

**TOWNSHIP OF EGG HARBOR
PLANNING BOARD**

February 21, 2012

Solicitor: Christopher Brown, Esq., (Ted Strickland, Esq., in attendance)
Engineer: James Mott, P.E. (Mott and Associates), (Greg Snyder, P.E. in attendance)
Planner: Vincent Polistina, P.P. (Polistina and Associates) in attendance

A regular meeting of the Planning Board of Egg Harbor Township was held on the above date, 5:30 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.

May the record reflect: Secretary Wilbert had another engagement and was not in attendance, however, in her absence Jenna Rocco, Confidential Secretary to Township Administrator Miller conducted the meeting on Secretary Wilbert's behalf.

Roll call taken as follows:

Manuel E. Aponte, V-Chairman, Arr. 5:35 p.m.	Robert Levy, present
Committeeman John Carman, present	Mayor James J. McCullough, Jr. * See below
Milas Cook, Alt.#I, on vacation	Peter Miller, Township Administrator, present
Charles Eykyn, present	Paul Rosenberg, Alt. #II, present
James Garth, Sr., Chairman, present	MD Shamsuddin, Alt. #II, present
Frank Kearns, present	

*** May the record reflect:** Due to another engagement Mayor McCullough has sent, in his place, Committeeman Joseph Cafero to attend tonight's meeting.

PUBLIC HEARING(S):

1. <u>SP 17-11</u>	Minor Site Plan
Gannon & Davis Brothers	1440/1
Masonry & Chimney Sweep, LLC	6216 Black Horse Pike
Zone: HB, 21,431 sq. ft. site, sewer/water, applicant	Waiver of Time – Not Granted
is seeking minor site plan approval to convert an existing 3,800 sq. ft. building (f.k.a. Shore Veterinarians) into 995 sq.ft. of office space and 2,805 sq.ft. of warehouse storage. Applicant is also proposing to increase parking area from eight (8) existing spaces to fifteen (15). Access to site will be one (1) way off Ashland Avenue and when exiting site it will be done through Heggen Avenue. Pinelands (amended) c/f: #1982-2635.002 dated November 17, 2011.	

Checklist Waiver(s):

Item #11: Location of all existing and proposed structures
Item #15: Sight triangle and street sign locations
Item #18: Stormwater management plan
Item #24: Lighting and signage plan

Design Waiver(s):

§94-8.A: Buffers
§94-8.H: Buffers – Parking Setback (Front) 10.50' ft. proposed; 20' ft. required

Variance Relief:

§225-7: Front Yard Parking Setback (Black Horse Pike): 9.83 ft. prop. 20'ft. req.
§225-55.A: Driveway Width: Driveway entrance for commercial: 18' ft. prop. 30'ft. req.

- §225-55.M.3:** Parking in buffer areas: no off street parking spaces shall be permitted in any required buffer areas. The applicant is proposing off-street parking in the required front yard buffer area
- §225-63A:** Building mounted signage is one (1) sign per tenant: three (3) building mounted signs proposed
- §225-63B(7):** Freestanding sign setback: No freestanding sign shall be located closer to the street line than 25' ft. Applicant proposes freestanding sign at 16' ft. in lieu of 25' ft. required.

Charles Gemmel, Esq., introduced himself as attorney for the applicant. He advised the applicant is present this evening seeking minor site plan approval for his clients Mr. and Mrs. Gannon, who are the contract purchasers of the property and Davis Brother's who will be one of the proposed tenants of the property.

Attorney Gemmel advised John Halbruner of Hyland Design Group, project engineer and architect is present and John Davis, Davis Brothers is also present should the Board have any questions. Fill-in Board Solicitor Strickland has duly sworn the following individuals: John Halbruner,, New Jersey Licensed Engineer and Architect, President of Hyland Design Group, 101 E. 8th Street, Ocean City, NJ 08226, New Jersey and John Davis, President of Davis Brothers, 232 Mystic Drive, Egg Harbor Township New Jersey, 08234.

