

**TOWNSHIP OF EGG HARBOR  
PLANNING BOARD**

**February 10, 2014**

**Solicitor:** Christopher Brown, Esq., present

**Engineer:** James A. Mott, P.E., of Mott Associates (Robert Watkins, P.E., in attendance)

**Planner:** Vincent Polistina, P.P., of Polistina and Associates, present

A rescheduled regular meeting of the Planning Board of Egg Harbor Township was held on the above date, 5:00 p.m., prevailing time, Egg Harbor Township Hall, Egg Harbor Township, New Jersey. The Chairperson opened the meeting by reading the statement in compliance with the Open Public Meetings Act.

**Roll Call Taken as Follow(s):**

Manuel E. Aponte, V-Chairperson, present  
Committeeman John Carman, present  
Milas Cook, Alt. #I, present  
Charles Eykyn, present  
James Garth, Sr., Chairperson, present  
Frank Kearns, on fire call

Robert Levy, present  
Mayor James J. McCullough, Jr., present  
Peter Miller, Township Administrator, present  
Paul Rosenberg, 2<sup>nd</sup> V-Chairperson, on vacation  
MD Shamsuddin, Alt. #II, present arr. @ 5:20 p.m

**OTHER MATTER(S):**

1. **Proclamation:** Robert Levy, Class IV Member, recognizing twenty (20) years consecutive service to the Egg Harbor Township Planning Board.

Chairman Garth presented to Board Member Levy and read into the record a proclamation recognizing Board Member Levy's twenty (20) years of consecutive service to the Planning Board of Egg Harbor Township.

Mayor McCullough thanked Board Member Levy for his service to the community and to the Planning Board of Egg Harbor Township. Mayor McCullough noted Board Member Levy has been part of this Board during some really tough years. Mayor McCullough advised he hopes never to see those type of years again, but stated that Board Member Levy did a good job and he appreciates as Mayor of this Township what Board Member Levy has contributed.

**MINOR SUBDIVISION(S):**

1. **SD 05-13**  
**Lennard Hammerschlag**  
Zone: RG-2, 1.92 acre site, sewer/water,  
Applicant is proposing a four (4) lot subdivision  
for the construction of four (4) single-family dwelling units.  
Pinelands c/f: 2012-0120.001, dated 12/12/13.

**Minor Subdivision**  
**2501/23**  
4060 Tremont Avenue  
Waiver of Time – **Not Granted**

**Checklist Waiver(s):**

1. **Item #1 ( c ): Digital copy of plans**
2. **Item #3: Key map**
3. **Item #6: Names and date of 200' ft. list updated**
4. **Item #15: Site characteristic map**
5. **Item #17: Soil boring information**

Rami Nassar, P.E., New Jersey Licensed Engineer, Cantillon Boulevard, Mays Landing, New Jersey, duly sworn: Engineer Nassar introduced himself as Engineer for the applicant, Lennard Hammerschlag, whom is currently out of the Country. Engineer Nassar advised Mr. Hammerschlag has provided a power of attorney to answer any questions or issues concerning this application and the the document has been provided to the Board Secretary, Theresa Wilbert.

Engineer Nassar explained the property in question is located at the corner of Main and Tremont Avenue's and consist of 1.9 acres. He indicated the applicant is proposing four (4) lot(s) and at the corner of Main and Tremont Avenue(s) there is a substantial amount of wetlands, for which a 240' buffer has been established, therefore, no development will occur in this area.

Engineer Nassar advised there will be four (4) dwelling units that will be serviced by public sewer and public water. He indicated the applicant will also provide curb and sidewalk along the frontage of the property.

Engineer Nassar indicated there are a few checklist waivers being sought by the applicant. He advised the applicant will provide a digital copy of the plans to the professional(s) once they are perfected. The key map information has been provided but it is not in accordance with the requirement which is basically for major projects and the 200' ft. has been updated and will be added to the plans, therefore, this checklist waiver is not requested.

