brick façade of the community center would be matched, as will the windows and roof.

Mr. Taylor next summarized his September 22, 2023 review letter report. He stated his comments were addressed in testimony, but added during his walk-thru inspection there are two rather healthy and substantial Norway Spruce trees that can and should be saved. Mr. Vickers replied that Medford Leas concurs as maintaining the natural beauty of the campus is their priority.



Mr. Noll commented on his September 14, 2023 review letter report. He commented that the existing sewer line and the proposed sewer line should be staked out and inspected by him & the Township's Utilities Director prior to construction. He also asked what type of generator fuel is proposed to be used. Mr. Vickers responded diesel fuel. Mr. Noll also asked Mr. Vickers to comment on any wetlands impacts, to which Mr. Vecchio replied none.

Lastly, Mr. Noll requested water and sewer usage requirements to determine if additional permits would be required. Mr. Vickers and Mr. Vecchio agreed to provide this information to Mr. Noll, and agreed to accept this, the sewer line stake out and the saving of the Norway spruce trees as conditions if the Board were to approve the application.

**PUBLIC:** No one from the public spoke.

Mayor Watson made a motion to close the public portion. Mr. Devlin seconded. The voice vote in favor was unanimous.

Vice Chairman Juliano made a motion to approve the application as submitted, conditioned upon (1) compliance with the Board Planner's and Board Engineer's review letters, (2) saving the two spruce trees, (3) staking out the sewer line and proposed sewer line, and (4) providing a water and a sewer needs analysis to the Board Engineer and obtain any additional permits that may be deemed necessary. Mr. Devlin seconded.

Recorded Vote:

Ayes: Bielec, Braatz, Czekay, Hartwig, Juliano, Muckenfuss, Perks, Watson, Devlin

Nays: None

Abstentions: None

Motion carried: 9 - 0 - 0

**17 North Main LLC, 17-19 North Main Street, 1801/4, SPR-5769**

Preliminary and Final Major Site Plan application for the construction of a 10,996sf brewery including outdoor seating.

Chairman Hartwig opened this application by providing a synopsis of the history of this proposed development including both Township Council actions and Planning Board actions as follows:

When the Township offices were relocated to the new Town Hall & Library municipal building, discussions on the fate of the old municipal building were initiated.

On March 16, 2021, the Medford Township Council passed Resolution #71-2021 directing the Township Planning Board to conduct a preliminary investigation for the potential designation of 17-19 North Main Street as an Area in Need of Redevelopment Without Condemnation pursuant to the Local Redevelopment and Housing Law.

The Planning Board then requested the Board Planner, Taylor Design Group, to prepare a preliminary investigation report on the matter.

At a public hearing on April 28, 2021, after the required public notice, the Planning Board considered the Findings and Recommendation in the Investigation Report, heard testimony and any public comments from interested persons concerning a determination that 17-19 North Main Street properly qualified as a redevelopment area. Also at this April 28th hearing, the Planning Board reached a decision that the 17-19 North Main Street property (1) met the statutory criteria for redevelopment area requirements, and (2) the property was no longer needed for municipal purposes. The Planning Board concluded the property presented an opportunity for redevelopment to continue the revitalization of downtown Medford Village. By Resolution #12-2021, the Planning Board recommended that the Township Council designate 17-19 North Main Street as a Non-Condensation Redevelopment Area.

On May 4, 2021, at a public meeting, the Township Council formally designated the 17-19 North Main Street property as a Non-Condensation Redevelopment Area. At that time, the Township Council authorized the preparation of a Redevelopment Plan for the area and directed the preparation and public notice of Request for Proposals from parties interested in redeveloping the property.

The Township received one response to the Request for Proposals and so, at a public meeting on September 21, 2021, the Township Council appointed the only respondent, Magnify Brewing Company as the redeveloper on 17-19 North Main Street. In addition, at this September 21 public meeting the Township Council authorized Taylor Design Group to prepare a Redevelopment Plan pursuant to New Jersey State law.

