

**EAST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS AND PLANNING COMMISSION MEETING
1580 PAOLI PIKE
MARCH 10, 2015—7:00 pm
Final Approved Minutes**

Board Members Present: Chairman Marty Shane, Vice-Chairman Senya D. Isayeff, and Supervisors Carmen Battavio, Chuck Proctor, and Janet Emanuel, Township Manager Rick Smith, Zoning Officer Mark Gordon, CFO Jon Altshul and ABC member Erich Meyer (Conservancy Board).

Planning Commission Members Present

Chairman Dan Daley, Vice-Chairman Adam Knox, Dan Landis, Jim McRee, Monica Close, and Al Zuccarello.

Call to Order & Pledge of Allegiance

Marty called the meeting to order at 7:00 pm and asked Pat McKenna to lead the Pledge of Allegiance.

Moment of Silence

Carmen called for a moment of silence to send love, support, and hope to the troops, all those in uniform, their families, and to honor those who have given their lives.

Recording of Meeting

No one indicated that they would be recording the meeting.

Public Comment

There was no public comment

Chairman's Report

Marty explained that this was a public meeting to discuss the Swiss Farms Zoning Hearing Board Application and the Zoning Amendment petition to allow for a Dunkin Donuts in the Goshen Village Shopping Center.

Consider Swiss Farms and Dunkin Donuts

Marty welcomed the representatives from Swiss Farms, and asked Rick to explain a suggested change to the wording in their petition. Rick noted that the "picture board" signs proposed by Swiss Farms are not currently defined or permitted in conjunction with their use, and suggested Swiss Farms should amend their application to specifically ask for "picture board" signs which would be defined as signs that includes both photos and prices of the items being offered for sale in a drive thru grocery store. Marty thanked the Planning Commission for coming to the meeting, and asked for their thoughts.

Dan Daley informed the Board that at the last Planning Commission meeting, Swiss Farms presented information regarding the change to Condition 5 of the Decision and

Order to allow relief for signage at the store. The Planning Commission reviewed and questioned the changes, including operation and lighting of the signs. Swiss Farms provided photos and maps of the proposed picture boards. The Planning Commission was, in general, in agreement with the changes proposed by Swiss Farms.

Marty asked about the rendering of the sign on the side of the silo. Dan Daley replied that at their last meeting, the Planning Commission told Swiss Farms that they want to help the business succeed, and would consider a sign, but needed to see a plan.

Marty noted that in the ordinance, there is a formula for determining the size of a wall sign on a business, and the sign in the rendering appears to be too big. Mark Gordon said that a sign on the silo could work, under the right conditions. Jim added that other businesses, such as QVC, have come in with larger signs than allowed by the ordinance. Marty responded that the QVC sign cannot be seen from the street.

Dan Daley agreed that the sign on the silo looks very big, and Swiss Farms should keep it in the style of other signs in the area. Al concurs that the sign should be more in keeping with the area. Dan asked if the silo sign is lit, and *Al D'Iorio, President/CEO of Swiss Farm Stores Acquisition, LLC*, replied that yes, it is a plastic sign that is backlit. Jim also concurred, and said it looks like a wall sign that doesn't fit on the silo, and perhaps the sign could be rounded. A representative from Swiss Farms stated that they would take this feedback and come up with a sign that works for the area.

Chuck noted that he and Janet discussed leaving off the "Drive Through Grocer" part of the sign. Mr. D'Iorio noted that although many people are familiar with the Swiss Farms drive-through business, many others are not, and it is important to advertise the drive-through element.

Senya noted that he had just come back from Europe, there the signs are on a much smaller scale, and the businesses still thrive. He agrees that the sign on the silo is not proportional. He added that the Swiss Farms is on a bad corner, and people are afraid to pull in.

Kaitlin Miceli, Attorney representing Swiss Farms, explained that they were there to focus on the picture boards, and were only asking for some direction in planning for the sign on the silo. Ms. Miceli said they are asking for a total of 100 square feet of signage for each drive through lane. Marty noted that from the photos, it looks as if only sign E can be seen from Paoli Pike. Mr. D'Iorio stated that parts of signs C and D would also be visible.