Attorney Gemmel asked Engineer Halbruner what licenses he holds within the State of New Jersey. Engineer Halbruner indicated he is a New Jersey Licensed Engineer and Architect. Attorney Gemmel asked if Engineer Halbruner is familiar with the Municipal Land Use Law, the Township Zoning Ordinance, and its Land Use Ordinance. Engineer Halbruner advised that he is. Attorney Gemmel asked if Engineer Halbruner appears regularly before planning board's within the State of New Jersey? Engineer Halbruner indicated he does.

Engineer Halbruner explained this site contains an existing 3,800 sq. ft. building, located at 6216 Black Horse Pike and was last used as a veterinary office. The building is situated between Heggen and Ashland Avenue's. It is a metal prefabricated one (1) story building originally constructed in 1974.

Engineer Halbruner advised the applicant is proposing to significantly improve the aesthetics of the building. He referred to two (2) drawings **Exhibit A1:** photograph of existing building as it looks today. **Exhibit A2:** rendering of proposed improvements. Engineer Halbruner indicated the proposed improvements increases the street presence and aesthetics dramatically. He explained that internally the applicant's intend to divide the building into two (2) units. Each proposed unit will have an office with approximately 500 sq. ft. and the balance of each unit, which is about 1,400 sq. ft. will be used for warehousing the storage of goods and products.

Engineer Halbruner advised that in conjunction with the building improvements the applicant is also proposing site improvements. He indicated currently there are eight (8) parking spaces but the applicant is adding more spaces for a total of thirteen (13) spaces including one (1) handicap space. He advised the additional parking spaces are being created by expanding the existing parking area along the Black Horse Pike.

Engineer Halbruner advised the applicant is also proposing to improve the driveways and site circulation. He explained that currently the circulation through site is provided by a two (2) way drive that connects Heggan and Ashland Avenue's. The applicant proposes to widen the existing driveway and create one (1) way ingress and egress. Engineer Halbruner indicated the site will be accessed through Ashland Avenue and vehicles will exist from Heggen Avenue.

Engineer Halbruner noted the applicant will be adding shade trees along Ashland Avenue and shrubs will be planted in the grassed area between the parking area and the Black Horse Pike. He explained the shrubs will be low due to sight triangle concerns.

Engineer Halbruner advised there was a separate application submitted for the installation of curbs and sidewalk along all three (3) frontages of the property through the Township Clerk's office. He advised this application has been approved and was bonded.

Township Administrator Miller asked how long the existing building has been on site and what efforts, if any, were made to acquire adjacent property to create a conforming parcel? Engineer Halbruner indicated site plan approval was granted in 1974 for the existing building. The zoning district at that time was rural residential. He indicated the current owner or the contract purchaser have not made any effort to acquire adjacent parcels in order to obtain a conforming lot. Township Administrator Miller asked if the lots surrounding the property are residential properties. Engineer Halbruner stated this is correct. Township Administrator Miller asked if Engineer Halbruner could advise the board where the zone line is in relation to this parcel. Engineer Halbruner explained that there is an existing boundary line establishing the commercial and residential zones along Mt. Vernon Avenue, which is several hundred feet from this parcel.

Attorney Gemmel asked Engineer Halbruner to explain the variance relief requested. Engineer Halbruner indicated the applicant is seeking variance relief with respect to the parking setbacks and the buffers. Engineer Halbruner explained the zoning ordinance requires a 20' ft. setback for parking along the Black Horse Pike right-of-way line to the parking area. He indicated currently the parking exist at 11.3' ft, however, through the widening of the driveway and creating additional parking spaces the proposed setback will now be 10.5' ft. Engineer Halbruner also advised there is a small retaining wall along the side of the parking area which will be 9.85' ft. from the Black Horse Pike.

Board Planner Polistina asked if the parking space sizes conform to the zoning? Engineer Halbruner indicated they do conform to size. He also indicated there is a parking buffer requirement of 20' ft., which the applicant can not comply with so relief must also be sought.

Engineer Halbruner stated variance relief is sought for the width of the interior driveway. He explained that even though the applicant is reducing the drive from a two (2) way to a one (1) way the applicant is providing additional parking. He indicated the width of the driveway is now 18' ft. and this was proposed in order to preserve as much green space (buffer) area as possible.