Council introduced the "Redevelopment Plan- 17 North Main Street", dated May 15, 2023, prepared by Taylor Design Group at their May 16, 2023 public meeting; and at that meeting Council referred the Redevelopment Plan to the Planning Board for a Master Plan consistency determination.

The Planning Board, with official notice, held a public hearing on the Redevelopment Plan on May 24, 2023 and heard testimony and any public comments from interested persons. At that meeting, the Planning Board concluded the Redevelopment Plan was substantially consistent with the Medford Township Master Plan.

On June 7, 2023, Township Council held a public hearing and after listening to comments from interested persons; and passed Ordinance #2023-9 adopting the Redevelopment Plan for 17-19 North Main Street, which now allows the Planning Board to hear the application for Preliminary & Final Major Site Plan approvals for a brewery with outdoor seating.



**SWORN:** Alexander Barth, Esq.  
Eric Ruta, Magnify Brewing Founder & Owner of 17 N. Main St LLC  
Drew Padlick, PP & PE; CME Associates  
William Brown, Architect  
David Shropshire, PE & PP, Traffic Engineer-Shropshire & Associates

The testimony opened with Chairman Hartwig asking if any submission waivers are being requested. Mr. Barth stated there are three: (1) the municipal service & utilities impact statement, (2) environmental constraints map, and (3) an Environmental Impact Statement. Mr. Noll, in his September 18, 2023 review letter report, has recommended approving all three, if the applicant provides him with the anticipated water and sewer usage needs. Further, since the applicant has completed a Phase I Environmental Study, Mr. Noll recommends approval of the other two waiver requests.

Mr. Perks made a motion to approve the three submission waivers as requested. Mr. Devlin seconded.

Recorded Vote:

Ayes: Bielec, Braatz, Czekay, Hartwig, Juliano, Muckenfuss, Perks, Watson, Devlin  
Nays: None  
Abstentions: None  
Motion carried: 9 - 0 - 0

Mr. Barth continued with his testimony. He stated that permits have been obtained to demolish the existing structure, so that a new 8,200sf structure can be built, which includes the brewery, a tasting room, and a taproom. An outdoor patio and seating area adjacent to the building is also proposed. This is consistent with the Redevelopment Plan, and he concluded by stating no bulk variances are being requested.

Mr. Taylor added that the Pinelands Commission approved the Redevelopment Plan.

Mr. Ruta was next to testify. He stated that per the NJ Alcoholic Beverage Control laws, he must sell what is brewed at this location. He is permitted to deliver locally and plans to do so.

The operational hours are proposed to be Sunday thru Wednesday from 12 noon until 9:00 pm; and Thursday thru Saturday from 12 noon until 11:00 pm. Ten to 12 staff are anticipated, and they will not use any of the on-site parking. Deliveries will be by smaller box trucks, and timed for 7:00 am – 12:00 noon. The silo will hold barley, which is delivered by a milk tanker truck. Deliveries are anticipated once per quarter (4x a year) and take approximately one hour each time. This tanker will use Post Office Lane to make deliveries so it will not block any Main Street traffic or the Medford Village Car Care Center. Spent grains will be donated to local farmers.

Lastly, Mr. Ruta he stated he is aware that there is a residential component to Main Street, and

the brewery will adhere to all noise ordinance requirements, especially in the outdoor patio area.

Mr. Padlick was next to testify. He described the .49 acre site (21,700+/- square feet) with the proposed two story building of 8,250 sf, a 2,624sf outdoor patio area, a 16 space parking lot, concrete walkways on the Post Office Lane side and grass/natural/landscaped areas. No sidewalk is proposed on the Charles Street side. Post Office Lane is currently one way in, but traffic striping will be added. Mr. Padlick confirmed that the applicant would comply with the comments contained in Mr. Taylor's September 18, 2023 review letter report; including landscaping, adding bike racks and sidewalk to Main Street.

