



**TOWNSHIP OF GALLOWAY**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**PLANNING AND ZONING BOARDS**  
300 E. JIMMIE LEEDS ROAD GALLOWAY, NJ 08205  
(609) 652-3700 EXT. 218 FAX: (609) 652-2027

Antoinette Irwin  
Planning/Zoning Board Secretary

**MINUTES**  
**PLANNING BOARD**  
**April 6, 2023**

Board Chairman Ken Sooy called the meeting to order at 7:00 pm.

Present: Bill Ade, Russel Banks, Rich Clute, Tony Coppola, Steve Fiedler, Matthew Geese, Tom Guercioni, Don Purdy, Ken Sooy

Absent: Matt Ayers, Lee Campbell

**Approval of Minutes:** February 2, 2023 (Approved)

**Decision and Resolution:**

#1-23 Gaetano Giordano Minor Subdivision

**New Application**

# 9-22 Red Hubbs LLC	Major Site Plan
269 W. White Horse Pike	Preliminary Site Plan
B. 558 L. 14	Final Site Plan

**Sworn In:**

Brian Conlin, Engineer  
Alex Meitzier, Traffic Planner  
Sean Moronski, Professional Planner

**Exhibits:**

A-1: Affidavit of Notice and Mailing dated March 31, 2023  
A-2: December 1, 2022 Site Plan submission letter w/o enclosures  
A-3: August 15, 2022 Recorded Memorandum of Agreement of Sale  
A-4: Brian Conlon, P.E. Resume/ C.V.  
CS200: Truck Circulation Plan  
A-5: Minor Subdivision Plan dated June 13, 2022 Prepared by Arthur Ponzio Co.

A-6: Preliminary/Final Subdivision and Site Plan for Wendy's Restaurant dated March 6, 2023 prepared by Langan  
A-7: Township Office of Sustainability March 23, 2023 review letter  
A-8: Township Fire Department December 30, 2022 review letter  
A-9: Township Environmental Commission January 8, 2023 review letter  
A-10: Township Planning Board Engineer February 10, 2023 review letter  
A-11: Langan March 6, 2023 review letter  
A-12: Township Planning Board Engineer March 30, 2023 review letter  
A-13: Alex Meitzler, P.E. Resume/C.V.  
A-14: Traffic Impact Statement  
A-15: NJDOT October 26, 2022 Letter of No Interest  
A-16: NJDOT March 24, 2023 Letter Approving Subdivision Permits  
A-17: Sean Mornonshi PP, AICP, Resume/C.V.

The applicant is represented by Amy Ferrell from Kaplan Stewart. They are proposing to subdivide the existing parking lot of the Pomona Shopping Center and build a Wendy's.

Amy Ferrell presented exhibits A1-A3. Engineer Brian Conlon then joined her and went over his resume, exhibit A4.

Board Chair, Ken Sooy, then asked Board Engineer, Jen Heller, to review the application for completeness. Ms. Heller deemed the application complete. A motion to approve the application for completeness was made by Purdy and seconded by Guercioni.

Mr. Conlon presented the aerial plan dated April 6<sup>th</sup>, 2023 and spoke on the existing conditions. The property contains a strip shopping center as well as 117 parking spaces. The subdivision proposes to take one acre from the parking lot of the Pomona Shopping Center for the Wendy's. Mr. Conlon stresses that the Wells Fargo bank is not a part of the proposed subdivision. The entirety of the new lot is currently impervious, and if approved the new project will bring 3 new trees, 48 shrubs and 30 ornamental grasses to the site.

Board Member Coppola asked if access to the shopping center via Pomona Rd will remain.

*It will be more defined. There will be a one way entrance into the Wendy's. If you pass that there will be an entrance/exit leading to the parking lot of the strip mall.*

Mr. Conlon then went over exhibit CS200, the truck circulation plan. Deliveries will be made during the off hours. The trash and recycling containers are angled out so that the collectors can access them easily. He then mentioned being in possession of the township's report letters (Exhibits A7-A10) and stated he had issued a response (Exhibit A11). He believes he has complied with all township review comments and cites Exhibit 12. He has also agreed to comply with the comments in the professional reports.

He then went over the variances being requested by the applicant.