Al Zuccarello opined that the original ZHB Order programmed Swiss Farms to fail. At their last meeting, the Planning Commission conducted a straw poll and had agreed unanimously to recommend the changes. Carmen disagreed that Swiss Farms was set up to fail by the ZHB Order, and that Swiss Farms was warned that the location was difficult. He asked that if the picture boards are approved will they substantially improve business, or is it just that the location is bad.

Mr. D'Iorio replied that Swiss Farms has found in the past that the addition of the picture boards has shown an improvement of 10% to 20% in business. The picture board allows customers to see products and prices, and helps to serve them better.

Dan Daley asked if the Planning Commission's recommendation should include a request for the Historical Commission to be advised of the changes. Monica thinks the Historical Commission should see it, but the ultimate goal is for the business to succeed.

Mark suggested that Swiss Farms get the amendment written exactly as they want it for a Planning Commission work session. Dan Daley reiterated that the Planning Commission is in favor of the application, and that Swiss Farms should meet with the Commission at their April 7th meeting.

Marty introduced Tom Comitta, who has been hired to help create the Township's new Comprehensive Plan. Since the Swiss Farms and Dunkin Donuts are on Paoli Pike, Tom thought it was pertinent to share his plan for the Paoli Pike Promenade. He noted that the businesses should be aware of the new pedestrian features in the Comprehensive Plan, since in the plan there are proposed sidewalks, lighting features, and trees in the areas being discussed.

Tom explained six ideas and considerations that were discussed at a meeting with the owners of Goshen Village Shopping Center, Dunkin Donuts, and Township Staff. The considerations all brought the Dunkin Donuts closer to fitting in with East Goshen's aesthetics.

Marty asked what was different in the plan now, compared to what was heard at the last meeting between the Board and Dunkin Donuts.

Pat McKenna, Attorney for Abjibapa Enterprises, LLC, noted that since the last meeting, there have been several changes. The original plan had four directional signs, and now there are two. They limited one sign to just say "Drive-Through." They changed the configuration of the parking lot, and moved the menu board. They also reduced the queue line from space for five cars, to space for four cars. The menu board will be lowered, and be screened from Paoli Pike with arborvitae. The order bar was replaced with a lower one. The dumpster is now planned to be fully enclosed, sunk into the side of the hill, with a roof and screening.

They are not changing the size of the menu board, and are in agreement with changing the orange detail around the building to Dentil Molding as suggested by Tom.

Adam asked about the parking ratio, and Mr. McKenna replied that there would be a net loss of seven spots. *Robert Hill, President, Retail Sites*, owner of the property, noted that they may be able to add a few spaces when the parking lot is re-lined. Adam added that shopping centers do better with a good parking ratio and does not want the center to fail because there are not enough parking spots.

Mr. McKenna noted that 80% of Dunkin Donut's business is finished by 10:00 a.m., and very little parking is needed by other businesses before that time. Also, because much of the business is drive-through, they don't need that many parking spots. He added that this Dunkin Donuts will look different than the typical Dunkin Donuts; it will be one of their new, upscale, designs. Mr. McKenna reiterated that they needed the drive-through, or the deal cannot go through.

Mr. Hill added that there will be modest signage, upscale design, and the signs will not be in the sight line because of the topography of the site, and the screening to be added. Marty said that from some sight lines, the menu board can be seen.

Dan Daley asked what steps the Dunkin Donuts has taken thus far. Mr. McKenna explained that they had filed a petition for an amendment. They met with the Planning Commission. They met with the Board, who said they would consider the amendment, and after several meetings the Board denied their petition. He was then approached by the Township to come back with some changes so the project could be reconsidered.

Dan Daley asked about the interior circulation in the parking lot. Mr. McKenna responded that they are proposing to modify the exit to Boot Road to reduce traffic in front of the other stores. Adam noted that on Saturday mornings, the Rock School and other businesses will be open during Dunkin Donut's busiest hours. Mr. Hill responded that they would be adding a crosswalk. Mark suggested adding a pedestrian striping plan. Senya said that children will still go through the lot, and that the Board cannot enforce the use of the pathway.