The parking lot lighting will comply with the Township ordinances. In addition, discussions in regards to stormwater are ongoing, but the applicant will need to comply with all NJDEP & Pinelands Commission requirements. Mr. Padlick added the applicant would comply with all other comments contained in Mr. Noll's September 18, 2023 review letter report.

Mr. Padlick continued that the applicant proposes to use the current water, sewer and gas connections. Discussions with the adjoining property owners at 25 North Main Street (Stiles Dentistry) are continuing to work out parking lot issues. An emergency swing arm gate with minimal visual impact was proposed by Mr. Noll to separate the two lots as opposed to curbing so that emergency vehicles could access either parking lot as may be necessary.

Mr. Taylor asked about the generator shown on the plan to be located at the rear of the building. Mr. Padlick stated it will only run during daylight hours, and thus will not create any noise issues overnight.

Discussion ensued about the proposed sidewalk, with both Mr. Taylor and Mr. Noll recommending it be extended to the crosswalk on Charles Street, which accesses the public parking lot surrounding the Cranberry Hall Senior Center. Mr. Padlick and Mr. Ruta confirmed that they would agree to install this added sidewalk. Mr. Noll noted a design waiver would be required.

In regards to signage, one is proposed on the silo. It will not be illuminated and will comply with the Sign Ordinance. After discussion amongst Board members, Mr. Padlick agreed to a condition that the Main Street façade sign will not be internally illuminated but rather will use gooseneck lighting.

In regards to the proposed trash enclosure, which is shown as 6' vinyl fencing on the site plan, it was suggested by Mr. Taylor to relocate it slightly east to buffer from the neighbor's view. The vinyl material should be a warm muted earth toned color to match the building, to which Mr. Padlick agreed.

Mr. Noll referred to his September 18, 2023 review letter report. A number of his comments were consistent with the Pinelands Commission Certificate of Filing. He added that the Commission did approve of the demolition of the existing building, which was required before the Construction Code Official could authorize permits. The applicant has agreed to install a



trench drain along the common property line with the adjoining property (Dr. Stiles Dental Offices) which will lead to the Charles Street storm drains.

Lastly, Mr. Noll reiterated that he needs water and sewer analysis to determine if additional permits are needed, and if the existing connections are sufficient to service the brewery.

Chairman Hartwig reminded the applicant that if he cannot comply with the Board professional requests, the applicant would need to return to the Board to address discrepancies. The applicant did confirm their intent to comply.

Mr. Anepete asked about street trees. Mr. Padlick stated that one dead tree would be replaced, as will any that may die because of construction disturbances. He will work with Mr. Taylor on the species to be replanted.

Mr. Brown was next to testify. He went thru the proposed floor plans as contained in the packets as Sheets A1-A3. The building will be constructed on a concrete slab. There is a faux treatment on the front façade to make the building appear to be 1.5 stories, including three shed-style dormers. The maximum height of the building is 34 feet. The floor plan is one story and is 50' wide facing Main Street, with a full front porch shown with columns but no railings. The AC condenser units will be ground level at the rear of the building and not roof mounted. Air-conditioning is only needed for a 50' x 30' space inside the building, so the unit is not overly large.

The front door has a bump out facing Main Street for prominence. The roof peak is centered over the front door. The exterior building material is proposed to be a muted gray board and batten with a "waist high" brick treatment. The windows and dormers will have window mulleins to represent windows in older historic buildings. An overhead door will be in the rear.

Lighting on the porch is proposed to be all down lighting at 1.5 foot-candles, primarily for safety under the porch roof. This lighting will be turned off one hour after closing to allow employees to clean up and exit the building.

Mr. Taylor noted that Mr. Brown had submitted a letter dated September 19, 2023 with the justifications for granting a Certificate of Appropriateness for compliance with the historic design elements.

Mr. Taylor also added that additional lighting is needed along the garden area; and if the Board is amenable, he and Mr. Noll will work that out with the applicant. Since Mr. Noll will need to conduct a night light test, any lighting in that area will need to comply with the Twp. ordinances. After discussion amongst Board members, it was mutually agreed that lighting at 25% of capacity one-hour after closing would be prudent for security and safety.