Engineer Nassar stated the applicant is seeking a waiver from providing a site characteristics map and since the proposed project is serviced by water and sewer there is no need for soil borings. Engineer Nassar advised he has reviewed the reports of the Board Engineer and Planner and the applicant will comply with the comments contained within. He also explained the applicant provide money in lieu of providing recreation on site and will be paid prior to the filing of the subdivision map.

**Motion Aponte/Eykyn to grant requested checklist waiver(s) Item # 1-2 & 4-5. Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

**Motion Carman/Eykyn to grant conditional minor subdivision approval. Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

**PUBLIC HEARING(S):**

**2. SP 19-13**

**Deeper Life Deliverance Ministry**

Zone: HB, 6.13 acre site, septic/well, applicant

Proposes to utilize an existing 2,100 sq ft., one story

masonry building as a 45 seat church. Other associated improvements include an asphalt

parking areas for 15 vehicles, curb/sidewalk, landscaping and drainage swale. Pinelands c/f:

2007-0418.001, dated 10-2913.

**Minor Site Plan**

**1501/11**

6024 Black Horse Pike

Waiver of Time – **Not Granted**

**Checklist Waiver(s):**

- 1. Item #3: Key map**
- 2. Item #6: Sight triangles, radii of curb**
- 3. Item #9: 200' ft. list**
- 4. Item #17: Existing or proposed deed restrictions/protective covenants**
- 5. Item #18(b): Environmental site analysis**

4. **Item #19: Connections to water and sewer systems**
5. **Item #23(E): Landscaping plan (Site Easements)**

**Variance Relief:**

1. **§225-55(F): Curbing around the entire perimeter of the parking**
2. **§225-55( E) : Parking setback from building to parking space 10' ft. Applicant is proposing 4' ft.**

Jennifer Carlson, Esq., introduced herself as attorney for the applicant Deeper Life Deliverance Ministry who is proposing to utilize an existing 2,100 sq. ft. building as a church.

Board Solicitor Brown noted for the record that Engineer Rami Nassar was duly sworn previously. He asked if there would be anyone speaking on behalf of this application other than Engineer Nassar.

**May the record reflect:** the following individual was duly sworn: Pastor Robert Parker, Deeper Life Deliverance Ministry.

Engineer Nassar explained the property is directly across the street from the traffic light where Home Depot is and the paper portion of Tower Avenue runs along this property from the Black Horse Pike all the way out to Delilah Road.

Engineer Nassar advised the property is known as block 1501 lot 11 and it is within the HB Zone. He indicated the property does have an existing building that goes all the way back to at least the 1960's, it was used as a testing laboratory, as well as, a Harley Davidson dealer and then in the late 1990's early 2000's a gentleman was using the facility for a small fiberglass business, but he closed.

Engineer Nassar explained the church acquired a lease for the property and they would like to use as a church for the time being. He indicated that eventually this will be developed into a larger project, however, the current application is to allow for the utilization of the existing building which is about 2,100 sq. ft. There will be 45 seats within the church requiring twelve (12) parking spaces, however, the applicant is proposing fifteen (15) spaces overall.

Engineer Nassar indicated the church will pave the parking area requiring some minor storm water management to accommodate the additional run-off for the paved area. Engineer Nassar advised the applicant did go to the Department of Transportation for the driveway and the sidewalk.

Engineer Nassar advised the building has been painted and it looks better than it had before. He indicated this is the project description and he is not sure if the Board would like to hear from Pastor Parker on the concept of the proposed.

Mayor McCullough advised he would like to hear from Pastor Parker concerning the long term plan for the church. Pastor Parker wanted to construct a multi-purpose gymnasium and have classrooms. He stated the gymnasium will help single-family parents by offering basketball camps where the children can stay for two (2) weeks and the classrooms could do life skill training and employment training.

Pastor Parker stated as a teacher he currently works with at-risk youth; special education. He advised currently the drop-out rate is tremendous. He would like to give these people skills so they could obtain a decent job. He indicated his long term goal is to construct a gymnasium, cafeteria, and classrooms so

they can have some skills under their belt because if they are quitting school that means the prison will get them.

Mayor McCullough stated the relief sought is for a 45 seat church. Pastor Parker advised the membership is 45. Mayor McCullough asked where these other facilities will be. Pastor Parker stated the site is 6 ½ acres of land. He advised the property runs from the Black Horse Pike to Delilah Road. He stated the existing building will stay but long term all the property in the back would be used for the long term proposal.

