

Planning Board Professional(s):

Solicitor: Christopher Brown, Esq.: (Ted Strickland, 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: (Craig Hurless, P.P., present)

A 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, another engage.	Mayor James J. McCullough, Jr., arr. @ 5:52 p.m.
Charles Eykyn, present	Peter Miller, Township Administrator, present
James Garth, Sr., present	Committeewoman Laura Pfrommer, present
Frank Kearns, present	Paul Rosenberg, arr. @ 5:30 p.m.
Robert Levy, another engage.	John Welsh, Alt. #II, another engage.

May the record reflect: The application(s) for David Doebley and Iglesia Buenas Nuevas, Inc., were taken out of sequential agenda order.

PUBLIC HEARING(S):

1. SD 05-14	Minor Subdivision
David Doebley	3904/12
Zone: RG-2, 3.428 acre lot, sewer/water	411 Oakland Avenue
The applicant is proposing a two lot minor subdivision	Waiver of Time-Not Granted

Proposed Lot 12.01 contains an existing dwelling under construction with a lot area of 16,000 square feet. Proposed Lot 12 will have a lot area of 3.061 acres for the construction of detached single family dwelling. Pinelands C/F#1982-2470.003, February 10, 2015.

Checklist Waiver(s):

1. Item #15:	Site characteristic map
2. Item #17:	Soil Boring information

May the record reflect: Township Committeewoman Pfrommer recused herself from participating in this application. This application was taken out of sequential order until the arrival of Board Member, Paul Rosenberg.

David Doebley, applicant, duly sworn, advised he is requesting minor subdivision approval.

Rami Nassar, P.E., New Jersey Licensed Engineer, Schaeffer, Nassar, and Scheidegg, Cantillon Boulevard, Mays Landing, New Jersey, duly sworn. Engineer Nass advised there is currently a home under construction on lot 12. He indicated the applicant is proposing a two (2) lot subdivision by creating a

flag lot. He indicated one lot will contain the home under construction and the other parcel will be for the construction of a new home. He advised the applicant has already placed curb and sidewalk in based upon the construction of the existing home.

Engineer Nassar advised they reviewed the reports of the Board Engineer and Planner and there is no objections. He advised the applicant will pay the required recreation fee for the vacant parcel which amounts to \$6,050.00. Engineer Nassar stated the applicant is seeking a waiver for the site characteristics map. He indicated site characteristics information is shown, but it is not placed all on one (1) map. He advised the applicant is also seeking a waiver concerning soil boring information because the site has sewer.

Chairman Garth asked where the driveway is proposed. Engineer Nassar stated the proposed driveway for the vacant parcel will be next to the water line and it will be a stone drive.

Motion Eykyn/Rosenberg to grant requested checklist waiver(s). Vote 5 Yes: Eykyn, Garth, Kearns, Miller, Rosenberg.

Motion Rosenberg/Eykyn to grant conditional minor subdivision approval. Vote 5 Yes: Eykyn, Garth, Kearns, Miller, Rosenberg.

Motion Eykyn/Rosenberg to memorialize resolution granting requested checklist waiver(s) and conditional minor subdivision approval. Vote 5 Yes: Eykyn, Garth, Kearns, Miller, Rosenberg.

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| <p>2. <u>SPPF 05-14</u>
 Iglesia Buenas Nuevas, Inc.
 Zone: R-2, 4.23 acre site, septic/well,
 Site currently contains two (2) existing buildings
 one (1) which was utilized as a single-family dwelling and the other as a storage building.</p> | <p>Preliminary and Final Major Site Plan
 1048/50
 9 Stafford Avenue
 Waiver of Time – Not Granted</p> |
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Applicant proposing to convert the existing dwelling into a church. Applicant then proposes to construct off-street parking for the church in two (2) phase. Phase I will consist of two (2) building additions and 20 parking spaces in stone parking lot. Phase II will consist of an additional 29 parking spaces and expansion of the storm water basin. CAFRA.

Checklist Waiver(s):

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| <p>1. Item #13:</p> <p>2. Item #15:</p> <p>3. §198-15E:</p> | <p>Landscaping plan</p> <p>Site characteristics map</p> <p>EHT MUA Approval</p> |
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Variance Relief:

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| <p>1. §225-55(F):</p> <p>2. §225-55(I):</p> <p>3. §225-62(D):</p> | <p>Parking lot curbing</p> <p>Surfacing of parking lot</p> <p>Signs – Quantity and Area: Applicant is proposing a building mounted sign with an area of 10 sq. ft. and a freestanding with an area of 12 sq. ft. whereas one (1) sign not exceeding an area of 10 sq. ft. is permitted</p> |
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Design Waiver(s):

1. §94-11 (C): Curbing on site

May the record reflect: Iglesia Buenas Nuevas, Inc, was taken as the first item of business.

Michael Epps., Esq., introduced himself as attorney for the applicant. He advised the applicant purchased lot at 9 Stafford Avenue it was a home with a detached structure in rear. The site had an interesting back ground. The church purchased the property with the intention to refurbish the site and to conduct church services.

Attorney Epps asked if he could have both Robert Bruce, the design engineer for the project and Pastor Munoz be sworn in. May the record reflect: Board Solicitor Strickland had duly sworn both.

Robert Bruce, P.E., New Jersey Licensed Engineer, Somers Point, New Jersey, Engineer Bruce advised he was the design engineer on behalf of the church. He advised the site is located on Stafford Avenue, which is off Fire Road around Atlantic Auto Body and not far from the intersection of Washington Avenue. He indicated the site currently contains a one (1) story single family dwelling and a storage building located behind the dwelling.

Engineer Bruce advised the home will be modified in order for the will be utilized for the congregation to conduct services, with two (2) additions being proposed. He indicated the first will be located to the left side and will be an entry foyer from the parking area. He indicated the other addition will be for a mechanical room that will be proposed behind the building. Engineer Bruce advised other improvements proposed will include a parking lot, storm water basin, curb and sidewalk along Stafford Avenue's complete frontage of the property and street trees along Stafford Avenue as well.

Engineer Bruce explained the applicant is proposing improvements in two (2) phases. He indicated currently the church is designed for 80 seats and is considered Phase I. He advised Phase II will be the anticipation of an additional 116 seats and when the entire project is completed (including Phase II) there will be a total of 196 seats. He indicated the applicant will expand the storm water basin with Phase II. Engineer Bruce advised Phase II also expands the parking area. He advised during Phase I the applicant will construct 20 spaces. He advised additional spaces will be constructed during Phase II and this will include an expansion of the storm water management.

Engineer Bruce explained that the storm water basin has been designed as if the applicant were to construct the parking area with asphalt. He the applicant is seeking a waiver this evening to allow for a stone parking area with landscape ties at this and sometime in the future as funds allow to pave the lot. Engineer Bruce stated the applicant is also seeking a waiver from concrete curbing around the site, however, they are still proposing curb and sidewalk along Stafford Avenue and along the entrance drive into the site, and they will have a concrete apron.

Engineer Bruce advised the project proposes two (2) signs where the ordinance allows for only one (1) sign. He indicated the applicant would like to have a free standing sign in the vicinity of the entrance driveway and will be conforming. It will be a 10 sq. ft. sign. Engineer Bruce stated the applicant would like a 10 sq. ft. sign on the building, therefore, the applicant is seeking a modest sign on the building. Engineer Bruce stated there will be overhead lighting for the parking area parking.

Engineer Bruce explained there will be services conducted on Sunday evenings and there will be a meeting and bible study conducted one (1) night a week each. He indicated so the site will be used three (3) nights a week by the church. Engineer Bruce explained the site is serviced by a septic system and a well. He indicated the applicant would like to continue using. He advised the septic system had been designed for an eight (8) bedroom house and some 2,200 gallons a day and the church will maybe use 600 gallons a day so it is appropriate sized for the church. Engineer Bruce explained he has spoken with the Atlantic County Board of Health and subject to the Board approval the applicant will go through the process to have the septic system certified.

