

## Amy Cosnoski

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**From:** CD Director  
**Sent:** Thursday, July 25, 2024 8:36 AM  
**To:** Daniel Hornickel; Jeff Mendelson  
**Cc:** mayor; schalloner@challonerassociates.net; Felix Bruselovsky  
**Subject:** RE: Pemberton Commons

Jeff,  
I agree with Daniel on his points, there is no traffic issue at present because this is not a thriving community at present. We are going to get it thriving once again and your project is essential to the future of Pemberton Township. We could only hope for a traffic issue which will stimulate the economic growth in the community. Look at towns like Haddonfield, Cherry Hill, Mount Laurel even Maple Shade. They all have congestion but they also have thriving communities with a diversity of businesses. Development as you know is a revolving circle. Businesses bring permits and approvals, which brings taxation that offsets the budget in a positive way, which increases property values but you need people to keep these businesses operating. To Daniels other point regarding the college, he is correct, the loss of an active college has definitely hurt this community and my hope is that once we get your project off the ground, it will stimulate the development climate and we will be able to redevelop the site through redevelopment or rehabilitation redevelopment.

The meeting that was scheduled on Monday was inappropriate. The application had not even been deemed complete when the meeting was scheduled. Deeming the application complete happens first and then all of the reviews are done by the professionals so you can review the comments that are in writing with you and your team. I did explain this to the board engineer yesterday and he agreed. Also, the fact you had walked into a meeting without any engineer or planning review is odd. The fact the traffic engineer prepared his review before the application was deemed complete is odd and presumptuous. I also explained our job is to review and recommend, not design as that could pose a legal liability on the township. Also, the professionals make their recommendations but ultimately it is the board who says yay or nay.

Next week, I will have a secretary there to take detailed minutes so the record is clear. Hopefully Mr. Banisch will have the mysterious planning review that is in draft completed and submitted to us by then.

Thank you for the responses below. No worries we will get this all resolved next week.

Enjoy your weekend,  
Rosemary

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**From:** Daniel Hornickel <ba@pemberton-twp.com>  
**Sent:** Wednesday, July 24, 2024 5:32 PM  
**To:** Jeff Mendelson <jeff@newhorizonnj.com>  
**Cc:** mayor <mayor@pemberton-twp.com>; schalloner@challonerassociates.net; CD Director <cddirector@pemberton-twp.com>; Felix Bruselovsky <felix@newhorizonnj.com>  
**Subject:** RE: Pemberton Commons

Jeff, I know Roe is setting up a meeting next week; I'm unavailable to attend but Roe and the Mayor will handle it. Regarding the PB Traffic Engineer Consultant, it would be useful to remind said individual that Pemberton Twp. had a population of over 31,400 as of the 1990 Census, hosted a bustling Community College 3 miles down PBM Rd. and had free flow of military and civilian traffic from the Joint Base up to 2005. The 2020 Census shows a population of around 27,000 people, a completely shuttered Community College campus and a Joint Base that has gated both Browns Mills entrances and limits the Trenton Road gate to mostly daytime access. So for my 2 cents, the traffic issue is more myth than reality. Daniel.

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**From:** Jeff Mendelson <[jeff@newhorizonnj.com](mailto:jeff@newhorizonnj.com)>  
**Sent:** Wednesday, July 24, 2024 10:46 AM  
**To:** CD Director <[cddirector@pemberton-twp.com](mailto:cddirector@pemberton-twp.com)>; Felix Bruselovsky <[felix@newhorizonnj.com](mailto:felix@newhorizonnj.com)>  
**Cc:** Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>; mayor <[mayor@pemberton-twp.com](mailto:mayor@pemberton-twp.com)>; [schalloner@challonerassociates.net](mailto:schalloner@challonerassociates.net)  
**Subject:** RE: Pemberton Commons

Hi Rosemary

Please see comments below. Please let me know if you have any questions. Also, this morning I received a cancellation of our meeting on Wednesday, is this accurate?