Attorney Carlson asked Pastor Parker if they plan on constructing a larger church facility at some point. Pastor Parker stated yes, this would also be future term. Mayor McCullough asked if future facilities are all going to be at this location or someplace else. Pastor Parker stated there is no other place they are looking at. He indicated all would be conducted at this site.

Pastor Parker stated he has lost some members in making the sacrifice to complete this project. He advised the church is trying to conduct services in order to satisfy the requirements. He stated the site was an eyesore but since the time they began working on the building people have been going pass beeping and giving thumbs up.

Mayor McCullough indicated with a 45 seat church it is very ambitious future. Pastor Parker indicated the proposal is long term and every vision has to start somewhere. He indicated the stories that he hears on a day to day basis are phenomenal concerning what these kids are going through. Pastor Parker advised the existing facility has a conference room and a computer lab will be set up so at least if someone needs computer skills they can receive this type of training. Mayor McCullough thanked Pastor Parker for his overview.

Board Member Levy asked what the lot size of the property was again. Pastor Parker stated the site is 6 ½ acres. Board Member Levy stated there is still an additional 5 acres that is within the Pinelands and the church must make application to them for construction of the future proposals. Pastor Parker stated he is aware of this. He indicated he has already worked with them. Board Member Levy advised there is a note on the plan concerning the rear portion of the property. Board Engineer Nassar stated the note is a requirement. He advised if for some reason the church did not work out and someone else purchased property they will know that any further development of the property will have to go to the Pinelands Commission and local Board's.

Engineer Nassar stated the applicant is seeking some checklist waivers. He advised a waiver is sought for the key map. He indicated checklist item #2 has been withdrawn the site triangles will be provided. Engineer Nassar advised checklist item #3 is also being withdrawn a revised 200' list will be placed on the plans and item #4 referenced as deed restrictions will also be submitted.

Engineer Nassar stated the applicant is requesting a waiver from the environmental site analysis he indicated the applicant is not disturbing the property because no building is being proposed and there are no trees being taken down. Engineer Nassar stated the applicant is also seeking a waiver from what should have been listed as item #6 connections to water and sewer and they are also seeking a partial waiver of what should be item #7 Landscaping plan. He indicated the applicant will provide more landscaping in the island areas based upon the discussion with the Technical Review Committee.

Engineer Nassar advised the applicant is also seeking variance relief. He indicated the applicant is asking for temporary relief from providing curbing around the parking area. He stated the applicant believes they will be returning next year for additional approvals.

Engineer Nassar stated ordinance requires when you have parking along the building you have to be 10' ft. from the building with it and the applicant has 6' ft. Chairman Garth asked if there will be wheel stops. Engineer Nassar stated yes. He advised it is one of the requirements outlined within the reports of the Board Professional's. Engineer Nassar indicated the applicant will address all comments within the reports of the Board Professional's.

**Motion McCullough/Levy to open public portion. Vote 8 Yes**

May the record reflect no one came forward.

**Motion McCullough/Carman to close public portion. Vote 8 Yes**

**Motion Carman/McCullough to grant requested checklist waiver(s). Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

Township Committeeman Carman stated this application is a temporary plan. He indicated whatever they would place the curbing in parking area it would have to be eventually torn out. He indicated with respect to the parking nothing is be cleared out to create. He advised again, the parking is also a temporary situation. Therefore, he will make the motion to grant variance relief.