Engineer Bruce stated the closest MUA sewer line is located 1,700' ft. away at the intersection of Washington and Fire Road's and is too far away to extend. He indicated the well will also be certified. He indicated the applicant has a letter from New Jersey American Water Company advising the closest water line is over 900' ft. away and they want a \$100.00 a foot to extend the water to the site.

Engineer Bruce advised the lot is wooded and the applicant is requesting a waiver from providing a landscaping plan. He indicated the applicant is only clearing the area just for their use and the woods will remain as they are. He advised the applicant is seeking a waiver from the site characteristics map where the applicant would have to identify all trees greater than 15" in diameter. He indicated this has been done in the area where they are proposing the improvements, but in the areas not being disturbed the applicant is seeking a waiver. Engineer Bruce stated the applicant is also seeking a waiver of the landscaping plan, again, because they are a wooded lot and the area being cleared is just for the use of the parking area and the basin. He stated the applicant is providing some street trees along Stafford Avenue, but other than this the woods will remain as it is. Engineer Bruce advised the applicant is also seeking a waiver from the Egg Harbor Township MUA approval because the existing septic system is being utilized and the MUA line is some 1,700' ft. away.

Board Engineer Watkins asked what size sign is being requested on the building. Engineer Bruce stated the applicant is allowed one (1) sign and it can be 10 sq. ft. so the free standing sign will be conforming, however, the building mounted sign is proposed at 10 sq. ft. and the applicant is seeking relief. Chairman Garth asked how tall proposed free standing sign. Engineer Bruce stated the sign is 2' x 5' and it stands about 5' ft. off the ground. Township Administrator Miller asked why the applicant is asking for two (2) signs. He indicated the church is not on a major road. Engineer Bruce stated the building mounted sign is just to announce this is the church. Township Committeewoman Pfrommer asked if the proposed steeple will not announce that it is a church. Engineer Bruce stated it will, however, the sign is just a modest request to identify the building for the parishioners. He indicated it is not an LED board. He indicated it just announces the church and it is a nice touch.

Engineer Bruce advised the free standing sign will have ground mounted lights. Township Committeewoman Pfrommer asked if the building mount sign will be lit. Engineer Bruce stated it is on the building and he is sure there will be light over the door.

Chairman Garth asked if the applicant is going to add to the existing building. Engineer Bruce advised there will be two (2) additions. He indicated one (1) is the entrance foyer. Chairman Garth asked if this is within Phase II. Engineer Bruce stated no. He advised Phase II extends the parking lot and increases

the size of the storm water basin.

Township Administrator Miller asked if the 20 parking spaces is sufficient for the existing building and the additions proposed. Engineer Bruce stated yes. Township Committeewoman Pfrommer asked that no one will be living in this correct. Engineer Bruce stated this is correct. He advised the storage building will stay a storage building.

Township Administrator Miller stated the applicant is requesting variance relief for parking lot curbing and surfacing the parking lot. He indicated this Board does not grant this as variances. He advised the Board may be willing to delay to Phase II the requirement to pave and place the curbing in. Attorney Epps advised the applicant does believe this is acceptable. Engineer Bruce stated this is the Pastor's preferred outcome is to pave but needs to generate revenue to do so.

Township Administrator Miller stated he will recommend condition of Phase II is that the parking lot needs to be paved and curbing placed in before Phase II is completed. Board Engineer Watkins stated the Board should consider granting preliminary and final for Phase I and Preliminary for Phase II so that they must return for final for Phase II. He indicated it would be easier to control. Township Administrator Miller stated he agrees.

Township Administrator Miller stated the applicant is seeking a landscaping waiver. He asked what they are deficient on. Board Planner Hurless stated they are deficient on landscaping around the basin perimeter. He indicated his office is recommending they provide this. Engineer Bruce stated the applicant is using the existing woods as a perimeter for the basin in the rear. Board Planner Hurless stated if the Board wanted to consider this they could waive the landscaping along the rear of the basin but require landscaping for the front of the basin. Township Administrator Miller suggested holding off granting a landscaping waiver until Phase II. Board Engineer Watkins stated during Phase I he does not believe anyone would see much of the basin because the trees are still in this area.

Township Administrator Miller stated he is concerned with granting the applicant's variance request for two (2) signs. He indicated where this church is located people will know where they are going to church. He indicated the proposed steeple will make it look like a church. Township Committeewoman Pfrommer asked if the sign on the building going to have worship hours and things along that line or just the name of the church. Engineer Bruce stated just the name of the church. Township Administrator Miller stated when he looks at the architectural for the church you do not need a sign on the building to tell you where you need to go for the entrance to the church. Engineer Bruce advised the applicant will defer to the Board.

Board Member Eykyn asked if the applicant is currently conducting services on English Creek. Attorney Epps stated the church currently rents space. Pastor Munoz stated yes, on English Creek.

Motion Pfrommer/Eykyn to open public portion. Vote 5 yes.

May the record reflect no one came forward

Motion Eykyn/Kearns to close public portion. Vote 5 yes.

Township Administrator Miller stated he would move to grant the site characteristics map and MUA approval checklist waiver Board Member Eykyn stated he would second. Chairman Garth asked this is not to grant the landscaping plan. Township Administrator Miller stated correct. This will be a condition of Phase II preliminary approval. Engineer Bruce stated the street trees will be part of Phase I. Township Administrator Miller stated this is correct.

Motion Miller/Eykyn to grant requested checklist waiver(s) Items #2 and #3. Vote: Eykyn, Garth, Kearns, Miller, Pfrommer.

Township Administrator Miller stated for the variance relief the board is deferring the request for parking lot curbing and the surfacing of the parking lot until Phase II. He indicated this only leaves the request for the signage variance. He indicated he does not have an issue granting variance relief for the extra two (2) square feet for the freestanding sign. Board Planner Hurless stated the applicant has amended their application and will comply with the ordinance requirements, so the freestanding sign will be 10 sq. ft.

Township Administrator Miller we have approved other churches in residential zones and have limited it to one (1) sign. He indicated he does not want to change that for this area. He indicated he does not see anyone driving more than 25 miles to get to the church. He stated the road is narrow in this area and based on the architectural drawings of the church is very attractive but he cannot support a second sign that triggers a variance on this property. Board Member Eykyn stated he agrees with Township Administrator Miller. He indicated the applicant should reconsider 12 sq. ft. on the freestanding sign. Engineer Bruce stated the applicant would like to have 12 sq. ft. on the freestanding sign. Board Planner Hurless stated the plan actually states 2' ft. x 4' ft. for the freestanding sign.

Attorney Epps stated the applicant is withdrawing the variance relief for the second (2nd) sign and the applicant will make the freestanding sign conforming to the 10 sq. ft. Chairman Garth stated so no variance relief is needed. Board Engineer Watkins stated this is correct.

Motion Miller/Eykyn to grant conditional preliminary and final major site plan Phase I. Vote 5 Yes: Eykyn, Garth, Kearns, Miller, Pfrommer

Motion Miller/Eykyn to grant conditional preliminary major site plan Phase II (conditions include landscaping plan shall be submitted prior to final for phase II and parking lot curbing and surfacing of the parking lot are requirements that must be completed as part of the conditional preliminary phase II approval. Vote 5 Yes: Eykyn, Garth, Kearns, Miller, Pfrommer.