Mr. Taylor also asked if the overhead door could be painted to match the building color, and that the silo not be painted white or galvanized steel. The applicant agreed to both comments.

Chairman Hartwig called for a brief recess at 8:30 pm. The meeting resumed at 8:35 pm.

Mr. Shropshire was next to testify. His traffic analysis and assessment report compared this proposed use to the former use as a municipal building. He used 7,000sf as the size of the former building. The peak use times are contrary between municipal offices that operate weekdays and the brewery that will be afternoons, evenings & weekends. The traffic study was conducted during a 10-day period in March of this year. The brewery peak is anticipated to be at 3-4 pm versus noon in other Village locations. The Township offices would generate 12 vehicles in the weekday PM peak, and the brewery is expected to have 50 visits in the peak.

Mr. Noll commented that the existing easement that is known as Post Office Lane has been modified to accommodate the proposed site development and traffic circulation. The latest version of the modified easement as contained in his 9/18/23 review letter should be shown on the plan.

**PUBLIC:**

**Maria Cucharo – 13 Cherry Street.** She asked where the overflow parking would be accommodated. Where will the employees parking be located? Cherry Street is not that wide, and this street already gets offshoot traffic from Main Street and the one public parking lot behind the Gazebo. She also asked if “green” technology and building components have been incorporated in the design; and where the brewing by-products will be stored until they are given to farmers. She also wanted to know where the Brewery’s delivery vans would be parked. Lastly, she asked what repercussions would be taken if there is consistent violations of the noise ordinance, and if the brewery does not police the trash it generates.

**Zach Wilson – 51 North Main Street.** He asked about the public parking lot at the senior center. The seniors need to have parking close by, and if the brewery opens at noon, the senior center is still open. He also asked what the water & sewer impacts would be, since the brewery does use a lot of water, and with the seating expectations, most likely more sewer service than the municipal building did. He also recommended that the brewery place their own trashcans on their site, and that staff service them as opposed to Twp. personnel serving additional public trashcans.

**Bill Stiles – 25 North Main Street.** He owns the adjoining property next to the Brewery parcel. His building is 170 years old and is built on a sandstone foundation, so he has concerns about potential adverse drainage runoff onto his property since the two buildings will be so close. He does appreciate that a parking lot drainage ditch is included on the plans. In regards to parking, he said the number at 16 seems too low for the number of seats projected. In regards to the separation of the parking lots, he asked if landscaping could be used instead of a gate. Not only does he have dental clients, but also he & his wife reside on the upper floors and needs parking for his personal residential use. He also asked if the entire property line from Main Street back could be fenced for privacy and security. He also asked if the fire department had input since the buildings are proposed to be so close together. Lastly, he expressed his concerns about the



demolition process especially if there is asbestos present, and the air quality emanating from the grain silo.

Vice Chairman Juliano made a motion to close the public portion. Mr. Perks seconded. The voice vote in favor was unanimous.

Board professionals, members, and the applicant's team offered the following responses:

Mr. Noll stated in addition to the 16 proposed parking spaces, there are 45 public parking spaces at Cranberry Hall, 48 public parking spaces in the Gazebo lot, and 50 public spaces at the Community Center; all within a 2-3 minute walk to the Brewery, plus street parking all along both sides of Main Street.

In regards to water & sewer, Mr. Noll stated there is more than sufficient capacity in the municipal systems to service both; and connections/laterals/taps will be upgraded as required.

In regards to drainage, Mr. Noll stated that the applicant's proposal would improve the existing situation, as the most recent stormwater management requirements must be met.

Mr. Ruta added that by-products would be stored in sealed containers inside of the trash enclosure until transported to local farmers. This will be strictly enforced per County Health Department requirements and inspections.

As to "green" initiatives, Mr. Noll noted that there is a required nitrogen reduction in any runoff. Solids will be reduced by 80%, and by-products will be recycled at local farms.