**Motion Carman/McCullough to grant requested variance. Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

**Motion Eykyn/McCullough to grant conditional minor site plan approval. Vote 8 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

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| <p><b>3.      <u>SPPF 06-13</u><br/>EPG-EGG, LLC – “Rental Country”<br/>Zone: HB, 2.12 acre site, water/sewer, applicant currently has a retail sales/rental store operated out of the an existing 7,562 sq. ft. metal building, of which 5,049 sq. ft. is for retail/workshop and 2,513 sq. ft. for warehousing. Site also has 34 paved parking and an outdoor concrete storage area in the rear of building. Applicant is proposing an additional 6,120 sq. ft. outdoor storage area with aggregate sub-base material and a small basin for the additional runoff due to the increased outdoor storage.</b></p> | <p><b>Preliminary/Final Major Site Plan<br/>2001/9<br/>6661 Black Horse Pike<br/>Waiver of Time - <b>Granted</b></b></p> |
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**Checklist Waiver(s):**

- 1.      Item 18(b):      Environmental Site Analysis**

**Design Waiver(s):**

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| <p><b>1.      §94-11(A):</b></p> <p><b>2.      §94-22(A)10:</b></p> <p><b>3.      §94-23(B):</b></p> <p><b>4.      §94-37( C )5:</b></p> | <p><b>Curbing</b></p> <p><b>Irrigation</b></p> <p><b>Lighting</b></p> <p><b>Street trees</b></p> |
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**Variance Relief:**

1. §225-55(F): **To not provide curbing on the outside edge of the gravel storage area.**
2. §225-55(I): **To provide a gravel base storage area instead of a paved**
3. §225-55(N): **No loading area proposed**
4. §225-63(A): **1 building mounted sign permitted; 2 building mounted signs proposed.**

Todd Heck, Esq., introduced himself, advised he is represent the applicant, EPG-EGG, LLC doing business as Rental Country. Attorney Heck explained there are two (2) witnesses he will be presenting, John Halbruner, Engineer/Planner and Jeff Canatoni, Vice-President of Operations for Rental Country. **May the record reflect:** Board Solicitor Brown had duly sworn John Halbruner, P.E., New Jersey Licensed Engineer, Hyland Associates, Ocean City, New Jersey and Jeff Canatoni, Vice-President of Operations, Rental Country.

Attorney Heck advised his client jumped the gun and created some exterior changes to the site without fully appreciating the process he had to follow. Attorney Heck advised once this matter was brought to his client's attention he has been diligently following the process. He indicated the applicant is seeking minor site plan approval for the proposed changes. Attorney Heck advised Rental Country has existed in the Township for twenty (20) years and the past two (2) years at this location.

John Halbruner advised for the record he is a New Jersey licensed Engineer and Architect and has presented land use matters before numerous Board's for the last twenty (20) years.

Engineer Halbruner advised the site is known as 661 Black Horse Pike and is located on the east bound segment of the Black Horse Pike immediately before the "Inn of the Dove". He explained the property is located within the Highway Business zoning district and has a lot area of slightly over 2 acres. He indicated there is also over 400' ft. of frontage along the Black Horse Pike. Engineer Halbruner referred to Sheet C1.0 of the site plan submitted to the Board Office.

Engineer Halbruner advised the site has several buildings and the principal building is about 3,786 sq. ft. of retail space and the rest of the area is divided into warehouse/workshop space. He indicated Sheet C1.0 references a storage trailer toward the rear of the property that is identified to be removed and there was a single-family dwelling that was removed from the property, but is outlined on Sheet C1.0.

Engineer Halbruner advised there is an existing parking field with access of the Black Horse Pike and has 34 parking spaces currently existing. He indicated there are some propane tanks, again the trailer that will be removed in the rear of the fenced enclosure behind the existing building. Engineer Halbruner stated there were kerosene and gas tanks that were recently removed and for which the applicant does not plan to place back in.

Engineer Halbruner advised the applicant is about 15% more in lot area than what is required. He indicated zoning requires 80,000 sq. ft. and the applicant has over 92,000 sq. ft. Engineer Halbruner advised the lot width along the Black Horse Pike is 413' ft. and required is 200' ft. He indicated all yard setbacks conform except for the southern side yard where the existing principal building is located. He indicated that setback is 19.67' ft. where 20' ft. is required. He advised this existing condition will not change by the proposed improvements.

Engineer Halbruner advised all parking spaces are conforming except for the one closest to the Black Horse Pike. He advised all parking is existing and the applicant will not be increasing the size of the parking lot. He also noted the height of the building is 23 ft., which is about half of what the ordinance permits at 45' ft. Engineer Halbruner advised impervious coverage is allowed at 70%, however, the applicant is only 26%.