<p>3. <u>SPPF 11-13</u> S & S Gasoline Zone: RCD, 0.882 acre site, sewer/water, site is the location of an existing Sunoco</p>	<p>Preliminary/Final Major Site Plan 2202/5 6801 Tilton Road Waiver of Time – Not Granted</p>
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gasoline station. The site contains an existing one story building, asphalt paving and gasoline pumps. Applicant proposes to demolish the existing building and construct a new 3,184 sq. ft. building on site, the existing asphalt will be repaved with 19 new parking spaces. Applicant proposes to add additional fuel pumps and a canopy expansion with new stormwater management basin. CAFRA

Checklist Waiver(s):

1. **Item #15:** **Utilities approval notice**

Design Waiver(s):

1. **§94-22E(4)** **Basin Landscaping**
2. **§94-44E(1)(i)[1]** **Basin Setback**
3. **§94-44E(1)(j)(1)a:** **Stormwater management-basin top width**

Variance Relief:

1. **§225-7:** **Minimum lot area**
2. **§225-7:** **Minimum lot width**
3. **§225-7:** **Front yard setback (building)**
4. **§225-7:** **Front yard setback (canopy)**
5. **§225-7:** **Rear yard setback**
6. **§225-7:** **Accessory structure – front yard setback**
7. **§225-7:** **Accessory structure – height (canopy)**
8. **§225-7:** **Minimum gross floor area**
9. **§225-55(A):** **Driveway – separation from property line**
10. **§225-55.M.3.** **Parking-Rear Yard Setback**
11. **§225-55.M.7.** **Parking-Distance from Building**
12. **§225-63(A)** **Number of Wall Mounted Signs**
13. **§225-63(B)1:** **Freestanding sign height**
14. **§225-63(B)2:** **Freestanding sign area**
15. **§225-63(B)7:** **Freestanding Sign Setback**

David DeClemente, Esq., introduced himself as attorney for the applicant. He stated this application is for the renovations to the service station located on Fire and Tilton Road's. Attorney DeClemente stated he would like to introduce Engineer Peterman and have him sworn in.

Brian Peterman, P.E., was duly sworn by Board Solicitor Strickland. Brian Peterman, Peterman Macy Associates, 189 South Lakeview Drive, Gibbsboro, New Jersey, New Jersey Licensed Engineer.

Engineer Peterman explained the applicant is present this evening to discuss the preliminary and final site plan application for a Sunoco gas station. He indicated the site is block 2202 Lot 5 and is located 6801 Tilton Road. Engineer Peterman advised the applicant proposes to demolish the existing building and construct a new convenience store. They will also use the existing pumps with the exception of one diesel pump and to reconstruct the existing paved area to create parking for the convenience store.

Engineer Peterman advised the site is in the RCD commercial zoning district. The applicant has had extensive discussion with the Board, the TRC and the Board Professionals concerning the site layout and design. He indicated the applicant has addressed the technical concerns and is now down to seeking variances and design waivers due to the fact of the irregularly shaped parcel size and dimensions, as well as configuration.

Engineer Peterman advised the applicant is seeking pre-existing non-conforming variances for lot area. He indicated 3 acres is required and the .88 acres is provided. He advised lot width is request with 300' ft. required and 132.49' ft. provided. He indicated the applicant is seeking front yard setback for the building of 49.8' ft., it was previously 46.2' ft., but 80' ft. is required. He noted this due to the existing non-conforming shape of the lot. Engineer Peterman indicated the applicant is seeking relief for building side yard setback of 11' ft. where 25' ft. is required, which is again based on the irregular shape and size of the lot.

Engineer Peterman stated the applicant is also seeking variance relief for a building gross floor area of setback of 3,184 sq. ft. where a minimum of 5,000 is required. The applicant is seeking a variance for parking setback allowing for 0' ft. off Fire Road where 20' ft. is required. He stated currently impervious pavement presently exist to the R-O-W. Engineer Peterman stated the applicant will provide testimony on the relocation of existing sign freestanding sign. He indicated the location of freestanding sign has been shown on the plans. He indicated it is currently at the R-O-W now and the applicant is moving it back 20' ft. but variance relief is request because the ordinance requires 25' ft.

Engineer Peterman stated the second freestanding sign that was part of the application has been removed, therefore, variance relief is no longer sought. He indicated the applicant is respectfully requesting variance relief for wall mounted signs. He indicated there are two (2) wall mounted signs proposed. One (1) is facing Fire Road and the other will be facing Tilton Road. Engineer Peterman stated the variance relief is for the second (2nd) façade sign.

Township Administrator Miller asked for clarification concerning the -0- parking setback. He advised he does not see this on the plans they were provided. Engineer Peterman stated they took a conservative route and include drive aisles. He indicated it does not relate specifically to parking stalls. Board Engineer Watkins stated it is usually taken to the driveway aisles and there should be no parking in this area. He stated it should be a buffer. Attorney DeClemente stated it is not a strict interpretation of the idea of a parking spot.

Township Administrator Miller stated one of the things mentioned was the topography of lot and the minimum lot area/width. He asked what effort has been made to acquire more land to make property conforming. Engineer Peterman advised they sent a certified letter to the only adjoining parcel to the applicant and they never responded to the applicants request to purchase additional land. Township Administrator Miller asked if this is the car dealership to the south. Engineer Peterman stated yes. Township Administrator Miller asked if Engineer Peterman knows what size the dealerships lot is. Engineer Peter stated he is not sure.

Township Administrator Miller asked if the side yard setback for the proposed building to the rear of the dealership lot. Engineer Peterman stated this is correct. The applicant is proposing an 11' ft. setback. Board Planner Hurless stated the abutting lot is a little over 4 acres and 3 acres is required. He indicated this is based on the tax map that is provided on the front sheet of the applicant's site plan. Township Administrator Miller stated if the applicant tried to purchase land off the adjacent property owner, to make their lot conforming, the adjacent parcel would than become non-conforming.

Township Administrator Miller asked if the freestanding sign that is being setback to 20' ft. advertising

the gas station or the convenience store. Engineer Peterman stated it will be advertising both. He advised it currently advertises the gas station and the automotive repair shop. He indicated that panel for the repair shop will be removed and replaced with the convenience store. Township Administrator Miller asked if the square footage of the sign will either stay the same or be less than what currently exist. Engineer Peterman stated this is correct. He indicated they are just pulling back the sign 20' ft. from both streets (Tilton/Fire Road(s)). Engineer Peterman advised there is variance relief for size because there is pre-existing non-conforming size for this sign, however, they believe they are making it better by moving it back from a -0- setback to a 20' ft. setback.

Township Administrator Miller asked why the applicant needs two (2) building mounted signs. Engineer Peterman stated the building mounted signs are for both frontages, which are popular frontages, both being on heavily traveled County roads. He indicated the applicant needs the driver expectation so the driver can make the proper turning movements into the facility. He indicated there is a lot of activity at the intersection and want the public to be aware. He indicated it is a change from what is there presently and something they want to alert the motoring public to.

Engineer Peterman stated the building mounted signs does fit in the architecture. Township Administrator Miller asked if both the signs are the same and what is the square footage. Board Planner Hurless stated both signs are 4' x 10' ft. for a total of 40 sq. ft. each. Engineer Peterman stated the ordinance allows for one (1) up to 250 sq. ft. Board Planner Hurless advised the ordinance sets a maximum of 250 sq. ft. He indicated it is based upon the liner width of the building. He indicated the applicant is actually permitted one (1) 148 sq. ft. sign. Board Planner Hurless stated the square footage for the signs proposed is under that allowed square footage for one (1).

Township Administrator Miller asked for the rear yard setback where is it taken from. Engineer Peterman stated there is actually two (2) fronts and one (1) rear considered for the site. He indicated for the Board, via his site plan where the rear yard was established. Township Administrator Miller than asked Engineer Peterman to provide for him the distance from the other side of the building going toward Tilton Road. Engineer Peterman stated it is about 240' ft. Township Administrator Miller asked the distance from the same building line perpendicular to Tilton Road. Engineer Peterman stated this is 49' ft. Township Administrator Miller asked the distance from the other corner of the building from Tilton Road. Engineer Peterman stated they are 97' ft. Administrator Miller than asked from the same corner what the distance is from Fire Road. Engineer Peterman stated 175' ft.

Township Administrator Miller asked by moving the building toward Tilton Road and providing more of a setback on Fire Road impact the gasoline dispensing system. Engineer Peterman stated yes. He indicated this is something that was discussed with the Board Professional's concerning the safety of movability around the building and the pump station. He indicated originally there was an additional island with a canopy, the building was further set back, and there were some parking stalls in a different location. He stated the concern was with the configuration of lot the loading and unloading impacted the driveways on Fire Road so they were asked to move the building closer to Tilton Road and eliminate one (1) fueling station but be consciences of the movability on site. He indicated some of the parking was moved back to be more in line with the drive aisle. He indicated this plan comes up with some of the solutions.