Engineer Halbruner advised variance relief is needed for the proposed free standing sign. He explained that during the applicant's last discussions with the Technical Review Committee it was suggested the sign be moved further away from the property line then initially proposed, which would help decrease the magnitude of the variance. Engineer Halbruner indicated the applicant is now proposing the sign at a 20' ft. setback, however, variance relief is still necessary since the ordinance requires a 25' ft. setback.

Committeeman Carman asked if Engineer Halbruner considered angling the parking spaces so large vehicles could park easier since the driveway will not be one-way? Mr. Halbruner advised if the applicant were to consider angled parking they would lose at least two (2) parking spaces, which is needed to comply with ordinance requirements, thus the applicant does not want to lose them.

Attorney Gemmel indicated the applicant needs variance relief for the number of signs on the building. He indicated the applicant is proposing three (3) small signs to go on the front of building. Attorney Gemmel explained the ordinance does permit one (1) sign for each tenant, however, a third (3rd) sign is proposed for the middle of the building identifying the name of the complex.

Engineer Halbruner advised trash will be kept inside the building and brought to the curb for collection. He stated there will be no outside dumpsters present on the property.

Engineer Halbruner indicated the applicant is only seeking one (1) checklist waiver (Item #18) storm water management plan. He explained there is a very minimum increase to the impervious surface coverage as a result from proposing the five (5) additional parking spaces. Engineer Halbruner indicated they truly have a very low impact with respect to the storm water run-off. He advised all other checklist waivers have either been addressed or will be addressed.

Motion Rosenberg/Eykyn to open public portion. Vote 9 yes

May the record reflect no one came forward

Motion Kearns/Rosenberg to close public portion. Vote 9 yes

Motion Carman/Cafero to grant requested checklist waiver (Item #18) storm water management plan: Vote 9 yes: Aponte, Carman, Cafero, Eykyn, Kearns, Levy, Miller, Rosenberg, Garth

Motion Eykyn/Rosenberg to grant requested design waiver(s): Vote 9 yes: Aponte, Carman, Cafero, Eykyn, Kearns, Levy, Miller, Rosenberg, Garth

Motion Miller/Kearns to grant requested variance relief: §225-7: minimum yard parking setback 9.85' ft. prop.; 20' ft. req., §225-55.A: Driveway Width: driveway width: driveway entrance for commercial: 18' ft. prop.; 30' ft. req., §225-55.M.3: parking in buffer areas: no off street parking spaces shall be permitted in any required buffer area. The applicant is proposing off-street parking in the required front yard buffer area, §225-63: Building mounted signage is one (1) sign per tenant: three (3) building mounted signs proposed, §225-63B(7): Freestanding sign setback. 20' ft. prop.; 25' ft. req. Vote 9 Yes: Aponte, Carman, Cafero, Eykyn, Kearns, Levy, Miller, Rosenberg, Garth

Motion Carman/Aponte to grant conditional minor site plan approval. Vote 9 Yes: Aponte, Carman, Cafero, Eykyn, Kearns, Levy, Miller, Rosenberg, Garth

MEMORIALIZATION OF RESOLUTION(S):

1. **SPPF 14-11**

New Jersey American Water

Preliminary/Final Major Site Plan

3403/1 & 16

Dogwood Avenue

Motion Carman/Kearns to memorialize resolution granting requested checklist waiver(s) item #5 & #6, design waiver(s) items #1, #3, & #4, variance relief: '225-7: Minimum Lot Area (Table I): 2.5 acres required; 1.2 acres existing, and conditional preliminary/final major site plan approval. Vote 7 Yes: Carman, Kearns, Levy, Miller, Rosenberg, Shamsuddin, Garth

Motion Carman/Kearns to approve the January 30, 2012, Special Meeting Minutes. Vote 7 Yes: Carman, Kearns, Levy, Miller, Rosenberg, Shamsuddin, Garth

Motion Kearns/Miller to adjourn at 6:10 P.M. Vote 9 Yes: Aponte, Carman, Cafero, Eykyn, Kearns, Levy, Miller, Rosenberg, Garth

Respectfully submitted by,
Jenna Rocco, for Theresa Wilbert, Secretary