Engineer Halbruner advised the properties to the west of this site are residential. He indicated the properties to the north, south and east across the Black Horse Pike are all commercial in nature. Attorney Heck asked Engineer Halbruner to discuss the improvements proposed and the design waivers requested in support of the improvements.

Engineer Halbruner advised the applicant is proposing to construct a trailer/storage yard, which is in the upper left portion of the site. He indicated this is an area where trailers will be stored. He advised the trailers are used to place equipment that is rented from the store is hauled out on. Engineer Halbruner advised there is also a concrete pad that is proposed to be located behind the building within the fenced in yard.

Engineer Halbruner advised based on the improvements the applicant had to construct a storm water basin. He advised the basin will be very large but it was designed this way in order to keep it shallow. There are bio-retentions basins also proposed. The applicant will be replacing the fuel tanks and will provide a canopy over the top of them. He indicated the applicant also proposes a solid waste trash enclosure for the facility within the parking area, since one does not presently exist.

Engineer Halbruner advised there will also be a re-alignment of some parking spaces in order provide paved access to the trailer storage area and to provide a second (2<sup>nd</sup>) handicap parking space. Engineer Halbruner indicated the applicant is also looking for placement of an additional façade sign. He indicated that currently there is only one (1) existing building mounted sign. Engineer Halbruner advised it is located on the eastern portion of the building and is only visible from the westbound lanes of the Black Horse Pike.

Engineer Halbruner advised the applicant is proposing a second (2<sup>nd</sup>) sign to be located on the northern façade of the building so that it is visible to people coming eastbound along the Black Horse Pike. He indicated the second (2<sup>nd</sup>) sign does create a variance. Township Administrator Miller asked if there is a free standing sign for this location. Engineer Halbruner advised there is a freestanding sign which is located past the driveway. Township Administrator Miller asked if the applicant had considered relocating the freestanding sign west of the driveway. Engineer Halbruner indicated no.

Township Administrator Miller stated the ordinance allows one (1) sign per tenant and there is only one (1) tenant at this location. There are other options. Engineer Halbruner advised he will discuss this with the Board further in his presentation the reasoning as to why variance relief can be granted.

Attorney Heck asked Engineer Halbruner what design waivers are being requested. Engineer Halbruner indicated the applicant is not proposing curbing along the gravel storage area for the trailers. He advised the applicant will provide sidewalk along the entire frontage of the Black Horse Pike, but not curbing. He indicated the installation of the curb along the Black Horse Pike presents several problems. He indicated if the applicant were to construct the curb where it currently exist north and south of the site the applicant would have to move five (5) to six (6) utility poles. He indicated he has discussed the matter with the State Department of Transportation and they would prefer curb not be installed.

Board Member Aponte asked if there is a letter from the State confirming they do not want curb. Engineer Halbruner indicated he does not have a letter, however, he can aver that the conversations with the Department of Transportation occurred and this is what he was told. Township Administrator Miller stated, however, if the applicant were to move the poles then the State would not have an issue with the placement of the curb. Engineer Halbruner advised the poles were not the only issue. He indicated there were a few other problems, but the primary issue were the poles.

Engineer Halbruner advised the reason why the applicant is seeking a waiver from providing curb around the travel storage area is because it is gravel. He advised it does not have to be protected in the same way it would need to be if it were asphalt. He also indicated by not having the curbing also helps the sheet flow to the drainage basin. Attorney Heck advised the applicant is not requesting a waiver from irrigation. Engineer Halbruner advised the applicant has decided because of the amount of landscaping that is being proposed for the site that the irrigation should be installed, therefore, this waiver if being withdrawn.

Engineer Halbruner advised the existing parking lot is lit. He advised one (1) additional light is being proposed for the parking field to enhance the lighting. A waiver is being requested, however, not to light the trailer storage area. He indicated times of operation for the trailers is day time. He indicated the trailers are near the residential area and the applicant wants to be residential friendly.