Township Administrator Miller stated a few months ago when the applicant had originally presented the application to the Board there was a question concerning turning radius of trucks. He stated the plan submitted shows all the turning maneuvers. He asked Board Engineer Watkins if trucks can make all these turning movements on the property safely. Board Engineer Watkins stated yes. He also advised this is one of the reasoning to have the applicant return to the Board, since trucks were blocking drive aisles and entrances. He indicated they moved the trash enclosure so they could have an 18 wheeler truck back into loading area.

Township Committeewoman Pfrommer asked if the exist on Fire Road allows for turns both right and left. Board Engineer Watkins stated he indicated he believes so. Engineer Peterman stated on Fire Road it will be a full access. He stated the County has seen this. Board Engineer Watkins stated on Tilton it will be Right out only. Board Member Kearns asked how many pumps. Engineer Peterman stated there are four (4) regular and one (1) diesel.

May the record reflect: Board Member Rosenberg stated during the course of testimony the parcel of property next to the applicant is related to his employer so he would recuse himself.

Board Member Kearns stated the plans say “pumps by others”. Engineer Peterman stated his firm is not doing them. He advised the applicant is having another firm come in and provide the layout and construction of them. Chairman Garth asked if there will be a kiosk between pumps. Engineer Peterman stated yes. He indicated it is actually existing.

Engineer Peterman stated the applicant is also seeking variance relief for the height of the existing freestanding sign. He indicated it is currently 24’ ft. in height were 15’ ft. is permitted, as well as, the existing square footage of the freestanding sign. He indicated the sign is 278 sq. ft. where a maximum of 250 sq. ft. is allowed. Township Administrator Miller stated the applicant is asking the sign remain at 24’ ft. after it is moved back the 20’ ft. Engineer Peterman stated this is correct. Township Administrator Miller stated this includes the testimony previously given that the square footage of the sign will remain the same, which is 278 sq. ft.

Engineer Peterman stated the applicant is also seeking waivers for not providing the required amount of landscaping around the perimeter of the basin, a waiver to allow for the storm water basin to be within the front yard and side yards and allowing a 3.2’ ft. elevation for a 50 year storm to the bottom of the basin. He indicated the applicant is also respectfully asking for a waiver from not providing the top of basin of 5’ ft. where 10’ ft. is required. Engineer Peterman stated the applicant is also asking for a variance concerning minimum front yard setback for the accessory structure (trash enclosure) of 27.5’ proposed and 80’ ft. is required. He further noted the applicant is seeking variance relief for the existing canopy and the canopy expansion to have the existing height of 18.4’ ft. in lieu of the 15’ ft. required.

Engineer Peterman stated the applicant is also seeking variance relief to allow for a 6’ ft. separation between the building and the parking area where a minimum of 10’ ft. is required and the applicant is seeking a waiver from providing street trees along the frontage to Tilton Road. Engineer Peterman stated this is an irregularly shaped property and no matter what the applicant were to do it would require a multitude of variances. He indicated the applicant is trying to improve the usability and the

aesthetics of the corner by removing the auto repair shop and trying to clean it up with both architecture and landscaping. Engineer Peterman stated his testimony and references applied to Exhibit A1, which was part of the Board package. Engineer Peterman then referred to Exhibit A2, which is sheet 5 of 8 and was also part of the Board package. Engineer Peterman stated Exhibit A2 is the lighting and landscaping plan. He indicated the basin will be extensively landscaped, there will be a buffer to the car dealership, and the applicant will utilize landscaping within the driveways based upon what the County allows. He indicated the applicant is proposing a large landscaped island at the corner of Tilton and Fire Roads. Engineer Peterman stated with the sign being moved backed it is an available area to spruce up the landscaping of the corner and will help the aesthetics.

Township Administrator Miller asked Board Planner Hurless that he deemed the landscaping along the basin satisfactory because the applicant is providing shrubs than deciduous trees and it is an acceptable balance of the landscaping. Board Planner Hurless stated yes. He indicate they also looked at the number of species, plants, shrubs, and trees they are deficient. He indicated there is really nowhere to direct them to put those on that lot at this point. He indicated they have fully landscaped the lot to its potential. Township Administrator Miller stated it appears they have 40 extra trees and shrubs and they are shy 19 shade trees. He indicated it appears to be a sufficient trade-off what they are doing there and it is less height in what they are planting there. Board Planner Hurless stated yes.

Engineer Peterman stated the landscaped areas will be irrigated. Board Engineer Watkins asked if there are trees along Fire Road. Engineer Peterman stated no, except along the basin. Board Engineer Watkins asked if there was any overhang wires in this area. Engineer Peterman stated he does not believe so, however, if there are the applicant can work by adjusting the species that is planted in that area.

Township Committeewoman Pfrommer stated here concerning with landscaping is whether you make a right or left onto Fire Road or if you come up Fire Road to get onto Tilton Road. She stated you will see a lot of shrubbery in the front. Engineer Peterman stated most of the landscaping is low lying and is less than two (2) to three (3) feet, which keeps it under the site visibility. Township Committeewoman Pfrommer stated she is concerned with growth especially if it is 10 years down the line and they say they will only grow to 2' ft. and they grow to 4' ft. Engineer Peterman provided a list of the species that will be planted on site advising it was the intent to keep everything low. Board Planner Hurless stated the clear site triangles have been placed on the plan. He stated we check to verify that they are meeting the code. He stated ultimately the applicant will be required to maintain the property so that they remain as cleared site triangles.

Township Administrator Miller stated when the building is demolished the repair work and the storage of vehicles will go away. Engineer Peterman stated they are currently a tenant at the facility so when the lease is ending and they will be removed from the site initially. Once they are eliminated and moved the demolition and reconstruction of the site will begin. Township Committeewoman Pfrommer asked if the property will be shut down while this is going on or will the pumps be open. Engineer Peterman stated it will be closed short term. Attorney DeClemente stated it will be closed for about 2 weeks maximum.

Board Member Eykyn stated testimony provided Engineer Peterman advised the County has approved

driveways to be in and out, but the driveway in the rear along Fire Road shows an arrow going to the right. Engineer Peterman stated there is a turn island in this area but the County did not place any restrictions on the applicant as far as turning movements. He indicated this island is actually existing and it will be reduced in size but again there were no specific restrictions in their review.

Motion McCullough/Kearns to open public portion. Vote 7 yes:

Stuart Stromfeld, 1704 Sommerset Boulevard, Linwood, New Jersey, duly sworn: Mr. Stromfeld stated he is the owner of the property directly across the street, J. Alexander Realty, who rents to Joe Canal's Liquor. Mr. Stromfeld stated he would like to address the issue of making a left turn and going south onto Fire Road from this facility. He stated it was testified to that the County did not object to it. He advised at their last hearing it was testified that the County had approved it. He indicated he was surprised because in his opinion crossing almost five (5) lanes to go south on one of the busiest intersections in the Township is not very safe.

Mr. Stromfeld stated when he called the County they had no record. He stated there was no paperwork or anything on any request to approve south bound exits from the Sunoco station. He indicated being on this corner since 1998 the amount of traffic that backs-up at this intersection is enormous. He stated currently the facility is a gasoline service station and a repair shop. He stated it will ultimately be someplace to quickly grab a cup of coffee or buy a donut or a bagel and leave quickly. He indicated they may be removing the repair shop that houses five (5) or six (6) cars for a little while and now it is literally going to be a mini-WaWa.

Mr. Stromfeld stated he believes the amount of traffic will increase exponentially. He stated if there are people coming out of the Fire Road exit and making a left turn coming past and maybe being blocked by traffic waiting to make the left to go north onto Fire Road. He indicated he believes they are making an enormous amount of hazard. Mr. Stromfeld stated right after the last meeting on this application he was gassing up at the station and there was an accident. He stated he does not know what kind of traffic studies were done or if it was even required.

Mr. Stromfeld advised another issue he would like to raise is once you start selling diesel it is usually pumped by the people driving the vehicle. He indicated once they have finished gassing up the truck will leave and it may try to go south on Fire Road. He stated if it is a large truck he believes it will be a hazard and congest the corner. Mr. Stromfeld stated he has no problem with growth and is a proponent of growth and expansion. He indicated he does not believe this is renovating. This is knocking down and rebuilding.