Marty wanted the Planning Commission to review the new plans and give the Board a recommendation. Senya noted that the Commerce Commission held an event and they had an informal meeting to talk about considering the Dunkin Donuts again. He agreed that it would be good for Dunkin Donuts to re-group with the Planning Commission and get a recommendation.

Mr. McKenna reiterated that he needed some direction tonight. At the minimum he needed to know if the Board would accept the drive-through, because without this element, Dunkin Donuts will not consider the project.

Marty noted that he is against this project. He said that the Township has put in place certain parameters for signs, and Dunkin Donuts is asking us to change them, and if the Township allows for this change, they open it up to other business asking for changes as well. He emphasized that the Board must look at what may happen as a result of amending the Ordinance. Marty added that the Township has a limit of 32 square feet for signs, and Dunkin Donuts should conform to this limit. Also, historically, drive-throughs have not been permitted in this zoning district, and if we allow for this one, others may follow.

Mr. McKenna responded that the wording of the amendment calls for allowing a fast food restaurant with a drive-through only in the adaptive re-use of a freestanding building in a shopping center. He added that they have adjusted many items on the plan, and he had hoped the Board would consider amending the ordinance for the signs.

Carmen said that after the amendment has been reviewed by the Planning Commission, the Board can make a decision.

Senya noted that one of the biggest issues was the interior circulation of traffic and pedestrians, and they tried to look for a way to make it work. He added that the 32 feet square limit on signs has been sacrosanct in the Township for a long time. He added that the other big issue is the drive-through.

Mr. Hill summarized three sticking points. One is the drive-through, another is the menu board, and the last is the size of the wall signs. He noted that the Dunkin Donuts sign is now 32.97 square feet, and the next size down is 22 square feet.

Marty said rather than having a lot of color, he would prefer the Dunkin Donuts fit into the rustic setting of East Goshen Township. Mr. Hill added that the goal is to make Paoli Pike a successful corridor. He noted that it is a vastly different world today than pre-recession, so we need to make some concessions in order to make the shopping center work. Marty noted that when making a zoning change, we must think of everything. He added that he wanted to help everyone, but he cannot make a decision tonight.

Dan Daley suggested that the Planning Commission would look at the proposed zoning amendment and make a recommendation. Jim noted that the applicant is concerned about the timeline, and asked if we could extend questions to Kristin first.

Mr. McKenna said he would go back to Dunkin Donut's corporate with the Board's concerns and see if they can make any concessions. Carmen noted that he is trying to keep an open mind about the project.

Marty said he would like someone to change his feeling that the business will not be successful, because the location of the building is not the best. He asked if the client is convinced it will be successful. Mr. McKenna responded that Dunkin Donuts is aggressively trying to get into this location, because they do think it will be successful.

Jim noted that there are no breakfast restaurants on Paoli Pike from Route 3 to Route 30. He said the center is a perfect location for a Dunkin Donuts, the building has been vacant for six years, and we have no other applicants. He added that the Board should tell them now if the drive-through will be a deal breaker. Jim asked what we would want in this location, and said that we should support the changes. The alternative, he added, is a vacant building.

Al noted that banks will not work in this location, and the Goshen Village Shopping Center has suffered. He said that if we are going to have a drive-through restaurant, he would rather a Dunkin Donuts than a fast food restaurant. He added that the Pepper Mill

needs rejuvenating, as does the Swiss Farms and the Wawa. He added that he wants to see the center thrive, and if a Dunkin Donuts was in place, and someone wanted to lease in the center, the restaurant would be a draw.

Senya concluded that the new plan allows for the possibility of a drive-through, that now the matter should go to Kristin, then the Planning Commission on April 1st, and back to the Board.

Adjournment

Having no further business, the Board and the Planning Commission adjourned at 9:30pm.

Pam Pastorino
Recording Secretary