Attorney Heck stated he would like to call up Mr. Canatoni, vice-president of operations for Rental Country to discuss the trailer operation. Mr. Canatoni advised most of loading is done within pick-up trucks. He advised if the equipment will fit within the bed of a truck they will load it in for the client. He stated if not then they will provide the trailer and they will mount the trailer to the truck and then load the rental equipment onto it. He indicated there is no dock for this facility and there is no tractor trailer deliveries.

Attorney Heck asked Mr. Canatoni where the whole goods are delivered to for Rental Country. Mr. Canatoni advised they are delivered to their Vineland location and then they are transported via pick-up truck to their other locations. Attorney Heck asked if regular heavy delivery trucks are not part of the operations for this facility. Mr. Canatoni stated this is correct. Attorney Heck asked what will be stored in the trailer area. Mr. Canatoni stated trailers. He advised the trailers are stored on site for the customers to take the rented equipment from site. He indicated they are low flat trailers, not tractor trailers.

Attorney Heck advised there is a waiver request from planting street trees. Engineer Halbruner advised the ordinance requires street trees to be planted along the Black Horse Pike in 50' ft. intervals. He indicated if they were planted they would conflict with the overhead lines and there is not sufficient room between the R-O-W line and the edge of paving to place them.

Engineer Halbruner also noted the applicant is planting at least 30 trees along the basin area that will be 25' ft. or higher. He indicated the beautification that comes with street trees is being created on site along the basin versus the street. Engineer Halbruner advised the Department of Transportation does not want street trees within their R-O-W.

Board Member Aponte asked what type of fence is being proposed around the trailer area. Engineer Halbruner advised the fence will be chain link. Board Member Aponte asked if people going pass the



site will see the fence. Engineer Halbruner stated with all the landscaping along the front proposed it will be difficult for the fence to be seen.

Board Planner Polistina advised he would like to see something done with the existing basin. He advised they are barren, have phragmites, and a "financed from Capital Bank" sign within them. He would like to see something done to this area. Engineer Halbruner advised enhanced landscaping can be provided, however, he would not like to add the street trees to this area because of the overhead wires. Board Planner Polistina stated this is understood. Board Engineer Watkins stated the applicant is excavating out and repairing the existing basins. Engineer Halbruner stated this is correct.

Township Administrator Miller stated the Board does not absolve the applicant's responsibility to plant the street trees even if a waiver is granted. The trees will be placed in a municipal park. Attorney Heck advised his client does not have any issues with planting them elsewhere.

Engineer Halbruner advised the applicant is seeking variance relief. He advised under the ordinance requirements in one area curbing is referenced as a waiver and in another area it discusses variance relief. The applicant is seeking variance relief from placing curbing around the gravel trailer storage area and from providing along the Black Horse Pike. He again noted with the curbing not being placed around the storage area it will help with storm water and if the applicant were to place in curbing along the Black Horse Pike it would create a number of impracticalities.

Engineer Halbruner advised that based on the amount of improvements being proposed by the applicant, if curbing were to be placed in it would be disproportionate to what is being requested. Board Engineer Watkins stated this basically means it is too expensive to move poles. He advised he does not have a problem with supporting the waiver, however, the applicant must submit an in lieu contribution of \$8,600.00. Engineer Halbruner advised the applicant is aware of this and does not have a problem providing.

Engineer Halbruner advised the applicant is also seeking variance relief for pavement surface. He advised the applicant is proposing DGA gravel for the travel storage area where the ordinance requires concrete or asphalt. He indicated the storage area is not a true parking lot and it does not have public access and it also enhances the storm water quality. Engineer Halbruner advised the applicant is seeking variance relief for a loading area. He indicated through prior testimony discussion concerning the loading procedures was discussed. He advised thus far this operation has been existing at this location for two (2) years without a formal loading zone. He advised the applicant does not believe a dedicated loading zone is necessary.

Mayor McCullough advised Rental Country was a former tenant of his and he is aware how they operate. He indicated everything is brought to site in pick-up trucks. Mayor McCullough advised he does not see the need for a loading area and he is in agreement.

Board Member Aponte asked what are the hours of operations. Mr. Canatoni advised they normally open at 7:30 a.m./8:00 a.m. and they close at 5:00 p.m. Mayor McCullough stated they open early so the construction industry can pick-up their equipment before they go to their jobs.