Mr. Stromfeld stated it was testified that a certified letter was sent to the car dealership owning the adjoining property. He stated he understands they cannot be conforming from someone owning 4 acres but it would be a lot better than trying to fill less than an acre. He stated there are a lot of variances requested. He indicated over the years when he has come in some variances requested have been granted some have not. He indicated it was always a thought that if we grant variance relief to this person the next person coming in is going to ask why they can't have theirs. He indicated for safety and congestion on the corner he cannot condone or rationalize trying to go south on Fire Road.

Mayor McCullough asked if we have any record from the County that says the applicant has authorization to make a left hand turn going south. Board Engineer Watkins stated he does not believe they have final approval yet. He indicated they have a letter that was responded back in May, 2014 from Brian Walters that Mr. Peterman responded but no comments responding to the letter dealt with left turn or no left turn. Mayor McCullough stated he believes what Mr. Stromfeld is saying is accurate. He stated the area is highly congested. He stated he is surprised to even hear there is a left hand turn coming out of site. Attorney DeClemente stated the applicant has no problem making as a condition to place a sign advising no left turn can be made out of side.

Mr. Stromfeld stated thank you. He indicated he just received approval from the zoning board and they required to install something called a “pork chop” so it prohibits you from making that left turn out. Board Engineer Watkins stated we cannot make them do something within a County R-O-W. Township Administrator Miller stated if the applicant volunteers to construct a “pork chop” we can make as a condition of approval. He stated if they do not it falls under jurisdiction of the County. Board Engineer Watkins stated there is actually one in place now. He advised they will keep it and they will place a sign up that says no left turns.

Township Committeewoman Pfrommer asked if the drive aisle coming out of site be curved to the right rather than straight. She indicated people really do not pay attention to signs. Engineer Peterman stated the “pork chop” that exist now will be reconfigured in size. He stated as far as placing one at the northwest driveway the applicant needs that access width in order to accommodate the tankers coming to site.

Motion McCullough/Kearns to close public portion.

Engineer Peterman stated the applicant has submitted to the MUA but they have not received approval. He is asking if the checklist item for utilities can be deferred, again, as a condition of approval. He stated if so then this waiver can be eliminated.

Township Administrator Miller asked since it has been determined that the basin landscaping does not meet all the components does it trigger need for waiver of minimum standards. Board Planner Hurless stated yes. He indicated this is the way the Board has been treating them. He indicated the fact that they may have more shrubs but may not have enough trees the Board is essentially waiving that specific requirement of that ordinance.

Township Administrator Miller stated by the Board waiving we are granting the authority, as the planner, to approve an alternate plan which is sufficient for the Township needs. Board Planner Hurless stated the Board will be justifying the waiver with other stuff they are giving you in lieu of what is required.

Motion Miller/Eykyn to grant requested design waiver(s). Vote 6 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Pfrommer

Township Administrator Miller stated he will make the motion to grant the requested variance relief. He indicated on the minimum lot area because of the topography of the property and being a triangular

shaped parcel bound by a road on two (2) sides and a car dealership on the other side there is no available land to bring them into conformance with lot or lot area. He indicated on the front yard setback there is an 80' ft. setback from two (2) different streets. Township Administrator Miller stated the building is further back no than the existing building is so there is an improvement on this non-conforming shaped property.

Township Administrator Miller stated for the front yard setback for the canopy he indicated there is an existing canopy, which is 18' ft. high and the Board has granted approval for other canopies that have encroached in the setback. Township Administrator Miller stated the rear yard setback, the adjacent property owner that is impacted by it, the car dealership did not appear to contest the rear of the building. He indicated the applicant does show sufficient landscaping to buffer this area.

Township Administrator stated the accessory structure is front yard setback for the trash enclosure, which is enclosed and he does not believe it will have a negative impact on this site where it is located is almost equal to the front building line with the convenience store. He indicated the minimum gross floor area is 5,000 sq. ft. and the applicant has 3,184 sq. ft. he indicated due to the size the property you cannot get to 5,000 sq. ft. without impacting the property. He indicated he believes the building is appropriately sized for the size of the lot in question.

Township Administrator Miller stated the driveway separation from the property line is an existing condition and is not being exacerbated but being maintained as it is. He indicated the parking distance from the building the Board has granted relief from for a lot of commercial centers where we have allowed 6' ft. to 8' ft. as long as the safety of the building is protected and there is sufficient landscaping elsewhere. Township Administrator Miller stated the wall mounted signs requested is for two (2) and they are 40 sq. ft. each for a total of 80 sq. ft. and under zoning they are permitted one (1) sign amounting to 148 sq. ft. He indicated reducing this to two (2) signs gives a cleaner look the site.

Township Administrator Miller advised the freestanding sign is the existing one which almost sits in the street. The applicant is proposing to move back 20' ft. onto their property. He indicated the setback 25' ft., but going from -0- to 20' ft. He indicated the sign is remaining the same. There is no requirement for them to move the sign. He indicated they are showing a good faith effort to improve the appearance of their facility by moving the sign back further to provide better site lines for public safety there. He indicated the issue over the parking lot setback he stated there is no parking taken place there but there is traffic lanes there and he does not think that has a negative impact on the property and for these reasons he will make the motion to grant the variances.

Motion Miller/Eykyn to grant requested variance. Vote 6 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Pfrommer

Board Engineer Watkins stated he was looking at the one way in and one way out on Fire Road. He indicated looking at geometry and the concerns of the Board he has drafted up something. He stated the trucks would enter on Fire Road at the first entrance and exit onto Tilton Road. He advised the driveway could be made wider and again make one way it would eliminate trucks making a left turn.

Attorney DeClemente stated the applicant has no problem with proposal as long as it conforms with the

County's approval. Engineer Peterman stated also they have to make sure the traffic movements work for the vehicles they anticipate coming to site including both tanker and delivery trucks. Board Member Eykyn asked if the County will know this was made as a condition. Engineer Peterman stated it will be placed in the resolution and it is subject to County approval.

Township Administrator Miller stated he will make motion to grant conditional approval based on utility notice being provided, as well as, the proposed entrance on Fire Road furthest from Tilton Road if it can be reconfigured in accordance with the Board Engineer's preliminary sketch from tonight and approved by the County of Atlantic.

Motion Miller/Eykyn to grant conditional preliminary/final major site plan approval. Vote 6 Yes:
Eykyn, Garth, Kearns, McCullough, Miller, Pfrommer.

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| <p>4. <u>SPPF14-14</u>
Long's Own Five, LLC
Zone: HB& RG-2, 19.07 acre site, sewer/water
The applicant is proposing to build a new
automobile sales, retail and office complex in two (2) phases. Phase I will consist of a 33,993 square foot Mercedes-Benz Dealership, a 10,580 square foot Porsche Dealership and a 3,380 square foot carwash/detail building housing six (6) vehicles bay. Phase II will propose a 13,650 square foot multi-tenant commercial retail building and a 22,500 square foot office building. The total site will have over 478 paved parking spaces other improvements include stormwater, lighting and landscaping. Pinelands C/F #1984-1339.025, January 9, 2015.</p> | <p>Preliminary and Final Major Site Plan
1902/6-9,11-15
Black Horse Pike, Riddle & Franklin Avenues
Waiver of Time-Not Granted</p> |
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Checklist Waiver(s)

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| <p>1. Item #15:</p> <p>2. Item #21:</p> <p>3. Item #22:</p> | <p>Site characteristics map</p> <p>Fiscal Impact report</p> <p>Modification Report</p> |
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Design Waiver(s):

- | | |
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| <p>1. §94-8:</p> | <p>Buffer</p> |
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Variance Relief:

- | | |
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| <p>1. 225-14(B):</p> <p>2. 225-55(A):</p> <p>3. 225-55(C):</p> <p>4. 225-55(E):</p> <p>5. 225-63(A):</p> <p>6. 225-63(A)(3):</p> <p>7. 225-63(B)(1):</p> <p>8. 225-63(B)(2):</p> <p>9. 225-63(B)(3):</p> | <p>Directional Signage Area (Mercedes Benz)</p> <p>Driveway Entrance Width</p> <p>Driveway Aisle Width</p> <p>Off Street Parking in Required Buffer</p> <p>Building Mounted Signage- Quantity.</p> <p>Building Mounted Signage-Vertical Dimension</p> <p>Freestanding Sign Height</p> <p>Freestanding Sign Area</p> <p>Free standing Sign Quantity</p> |
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Stephen Nehmad, Esq., introduced himself as attorney for the applicant, Long's Own Five, LLC. He instated this application is for preliminary and final site plan approval. He indicated, however, that it is

an understatement to merely say this an application for site plan approval. He advised it is an application for a meaningful development in the core of this community's central business district along the Black Horse Pike the Highway Business zone. Attorney Nehmad stated we all pick up the paper every day and it is gloom and doom. No one wants to invest or make capital investments not only in Atlantic City but anywhere else in Atlantic County because of what is happening in Atlantic City.