Thank you

Jeff

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**From:** CD Director <[cddirector@pemberton-twp.com](mailto:cddirector@pemberton-twp.com)>  
**Sent:** Wednesday, July 24, 2024 9:03 AM  
**To:** Jeff Mendelson <[jeff@newhorizonnj.com](mailto:jeff@newhorizonnj.com)>; Felix Bruselovsky <[felix@newhorizonnj.com](mailto:felix@newhorizonnj.com)>  
**Cc:** Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>; mayor <[mayor@pemberton-twp.com](mailto:mayor@pemberton-twp.com)>  
**Subject:** FW: Pemberton Commons

Jeff,  
Please review the thread of emails below and please let us know what your take is on each issue. Per our conversation yesterday, you were not in agreement so I need to confirm that before our meeting next week.

Thank you,  
Rosemary

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**From:** CD Director  
**Sent:** Wednesday, July 24, 2024 9:01 AM  
**To:** David Banisch <[davidbanisch@banisch.com](mailto:davidbanisch@banisch.com)>; Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>; Wendy Jones <[wjones@pemberton-twp.com](mailto:wjones@pemberton-twp.com)>  
**Cc:** Alexander Litwornia <[alitwornia@litwornia.com](mailto:alitwornia@litwornia.com)>; Brian Prohowich <[bprohowich@arh-us.com](mailto:bprohowich@arh-us.com)>; William Sitzler <[william@wsitzlerlaw.com](mailto:william@wsitzlerlaw.com)>; Mark Herrmann <[mherr@arh-us.com](mailto:mherr@arh-us.com)>; mayor <[mayor@pemberton-twp.com](mailto:mayor@pemberton-twp.com)>  
**Subject:** RE: Pemberton Commons

Thank you for the update, Dave. Yes, we will all be meeting next week because the applicant was confused on why the entire project was changing. He even felt that the Township didn't want to do the project which would be a major let down for this community if they decided to walk away. A lot of work has gone into designing the project as you know and it is important for us to know what is being discussed at these meetings since we have to respond to the applicants so thank you for the detailed report.

Wendy, please mark your schedule for next week and we will need you there to take minutes.

Thank you,  
Roe

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**From:** David Banisch <[davidbanisch@banisch.com](mailto:davidbanisch@banisch.com)>  
**Sent:** Tuesday, July 23, 2024 6:53 PM  
**To:** Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>

**Cc:** Alexander Litwornia <[alitwornia@litwornia.com](mailto:alitwornia@litwornia.com)>; Brian Prohowich <[bprohowich@arh-us.com](mailto:bprohowich@arh-us.com)>; William Sitzler <[william@wsitzlerlaw.com](mailto:william@wsitzlerlaw.com)>; CD Director <[cddirector@pemberton-twp.com](mailto:cddirector@pemberton-twp.com)>; Mark Herrmann <[mherr@arh-us.com](mailto:mherr@arh-us.com)>; mayor <[mayor@pemberton-twp.com](mailto:mayor@pemberton-twp.com)>  
**Subject:** Re: Pemberton Commons

Hi Daniel,

I've been out of my office today and I'm just getting back to follow-up with you. The Mayor called me today and asked about the meeting. I gave him an update with probably most but not all of the following comments. I understand why you're recommending leaving the redevelopment agreement in place as is. I also see that a meeting has been set with the applicant for next week to review the site plan.

As for our meeting yesterday, we met with the applicant and his civil engineer. We reviewed several aspects of the plan, including:

1. Driveway access revisions to driveway cuts on PBM Rd - our Traffic Engineer recommended slight relocation of the two westerly-most driveways for better alignment with traffic entering PBM Rd. from the uses and public streets on the south side of PBM Rd., which they agreed to make; one major driveway realignment at the PBM Rd. Wawa driveway, which they saw as problematic for a variety of reasons - mostly based on Wawa's needs, but which raised traffic flow issues that they agreed to study and review with us with their traffic engineer; and a revision to the Juliustown Road Wawa driveway from a right-in/right-out driveway to a full access driveway, which they agreed to make, -they are going to make plan revisions on what they agreed to and revisit the other suggestions with us and their traffic engineer present;

This is accurate; however this is a wawa proto plan, circulation on Julistown is not seen as an issue, wawa has studied this concept through hundreds of sites and we disagree with this comment. We will and are going to accommodate the westerly driveways on PBM Rd as they do not affect out plan.