1. Minimum Lot Width – 200 feet required where 158 feet requested.
2. Minimum Front Yard Setback – 50 feet required, 40 feet proposed.
3. Minimum Side Yard Setback – 25 feet required, 21 feet proposed.
4. Maximum Site Coverage – 70 feet required, 70.5 feet proposed.
5. Minimum Off Street Parking – 16 required, 11 proposed including one EV.
6. Trash Enclosure Setback – 25 feet minimum, 5 feet proposed.
7. Circulation Lane Setback – 25 feet minimum, 0 feet existing condition.
8. Landscaping and Buffering Requirements – No landscape requested on the Rt. 30 side.
9. Freestanding Sign Height – Zoning requires the sign not exceed the height of the building, The building is 18 feet, the proposed sign will be 19.5 feet.
10. Signage- Types not permitted – Menu boards are not permitted, applicant is requesting a menu board.

The record will reflect that the exhibits incorrectly state the location as Route 130. The correct location is Route 30.

Board Member Ade asked if the applicant is planning on repairing the parking lot.  
*No.*

Board Engineer Jen Heller asked what time deliveries will be made.  
*1am-6:30am while the restaurant is closed. The deliveries will be made once a week.*

As a condition of approval all mechanical equipment will be screened, a 6 inch lateral will be installed with the sewer, everything will be irrigated, and lights will be dimmed when not in operation.

Professional Engineer Alex Meitzer, 1111 E Main St Elkton Maryland, went over his resume (Exhibit A-13). He then spoke on the traffic impact statement his firm has prepared (Exhibit A-14). There will be no access changes. NJDOT submitted a letter of no interest (Exhibit A-15) and also included a letter approving subdivision permits (Exhibit A-16). There are no additional comments from the DOT. Alex Meitzer states there will be no conditions that create any major change to the traffic pattern since the location is shared with the shopping plaza.

Professional Planner, Sean Moronski, summarized his resume (exhibit A-17). Then went on to address the variances requested.

11. Minimum Lot Width – The line is based on the subdivision, and the flow of traffic around the Wendy's and around the existing shopping center.
12. Minimum Front Yard Setback – Meeting the setback would interfere with the drive through traffic.
13. Minimum Side Yard Setback – Will provide 40 feet between the restaurant and the shopping center, and will not interfere with the drive through traffic.
14. Maximum Site Coverage – There is no new impervious coverage proposed, on the contrary this site plan will be adding trees, shrubs, and grasses.

15. Minimum Off Street Parking – The business is projected to be 50-55% drive through orders. It is not anticipated that any more than 11 spaces will be required, however there are crosswalks incorporated in the site plan to connect to the shopping area parking, which can be used in the event no parking spaces are remaining.
16. Trash Enclosure Setback – The position allows the trucks ample space to turn, and does not impair the buffer as the contiguous lot is also a parking lot.
17. Circulation Lane Setback – Meeting the standard would eliminate the front setback. As this is an existing condition it is proposed to remain as such in order to give as much space to the front set back as possible.
18. Landscaping and Buffering Requirements – Including landscaping on the White Horse Pike side would take away space from the front yard setback as above. Furthermore there are utility and drainage easements along the front that would be impaired if landscaping were to be implemented.
19. Freestanding Sign Height – The majority of the sign does conform, however Wendy's head sticks out 2.25 feet on the top center portion of the sign, making the sign 1.25 feet taller than the building.
20. Signage- Types not permitted – Menu boards are typically not permitted due to the sound produced by the speakers, however there are no residential homes in the close proximity to the restaurant, therefore it is presumed the speakers in the menu will not cause noise complaints.

Meitzer states they are promoting the general welfare by bringing vitality to the strip mall. He states the project will bring no detriment to the area.

Board Engineer, Jen Heller, asked if it would be possible to make any of the parking spaces 10 feet wide.

*We can add one for sure, possibly 2, in the back row.*

### **Board Member Questions/Comments**

Board Member Banks asked which road they anticipate the tractor trailer entering from. *We expect them to enter from the west White Horse Pike. They also have the option to circle around the strip mall and enter from that direction.*

Board Member Banks asked where the delivery trucks will sit while they are loading. *They typically pull right up to the door.*

### **Public Comment** None

Board Attorney Ridgeway gave a summary of the application.

A motion to approve the subdivision was made by Purdy and seconded by Guercioni.

All in favor: Bill Ade, Russel Banks, Rich Clute, Tony Coppola, Steve Fiedler, Matthew Geese, Tom Guercioni, Don Purdy, Ken Sooy

A motion to approve #9-22 Red Hubbs was made by Purdy and seconded by Fiedler.

All in favor: Bill Ade, Russel Banks, Rich Clute, Tony Coppola, Steve Fiedler, Matthew Geese, Tom Guercioni, Don Purdy, Ken Sooy

Opposed: None

**Public Comment**

None

Meeting adjourned at 8:21 pm.