Engineer Halbruner advised there is one (1) existing sign on the eastern façade and can only be seen from the west bound lanes of the Black Horse Pike. He advised if you are east bound on the Black Horse

Pike there is no building mounted sign that you can see and you would pass the facility when you would see the eastern façade sign.

Engineer Halbruner advised the proposed sign is 120 sq. ft. He indicated this will be the second (2<sup>nd</sup>) building mounted sign on the building and it is half the size of what the ordinance would allow for one sign which is 250 sq. ft. He advised both signs combined do not exceed the 250 sq. ft. referenced within the ordinance. Engineer Halbruner advised the reason for two (2) proposed building mounted signs is for visibility purposes for motorist to quickly and safely react.

Board Member Cook asked what type of material is the sign made of. Mr. Canatoni stated the sign has yet to be fabricated, but will be an aluminum material. He indicated it will have a flat letter panels. Board Member Cook asked if any of the other signs will change and what is the freestanding sign made of. Mr. Canatoni stated no. He advised the free standing sign is a pole mounted sign and is internally lit. He advised the sign turns on when it becomes dark and goes off in the morning. Board Engineer Watkins advised the applicant's freestanding sign is conforming and the existing building mounted sign is conforming. He indicated the variance relief is to allow for a second (2<sup>nd</sup>) building mounted sign.

Township Administrator Miller asked if the 2<sup>nd</sup> sign going to be illuminated. He advised it is not shown on the plans. Mr. Canatoni advised the existing is façade is but the new one he believes will not be lit. Board Engineer Watkins asked if the applicant agrees not to illuminate the proposed façade sign. Mr. Canatoni stated he agrees.

Board Member Aponte stated there will not be any conformity if one sign is illuminated and the other is not. Township Committeeman Carman stated he believes this should be an option left open to the applicant if they want the sign lit or not. He indicated this is a commercial zone. Township Committeeman Carman asked Mr. Canatoni if he would like this option. Mr. Canatoni stated he would.

Township Administrator Miller asked why not place a larger sign up then have two (2) separate signs and a freestanding sign. Not an impulse business. Engineer Halbruner stated two (2) signs are more effective since there will be visibility for each sign. He indicated the signs are not for advertising purposes since this is a destination type business but for site identification.

Board Planner Polistina stated because of the orientation of the building along the Black Horse Pike it is better for each side to have a sign rather than one. Township Administrator Miller stated he believes a sign on the east side is perfect, but do not know purpose of other because there is a freestanding sign. Board Member Aponte asked if the address is on the freestanding sign. Engineer Halbruner advised it is on mailbox. Attorney Heck advised the applicant can add the address to the free standing sign.

Board Member Eykyn stated trash pick-up should be made during the day time hours rather than 3:00 a.m. in the morning. Mr. Canatoni stated the residential area is a good distance away. Chairman Garth stated the applicant should speak with his trash contractor and arrange for it to be picked up during the hours of operation for the facility.

Board Member Aponte asked if there is any security lighting. Mr. Canatoni stated there will be no lighting for the trailer area. Board Engineer Watkins asked what the time frame of construction is concerning the improvements. Mr. Canatoni stated in Spring (2014). Board Engineer Watkins stated a time frame should be placed on construction because the applicant was in violation of doing work

before they received approval. He suggested maybe a condition of 60 to 90 days from the date of the memorialized resolution.

Engineer Halbruner stated he would like to be careful since there are still some items with the Pinelands Commission. Township Administrator Miller stated maybe by giving the applicant to July 1, 2014, it allows them February/March to comply with conditions and then April/May/June, 2014 to construct. Engineer Halbruner stated he is reluctant to a time constraint with respect to a public agency for which he has no control over. Mayor McCullough stated the Board will give the applicant until July 1, 2014 for the completion of improvements and if the applicant cannot make this, because of the Pinelands Commission, the applicant can come back to the Board and ask them to extend the time period if necessary.

**Motion Levy/Aponte to open public portion. Vote 9 Yes.**

May the record reflect no one came forward.