2. The need for parking tractor-trailers and vehicles with trailers on the Wawa pad behind the Wawa, which they noted conflicted with the location of the stormwater management basin and the Taco Bell (they said there's no room for that type of parking accommodation),

We are not going to accommodate this comment. Wawa again has done numerous studies and since this is not a highway location it is not necessary in our eyes to have tractor trailer parking.

3. Internal circulation of the grocery store trucks through the site - a truck leaving the loading dock behind the grocery store will have to circulate through the site to Juliustown Road, and we looked ways to possibly eliminate that potential conflict with the Wawa by revising the driveway to PBM Rd. - they agreed to further review of this issue when their traffic engineer is present;

This is not accurate, we have a turning template that will show adequate access for the required trucks through the site.

4. Revising the plans to show the correct footprint of the Wawa store that they are proposing (they have the wrong store on the site plan);

Correct the architect will be revising to accurately show the building.

5. I suggested considering whether internal Wawa traffic circulation could be improved by reversing the location of the gas pumps with the store - at least to satisfy ourselves that no appreciable improvement in circulation could be achieved by doing this.

Again this is a proto plan and wawa has done numerous studies to confirm this works.

6. I suggested the Wawa store could have more traditional exterior architecture and the canopy could be revised to a gable-end design instead of the flat angled canopy proposed, which the applicant agreed to consider,

7. They agreed to the landscaping and frontage improvements that ARH had designed for their frontage and would add those details for the plans, and they also indicated that they could accommodate additional landscaping enhancements along the frontage.

This is already depicted on the plan as mentioned. We have already added all landscaping frontage as per county approved plan, this was sent directly to us by the town.

8. Lighting - they agreed to identify and coordinate all lighting to 3,000 - 3,500 Kelvin for lighting uniformity across the site, and they are revising lighting details and adding point-to-point lighting analysis for the Township's standard sidewalk lighting.

We are looking into this. We will however confirm that we will have lighting uniformity throughout the site.

There was also discussion about the traffic analysis submitted. Our Traffic Engineer wants them to revise their traffic counts in their traffic report.

We will discuss.

The Traffic Engineer's recommendation to revise the PBM Rd. Wawa driveway was discussed because of concerns about the free-flow of Wawa traffic through that driveway, particularly during the peak hour. In regard to that recommendation to possibly relocate that driveway to the west, I asked if they could rotate the retail store building 90 degrees to free up room for a modified internal driveway access, which they were not agreeable to do. Our traffic engineer said that relocation would reduce exit traffic congestion for Wawa and possibly allow grocery store delivery trucks to leave the site without having to circulate through the Wawa parking lot. They were not really agreeable to that, but agreed to have more discussion with their traffic eninger present.

We will not be able to accommodate this

They told us that they would prepare and submit plan revisions with modified driveway access, point-to-point lighting, the specs for streetscape improvements for their frontage and they would put the Wawa store footprint on their plans. They also agreed to return next week to review interior circulation with their traffic consultant to get that issue resolved, which I understand is already scheduled.

Will you please let me know if you have additional questions, or if you wish to discuss this? I'll be available until 4 Wednesday. and then all day Thursday and Friday.

Thank you.

DB

On Mon, Jul 22, 2024 at 2:42 PM Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)> wrote:

Dave, it was full executed. The signature page for former Mayor Patriarca is attached. I don't think it would be prudent to ask New Horizon to reopen the redevelopment agreement. The site has a long history of contamination in both the soils and groundwater from the former dry cleaners. I'm fairly confident that New Horizon has spent more than they had anticipated to do additional clean up the Berardis declined to do, that their tenants have required to sign leases for the location. Daniel.

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**From:** David Banisch <[davidbanisch@banisch.com](mailto:davidbanisch@banisch.com)>

**Sent:** Monday, July 22, 2024 1:21 PM

**To:** Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>

**Cc:** Alexander Litwornia <[alitwornia@litwornia.com](mailto:alitwornia@litwornia.com)>; Brian Prohowich <[bprohowich@arh-us.com](mailto:bprohowich@arh-us.com)>; William Sitzler <[william@wsitzlerlaw.com](mailto:william@wsitzlerlaw.com)>; CD Director <[cddirector@pemberton-twp.com](mailto:cddirector@pemberton-twp.com)>; Mark Herrmann <[mherr@arh-us.com](mailto:mherr@arh-us.com)>

**Subject:** Re: Pemberton Commons

Hi Daniel,

Thank you for this.