Attorney Nehmad stated there is a demand to build meaningful, well planned, well designed improvements to redevelop the Black Horse Pike corridor, which this applicant represents. He advised Long's Own Five is a limited liability company, whose principal is David Long. He advised Mr. Long is also the principal owner of the Mercedes and Porsche dealership located in West Atlantic City and whom is present this evening, as well as, John Mehrlander, Mr. Long's general manager is also present. He indicated what they propose is to is redevelop and build a new dealership on just under a 20 acre site where a former recreation vehicle location and literally a junk yard was located.

Attorney Nehmad he indicated the variance relief is only related to signage. He indicated the use is permitted and the bulk controls, such as setbacks and buffers, meets or exceeds ordinance requirements. He indicated in terms of the buildings themselves the applicant proposes a new Mercedes Dealership Showroom, a Porsche Dealership Show Room, and two (2) other buildings which will be a second (2nd) phase, which will be utilized as a retail building along the Black Horse Pike and an office building to the rear the retail building. He indicated the architectural level to fit and finish a new Mercedes or Porsche Dealership is high. He indicated there are high level of finishes such as glass and metal, which are very expensive they create the image necessary to sell luxury automobiles for which there is still a healthy demand for in Atlantic County.

Attorney Nehmad advised there will be a number of witnesses. He stated this includes Jon Barnhart, who is the Engineer and Planner, Nathan Mosely, who is the Traffic Engineer, John Mehrlander and David Long are here, and the Warren Mann, the architect. He indicated he does not intend to call all for testimony, but would asked that they be sworn in.

May the record reflect: Board Solicitor Strickland has duly sworn all individuals previously identified.

Jon Barnhart, P.E., New Jersey Licensed Engineer and Planner, specializing in site civil development for developers such as Long's Own Five. Attorney Nehmad stated Mr. Barnhart has qualified as an expert in both disciplines before this Board previously and the Township Zoning Board and many other Planning and Zoning Board's throughout the State and he offers him as an expert. Chairman Garth stated he is aware.

Engineer Barnhart advised Mr. Long and Mr. Mehrlander approached his firm with the goal to acquire a number of parcels along the Black Horse Pike and Riddle Avenue about two (2) years ago and charged them and the architectural team with the task of creating a dealership facility for their Mercedes and Porsche Dealership's that will be second to none in their minds and ours to other dealerships within the State of New Jersey. He indicated what has been developed is a beautiful site plan and it is a redevelopment of a parcel of land that his client has been able to acquire from three (3) different land owners and bring them together and fully redevelop them in the heart of one of the Township's commercial corridors.

Engineer Barnhart advised he is familiar with the Township Land Development Ordinance, as well as, the property in question and its surrounding neighborhood conditions. Attorney Nehmad asked Engineer Barnhart to explain the present conditions of the site and what is on the site or the previous uses of the site. Engineer Barnhart presented **Exhibit A1**: dated 3/16/15; property survey/site characteristics map, which was submitted with application package. Engineer Barnhart advised the site is at the intersection of the Black Horse Pike and Riddle Avenue. The site actually extends back to another street known as Franklin Avenue. He advised the site is known as block 1902 and prior to Long's Own Five ownership the site was three (3) parcels. He advised the first parcel was lots 6 and 15, but is known as lot 15 for approximately a year, the next was Driftwood R.V. Center, and the last parcel is a property on the corner of Franklin and Riddle Avenue's owned by New Jersey American Water.

Engineer Barnhart advised his client was able to acquire all these properties and it will be just over a ver 19 acres site. He indicated his client has went to great lengths to clean up the site from the time they began acquiring until today. He indicated a number of the structures have been removed. Engineer Barnhart advised one (1) of the parcels was being used for scrap and junk, which has all been cleaned up. He stated there are a few structures that must be removed prior to construction but the applicant has gotten a good jump on cleaning up property.

Engineer Barnhart advised the parcel does have a Paper Street that runs through it today, but the applicant will be seeking a vacation of this street which is known as Johnson Avenue. Engineer Barnhart stated directly across the street from the site (Black Horse Pike) is the garden center, across Riddle Avenue toward the East is the Touch of Italy, toward the west of the site is a parcel of land that was formally the H. I Rib site, which has been demolished because the property was in great disrepair but it is now clean and clear. Engineer Barnhart advised adjacent to that site (next property over) is the Fire house and in the rear of their property across Franklin Avenue is a residentially zoned area and is a residential community. He also advised there are some deep lots that adjoin the property that go out to Spruce Avenue with residential homes that are located closer to Spruce Avenue.

Engineer Barnhart advised the site has just under 800' ft. of frontage starting at Riddle Avenue and the Black Horse Pike and it goes 800' ft. down to the H. I. Rib property and goes along this property on the side of H. I. Rib and then it runs perpendicular to Franklin Avenue and there is frontage all along Franklin Avenue to the intersection of Riddle Avenue, down Riddle Avenue, to an outparcel that is not part of this application, and then again it goes along Riddle Avenue to the point where he originally began describing for a total of 19 acres. Attorney Nehmad asked what remaining uses are on the parcel. He indicated Engineer Barnhart referenced on site was the Driftwood R.V. center. Engineer Barnhart advised the New Jersey American Water Company is a vacant; wooded parcel and the balance of the parcel has a residential home, it also was used for antiques and the rear of the site was used for scrap metal, which was the subject of clean up by Mr. Long and Mr. Mehrlander.

Attorney Nehmad asked if the site is located predominately in the Highway Business Zone. Engineer Barnhart advised this is correct. He indicated the site is split zoned of which 11 acres is located in the Highway Business zone and 8 acres is located within the RG-2 zone. Attorney Nehmad asked Engineer Barnhart if he is familiar with Section 225-6D of the Township Ordinance dealing with split zoned lots. Engineer Barnhart stated yes. Attorney Nehmad stated when a lot is split zoned an applicant is allowed

to utilize for the use permitted in either zone. Engineer Barnhart stated this is correct and this site meets the requirements of Section 225-6D.

Engineer Barnhart presented **Exhibit A3**: dated 3/16/15, Rendered Version of site plan submitted with application. Engineer Barnhart advised the proposed is a multi-faceted development. He indicated the goal is the construction of five (5) buildings. He indicated the heart of the development is a Mercedes Benz Dealership and has a foot print of 34,000 sq. ft, adjacent to the east of this building will be the Porsche Dealership which has a foot print of a little over 10,000 sq. ft. and to the rear of these two (2) buildings will be a support facility for the washing and detailing of the vehicles for both dealerships. Engineer Barnhart advised this is the first Phase of development. He indicated the second Phase of Development will be a 13,560 sq. ft. retail building along the Black Horse Pike corridor and behind this will be a 22,500 sq. ft. office building.

Engineer Barnhart advised there are two (2) major access points. Along the Black Horse Pike. He indicated because the Black Horse Pike is a divided highway in this area the access points will be right in and right out. He advised the applicant has submitted to the Department of Transportation and is awaiting the approval. He advised there will be a secondary access points along Riddle Avenue. He indicated there is no access points from Franklin Avenue taking into consideration the residential neighborhood.