**Motion McCullough/Carman to close public portion. Vote 9 Yes.**

Engineer Halbruner advised information that would have been placed within the analysis has been submitted, but not within a document that would have been called an Environmental Site Analysis. Board Member Aponte asked if there were any environmental concerns located on site. Engineer Halbruner advised the only issued raised by Pinelands concerned the functionality of the existing basins. He stated he is not aware of any environmental hazards.

**Motion Carman/McCullough to grant requested checklist waiver(s). Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

**Motion Carman/Eykyn to grant requested design waiver(s) #1, 3, and 4. Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

Board Member Aponte indicated the applicant made a good case with respect to it being impractical to move the poles and installation of curb along a gravel base for a heavy equipment storage area. He stated it also seems reasonable not to have a loading area. He indicated the second (2<sup>nd</sup>) sign is not a problem and he does not mind if the second (2<sup>nd</sup>) sign is lit.

**Motion Aponte/Carman to grant requested variance. Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

Board Solicitor Brown advised he would like to outline the conditions of approval. He indicated the applicant will submit a landscaping plan for the existing basins on the south end of the property to be reviewed by the Board Planner, the applicant will plant nine (9) shade trees in a public location at the Township's discretion, applicant will pay the fee of \$8,315.00 in lieu of not curbing along the Black Horse Pike, applicant has agreed not to begin any operation of equipment or trash pick-up prior to 7:00 a.m., applicant will add his address number to the existing free standing sign, applicant will finish construction on or before July 1, 2014.

**Motion Aponte/Carman to grant conditional preliminary/final site plan approval. Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

**SUMMARY MATTER(S):**

**1. Discussions of matters pertaining to the Board:**

**SECTION I:**

**a. General public discussion:**

**Motion Carman/Aponte to open public portion. Vote 9 Yes.**

**May the record reflect no one came forward.**

**Motion Carman/Eykyn to close public portion. Vote 9 Yes**

**b. Egg Harbor Township Ordinance No. 3 of 2014 an Ordinance to Amend Chapter 225 of the Township Code entitled "Zoning" Specifically Section 225-37.**

Board Planner Polistina stated the proposed is a pretty straightforward change within the Highway Business Zone. He indicated within the Township we are taking a conditional use for a new motor sales or leasing agency or used motor vehicle sales agency, provided it is incidental to new sales and make it a principal use.

Board Planner Polistina stated with this now as a principal use in the Highway Business Zone it would encourage development along the Black Horse Pike. Board Planner Polistina stated a standalone used motor vehicle facility would be a conditional use within the Highway Business Zone, but has to be a building greater than 10,000 sq. ft.

Board Planner Polistina stated we have seen some development along the Black Horse Pike that includes some of these new and used vehicle sales. He indicated if they had not met one (1) of the conditions previously used they would have been sent to the Zoning Board. He indicated he knows the Planning Board really wanted to keep the prevue here at the Planning Board Level if possible.

Board Planner Polistina stated he is also aware there were some standards for this facility such as buffers, lighting and other items within the code that conflicted with some of the conditional uses so we have streamlined and now all of the requirements are in accordance with the code. He advised this ordinance cleans up the highway business zone related to these facilities.

**Motion Aponte/Eykyn to recommend Ordinance No. 3 of 2014 to Township Committee for review and approval finding it meets the requirements and is consistent with the Master Plan. Vote 9 Yes:**

Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

**c. Motion Miller/Eykyn to approve January 21, 2014 planning board meeting minutes. Vote 9**

**Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Garth

The Planning Board after a brief discussion rescheduled their regular meeting date from Monday, March 17, 2014 to Monday, March 10, 2014, 5:00 P.M. prevailing time.

**Motion Carman/Miller to reschedule regular meeting of Monday, March 17, 2014, 5:00 p.m., prevailing time to Monday, March 10, 2014, 5:00 p.m., prevailing time. Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

**Motion McCullough/Eykyn to adjourn at 6:10 P.M. Vote 9 Yes:** Aponte, Carman, Cook, Eykyn, Levy, McCullough, Miller, Shamsuddin, Garth

Respectfully submitted by,

Theresa Wilbert  
Secretary