Mr. Brown added that LED lighting will be utilized, the building itself will be heavily insulated, and the building in general must comply with the new commercial building energy standards. The building's gutter and downspouts will be built into a subsurface collection system to avoid runoff to adjoining properties.

Mr. Padlick added the site must meet the State's and Pinelands Commission more stringent stormwater management requirements, and noted that the demolition is strictly regulated to contain and mold or asbestos that may be present. The building has been tested for said substances.

Lastly, Mr. Ruta again stated he will abide by all noise ordinance requirements, including any music or activities concluding no later than 10:00 pm, and all deliveries, trash collection, etc. starting no earlier than 7:00 am.

Vice Chairman Juliano made a motion to approve the application for preliminary and major site plan approval, including approval of the Certificate of Appropriateness in the HVC Zone, and a design waiver for the added Charles Street sidewalk; conditioned upon (1) compliance with the Board Planner's and Board Engineer's review letters, (2) trash cans be added on the property serviced by employees, (3) the building mounted sign to be illuminated with gooseneck lighting (4) all site lighting to be reduced to 25% of capacity one hour after closing; (5) a swing gate between the two parking lots; (6) the trash enclosure will be relocated slightly east and the fencing of the trash enclosure to be warm muted earth tone vinyl color to match the building; (7) the silo will not be white or galvanized steel; (8) a trench drain will be installed along the parking lot property line per the Board Engineer's specifications; (9) a water and sewer needs analysis is provided to the Board Engineer; (10) additional lighting is located along the garden area per the Board Planner & Engineer's recommendations; (11) the overhead door is painted to match the building; (12) the modified easement for Post Office Lane is added to the overall site plan Mr. Braatz seconded.

Recorded Vote:

Ayes: Bielec, Braatz, Czekay, Hartwig, Juliano, Muckenfuss, Perks, Watson, Devlin

Nays: None

Abstentions: None

Motion carried: 9 - 0 - 0

**GENERAL PUBLIC:**

Zack Wilson – 51 North Main Street. He asked about the parking lot behind the Medford Mill, stating it is underutilized since there is not a paved road leading to it. Mr. Noll responded that it is not a road but is private property as a part of the Medford mill parcel. The Township is working on making it a road but will need Pinelands Commission approvals.

Mr. Wilson then asked if other commercial property owners be asked to put out trashcans (Feed Mill, Farm Truck) to collect the trash they generate. He noted only Pee Wee's Ice Cream has their own trashcan.

Lastly, he asked about an area on his property that is being used as a cut-thru, which was never intended or approved. Mr. Noll concurred that was not a part of any approvals.

Mr. Perks made a motion to close the public portion. Vice Chairman Juliano seconded. The voice vote was unanimous in favor.



**MEMORIALIZATION:**

Resolution #15-2023, Fieldstone at Medford, LLC, 905/10.01, 10.02 & 11, 196 & 198 Old Marlton Pike, SPR-5766 - Preliminary & Final Major Site Plan for a 10,000 square-foot, day care center and a 10,640 square-foot retail store in the Highway Management Zoning District.

Mayor Watson made a motion to memorialize the above Resolution. Councilman Czekay seconded.

Recorded Vote:

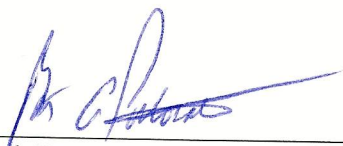
Ayes: Bielec, Czekay, Hartwig, Juliano, Perks, Watson, Devlin  
Nays: None  
Abstentions: None  
Motion carried: 7 - 0 - 0

**ADJOURNMENT:**

Councilman Czekay made a motion to adjourn the September 27, 2023 Planning Board Meeting at 9:22 pm. Vice Chairman Juliano seconded. A unanimous voice vote in favor carried the motion.



\_\_\_\_\_  
Ann Bell, Planning Board Secretary



\_\_\_\_\_  
Beth Portocalis, Recording Secretary