Engineer Barnhart advised each one of the uses will have adequate parking around them. He indicated the geometry of the site permits emergency vehicles and large tractor trailers to make appropriate movements throughout the entire site. He advised they do not want deliveries coming from the rear so the goal is to have deliveries vehicles coming in from the front and having full circulation around the buildings and then leave from the front also. Engineer Barnhart stated the landscaping is abundant., He advised the applicant brought in a landscaping consultant, Joe Carrone, of Carron and Kupp and who has designed a beautiful plan that includes the buffering in the rear, which is a concern of the neighbors in the rear.

Engineer Barnhart advised the applicant is proposing an LED lighting system. He indicated it will be fully controllable and fully dimmable. He advised they have reviewed a comment within the Board Engineer's report concerning the height of the lights in the rear, which can be accommodated. He indicated the applicant meets all the requirements of lighting spill on any of the adjacent properties. He indicated the applicant has all the necessary cutoffs to make sure lighting does not protruded or project beyond the applicant's property lines and create a nuisance to the neighbors.

Engineer Barnhart advised all the facilities within the development have their own trash and recyclables facilities, which will be picked-up and scheduled by private haulers. Engineer Barnhart stated the storm water management plan works very well after the rigorous review process done by the Pinelands Commission. He indicated this is a three stage system. The storm water management plan works very well based on pinelands. He indicated the first part is that the site will drain to inlets that are in landscaped areas to create infiltration and promote ground water recharge. He indicated the applicant is proposing areas of course pavement that allows you to spread out the area of recharge storm water into the ground to eliminate concentration and as the final measure the applicant has a storm water basin in the rear of the site. He advised this will be a shallow basin and will have 4' ft. or less within it.

He indicated the design storms is reduced by the State standards by two fold what the requirement is.

Attorney Nehmad asked Engineer Barnhart to explain the reduction in storm water for post development. Engineer Barnhart advised you must design for a 2 year, 10 year, 100 year and a water quality storm. The State requires, as well as, the Township to reduce runoff from the site well below the pre-development conditions. He indicated whatever the runoff rates are now on the site, after the site is developed, the applicant has to reduce the runoff from the site below the current conditions.

Engineer Barnhart referred to **Exhibit A4**: Landscaping plan prepared by Carrone and Kupp, which was included in application package. He advised they have prepared a count of all the plants, shrubs and trees proposed as part of the application. He indicated it is over 4,000. Attorney Nehmad advised Engineer Barnhart confirmed prior to the meeting there was a total of 4,585. Engineer Barnhart stated this is correct. He advised it is a large site and it allows the opportunity for landscaping, which has been taken advantage of. He indicated these buildings are state of the art and the landscaping has to match this. He indicated there is a multitude of species proposed. He indicated that there are also areas which are part of the landscaping package that will not be cleared. He advised the majority of the New Jersey American Water Company is not being cleared, he advised there are areas around the out parcel are not being cleared and an entire band of trees along Franklin Avenue are not being cleared and an area up against the residential lots to the south.

Engineer Barnhart stated he believes this goes above and beyond with regard to what is seen for landscaping package for car dealerships, but it is because of the nature of the dealership. Attorney Nehmad advised the site is located within the Highway Business Zone. He asked Engineer Barnhart if it meets the zoning controls of this zone. Engineer Barnhart advised it meets or exceeds bulk/area standards. Attorney Nehmad asked Engineer Barnhart to discuss the buffer to the rear of the site. Engineer Barnhart referred to Exhibit A3: he advised this is a major commercial development with the lion shares of the 20 acres being built out. He indicated the applicant looked at how to minimize the impact. He indicated the white area shown on this exhibit is not being cleared. He indicated there is a unique situation on Franklin Avenue. He advised the applicant's property line runs along Franklin Avenue and then jumps back 25' ft. and then continues to run down Franklin Avenue. He indicated the buffer by ordinance varies and while you're in the field it does the same.

Engineer Barnhart referring to Exhibit A3 showed the Board that at the intersection of Riddle and Franklin Avenue's there is more than adequate amount of buffering. He indicated as you continue down Franklin Avenue where it narrows down by the parking area the applicant is 55' from the property line but the edge of the road is another 10' ft., therefore, the parking area is 65' ft. from the property line and within that 65' ft. there is existing vegetation will remain and the line is consistent along the parking area with a fence proposed for the back side. He indicated so what is proposed is a 55' ft. strand of trees with a fence behind them and then the parking will start. He indicated when the property line jumps back technically the way the ordinance measures it the buffer reduces down to 30' ft. He indicated you still have the 50' ft + dimension to the roadway, but again the applicant is maintaining the same line and there will be the strand of trees and fence behind it. He indicated once you go past this developed area you have about a 50' ft. setback from the clearing limit to the edge of road to a fully landscaped basin area. He indicated the top area of the basin around the perimeter is fully landscaped behind the existing tree strand and then there will be a fence that runs through the existing vegetation

and the proposed vegetation.

Engineer Barnhart stated to further bolster this, he referred to Exhibit A4: if you walk down Franklin Avenue there is a lot of trees on site, but they are not mature trees and at the pedestrian level it is sparse and you can see through so recognizing this the thought was to put the fence along the parking area and the basin and to landscaping outside of the fence as well to supplement the low area between the ground and the canopy of the existing trees. He indicated the 50' ft. area will have a greater landscape buffer than what you have had. He indicated when you walk down Franklin Avenue there will be curb and sidewalk, then there will be existing trees and at the base of the 50' ft. strand of trees there will be new evergreens, new shade trees which are number of different types of species. Engineer Barnhart stated behind all of that there will be a solid fence, which will be vinyl.

Attorney Nehmad asked if this fence will be 6' ft. Engineer Barnhart stated yes. Attorney Nehmad asked that the buffer proposed on the client's property will give the appearance that it is the unimproved portion of Franklin Avenue. Engineer Barnhart stated this is correct.

Attorney Nehmad asked Engineer Barnhart to discuss proposed signage. Engineer Barnhart referred to Exhibit **A5**: rendered architectural plans submitted in the application package. He advised it is the front Elevations of the Mercedes building. Engineer Barnhart advised the Township Ordinance allows for one (1) sign per tenant. He advised this particular Mercedes model proposes four (4) signs. He stated the first sign is on the right side elevation it is the Mercedes Logo. He indicated there is no wording proposed. He indicated when you look at the left side elevation it again proposes a Mercedes Logo. He advised when you go to the front elevation the real building mounted sign that identifies the site from the Black Horse Pike identifies it as "Mercedes Benz of Atlantic City" and above the service entrance doors there is a small sign identifying this location. He indicated these are the four (4) wall mounted signs proposed. Engineer Barnhart advised when you add up the sign area in aggregate the applicant is well below the requirements. He indicated the proposed signs are a part of the architectural design of the building and they work within the area. Engineer Barnhart advised none of the signs face residential properties.

Attorney Nehmad stated the second variance request is in reference to the number of free standing signs. Engineer Barnhart advised the Township ordinance allows one (1) freestanding sign for every 300' linear feet of frontage. He advised the applicant has 800' ft. of frontage and is proposing a third free standing sign. He stated the site lays out for three (3) projects the Porsche Dealership wants to market its own freestanding sign, the Mercedes Benz Dealership wants their own freestanding sign and then there is the office/retail, which is the second Phase of project, but will require a freestanding sign. He indicated the signs do comply with area requirements and if you see the Mercedes Benz sign it is really their Logo. He indicated there is no letter and is not a nuisance or eyesore. He indicated both the office and the retail sign will be co-located on the one (1) freestanding sign. He stated what you will see is sign, project behind it, sign, project behind it, etc.. Engineer Barnhart stated it is a common sense argument. He indicated he does not believe the signs are intrusive and they work with the site being appropriate sized and scaled. He advised the site does have 800' ft. of frontage and the applicant is not that shy of being permitted three (3) signs.

Attorney Nehmad advised the applicant is seeking approval for internal direction sign variance.