I see that this copy of the redeveloper's agreement isn't fully executed. If the Planning Board site plan review identifies additional improvements, such as the streetscape improvements, would it be safe to assume that additional improvements such as the streetscape improvements could be negotiated and incorporated into the final Redevelopment Agreement approved by Council?

Also, do you think that there's a possibility of amending the Township's USDA funding agreement to substitute other Town Center streetscape improvements in lieu of this frontage already included in the project? It seems reasonable to at least incorporate the streetscape improvements into the developer's site frontage improvements and free up some of the funding for improvements elsewhere in the Town Center. Do you disagree?

Also, I don't see Attachment B (Redevelopment Plan) in the Redeveloper's agreement - is that just the Town Center Redevelopment Plan, or is that a comprehensive site plan identifying all improvements that the developer is required to undertake?

If you have a chance to get back to me today, that would be great!

Thank you, Daniel.

DB

On Mon, Jul 22, 2024 at 12:37 PM Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)> wrote:

Dave, sorry for the delayed response on this – I know you all are meeting later this afternoon.

For the North side of PBM Road along Bl. 775, L. 19 (continuing onto Juliustown Rd.), ARH has been working on a streetscape plan, which we discussed with the developer in prior meetings under former Mayor Patriarca. We have asked ARH to synthesize the streetscape plans with what New Horizon has proposed. Whatever the outcome of the meeting, it impacts both the site plan NH submitted and the streetscape plan being revised by ARH. For the streetscape project, there is an urgency to place the package back out to bid as we've been sitting on the USDA's promised funds for four years.

Attached is the redevelopment agreement for the former BMSC – we did not embody improvements to the streetscapes by the developer since that was a promise the Township agreed to undertake prior to the selected redeveloper and consistent with the application submitted to the USDA in 2020. DH.

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**From:** David Banisch <[davidbanisch@banisch.com](mailto:davidbanisch@banisch.com)>

**Sent:** Tuesday, July 16, 2024 4:02 PM

**To:** Daniel Hornickel <[ba@pemberton-twp.com](mailto:ba@pemberton-twp.com)>

**Cc:** Alexander Litwornia <[alitwornia@litwornia.com](mailto:alitwornia@litwornia.com)>; Brian Prohowich <[bprohowich@arh-us.com](mailto:bprohowich@arh-us.com)>; William Sitzler <[william@wsitzlerlaw.com](mailto:william@wsitzlerlaw.com)>; CD Director <[cddirector@pemberton-twp.com](mailto:cddirector@pemberton-twp.com)>; Mark Herrmann <[mherr@arh-us.com](mailto:mherr@arh-us.com)>

**Subject:** Pemberton Commons

Good afternoon, Daniel.

Al Litwornia, Brian Prohowich and I met this afternoon by Zoom on this site plan application. Al provided suggested revisions for driveway access and we discussed interior site circulation and driveway and parking arrangements.

Pemberton-Browns Mills Road frontage improvements were discussed and Brian indicated that the Township would be undertaking those improvements under some form of grant funding. It was suggested that we get a copy of any funding agreement between the Township or DOT, DCA, DVRPC or whatever agency may be providing funding - is that something that you have?

Al Litwornia prepared a sketch of suggested access driveway adjustments. That in turn brought to light internal circulation questions and the possible need for some realignment of interior driveways and possibly some relocation of parking. The sketch is attached.

There was discussion about the redeveloper's agreement and the developer's financial responsibility for road frontage improvements, and whether it would be possible to shift costs to the redeveloper for road streetscape improvements. Is there a developer's agreement in place for the site, either in draft or final form that you can provide to us?

Will you please let me know if you have questions, or if there's other information or particulars regarding any agreement with the developer?

Al Litwornia prepared a sketch of suggested access driveway adjustments. That in turn brought to light internal circulation questions and the possible need for some realignment of interior driveways and possibly some relocation of parking. The sketch is attached.

Thank you very much.

DB

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**David J. Banisch, PP/AICP**  
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**p** - 908.782.0835; Ext: 214  
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