Engineer Barnhart advised the Ordinance permits internal directional signs, but permits up to 2 sq. ft. He indicated the applicant is proposing two (2) signs and they are in excess of what the ordinance permits. He referred to **Exhibit A6**: he advised the proposed direction sign is 4' ft. off the ground and 3½' ft. wide. He indicated it directs people to the service and sales of the site and the second informational sign is an area for the display of commercial vehicles that are sold by Mercedes. He indicated these are vans and there will be a sign that says "commercial vans". He indicated it is 10' ft. wide and 4' ft. off the ground. He indicated they are in excess of the ordinance, but their position justifies. He indicated the applicant has a 20 acre site and is only requesting two (2) of these signs. Engineer Barnhart then referred to **Exhibit A3**: showing where the commercial sign will be located. He advised it cannot be seen from the road and is internal. He advised then showed the location of the other sign for the Porsche Dealership showing that it is at the beginning of the sales and services area and is over 100' ft. from the Black Horse Pike and you will not be able to see it unless you are on site. He indicated both signs are an important factor to the circulation of the site.

Attorney Nehmad asked if the signs provide an increased visibility and allow safer accessibility for motorist coming to and from site. Engineer Barnhart stated they do. He advised going onto a 20 acre site having signs that direct you is important. So you do not have to make loops around the parking lot to figure out where to go.

Attorney Nehmad asked if the split zone can be discussed again. Engineer Barnhart referred to **Exhibit A1**: outlining the perimeters of lot 15 with the Board. He indicated in the past lot 15 was known as lot 6 and 15 but was consolidated and is now known as lot 15. He advised it was consolidated about one (1) year ago. Attorney Nehmad stated under Section 225-6D where a lot is split, as a matter of right, to use it for a use permitted in either zone. Engineer Barnhart stated this is correct. He advised if you look at the site two (2) of the three (3) frontages are zoned Highway Business. He indicated this would be the Black Horse Pike and Riddle Avenue. He indicated it is only the back portion of the site that is residentially zoned, though it is not a small portion. He indicated when you bring the sites all together the logical path is commercial developed. He stated you must bring the plan to planning and seek approval for something that is appropriate with the other uses in the area. He indicated the plan proposed does this. He indicated the proposed uses proposed for the rear is the storage of vehicles for the Mercedes Benz Inventory, a landscaped basin area, and the closest building to the residential area is an office building. He stated the applicant believes the HB zone is the most appropriate for the area and they believe they meet the standards of the conditional use portion of the ordinance.

Attorney Nehmad asked if this plan meets the requirements of the preliminary and final site plan ordinance. Engineer Barnhart stated he believes it does. He stated this has been a project in the making for 18 months and at least 90% of the professional comments have been met and he believes it meets the requirements.

Attorney Nehmad stated within the reports of the Board Engineer and Planner there was a question concerning loud speakers system. Engineer Barnhart stated he has spoken with his client and he is not allowing a loud speaker system. He stated his client finds it nuisance to their own operation, therefore, they do not use loud speaker systems on their sites. Attorney Nehmad asked if the plan would have to be approved by the MUA. Engineer Barnhart stated yes. He advised they have made the application to the MUA. Attorney Nehmad asked Engineer Barnhart if has reviewed the reports from the Board

Engineer and the Board Planner. Engineer Barnhart stated yes, he has reviewed and the applicant can address and accommodate their concerns.

Attorney Nehmad stated he would like to discuss the free standing sign height for the Mercedes Benz. Engineer Barnhart referred to **Exhibit A5**: he indicated the freestanding Mercedes Benz is shown in the lower left hand corner of this exhibit. He indicated the Logo Box noted in the blue is 10' ft. by 10' ft. square and the proposal is to be 30' ft. above grade. Attorney Nehmad stated the ordinance allows the sign to be the higher of the height of the building or 25' ft. Engineer Barnhart stated the building has various heights. He indicated in one section it is 26' ft. and another it is 28.25' ft. He indicated the building also has architectural element that houses one of the Mercedes Logo's previously discussed which is 35' ft. Engineer Barnhart stated however, if you were to strike an average height it is between 26' ft. to 28' ft. and the free standing sign is 30' ft. proposed (Mercedes Benz). Attorney Nehmad stated the applicant would like to keep the sign at 30' ft. Attorney Nehmad e advised it is not garish, it is a dignified looking sign. Engineer Barnhart stated the finished floor of the building is a foot higher than where the sign will be. He indicated with the sign proposed and the varying heights of the building and the difference in the floor elevations when you are driving by it will look as it conforms.

Township Administrator Miller asked if the other two (2) freestanding signs will conform. Engineer Barnhart stated yes, they do conform. Attorney Nehmad stated there was a question in one (1) of the professional's reports concerning the consolidation of lots. He advised all the lots will be consolidated. This has to be done in order to obtain a building permit. He further noted, that as they move down the road for construction and financing an application may have to file for a technical subdivision to allow financing.

Board Member Eykyn stated several time the company he use to work for has been mentioned. He indicated he will have to step down. Attorney Nehmad stated New Jersey American Water Company does not own the parcel. He advised Mr. Long has acquired the property. Board Solicitor Strickland stated this is not an issue and that Board Member Eykyn may preside over the over the application.

Township Administrator Miller asked what is being kept in the southern most parking lot. Engineer Barnhart advised it is a storage area for vehicle inventory. John Mehrlander was previously sworn, he indicated he is the general manager of the store. He indicated the only people in this storage area will be sales people or drivers pulling the cars out for view. He indicated there will be no general public in the storage area. Township Administrator Miller asked what type of car movement or activity would take place out of the lot on a daily basis. Mr. Meherlander stated if they could have three (3) or four (4) cars moving a day it would be phenomenal.

Attorney Nehmad stated the Board Professional asked if the standards of the lights could be lowered in the rear. Engineer Barnhart stated yes. Attorney Nehmad asked if the lights will go off after closing time. Engineer Barnhart advised there will be security lighting. Mr. Mehrlander stated the general hours of operation are Monday – Thursday from 7:30 a.m. – 9:00 p.m, and on Friday and Saturday 7:30 a.m. – 6:00 p.m. Township Administrator Miller stated on the solid waste collection would Mr. Mehrlander agree that is will occur Monday-Saturday between the hours of 8:00 a.m. and 5:00 p.m. Mr. Mehrlander stated the collection will only occur during operation hours and the same will happen with drop ship. He indicated they are not allowed to drop cars off when they are not in operation.

Township Administrator Miller asked what about drop off of customer cars. Mr. Mehrlander stated they do allow for after hour drop-offs but it is strictly up front and nothing in the rear of the building. Chairman Garth asked when the delivery of parts will occur. Mr. Mehrlander stated come once a day and they try to have them in by 7:30 a.m.

Township Committeewoman Pfrommer asked if the back lot, storage lot gated closed. Mr. Mehrlander stated yes. Township Committeewoman Pfrommer stated the Sunday shoppers cannot access the storage area. Mr. Mehrlander stated there is enough inventory upfront that can be seen. He indicated the storage area cars will still have plastic on them, as well as, the wheel covers. Engineer Barnhart stated the entire storage area has a fence around it with a gate.

Attorney Nehmad stated one of the comments in the Planners report questioned that the applicant do away with a row of parking from the storage area and increase the buffer in this location. He indicated by doing so the applicant could pull the fence back more so the band of green could be increased by another 20' ft. He indicated he has discussed with Mr. Long before this evening and he wants to try and to accommodate his neighbors and be a good corporate citizen. Township Administrator Miller stated by removing the row of cars the applicant will move the fence back another 20' ft. and it will be 70' ft. from the sidewalk to where the fence begins. Engineer Barnhart stated if the applicant were to remove this area from the property line to edge of curb now it is 55' ft. and the applicant would be adding another 20' ft, so in that area it would 80' ft. and in the area where it is currently 30' ft. to property line we would be adding 20' ft. so it would be 50' ft.

Engineer Barnhart stated he again goes back to where the existing edge of pavement is. He stated the applicant would be averaging greater than 50' ft. in the entire area. Township Administrator Miller suggested as part of the vacation of Johnson Avenue the wedge along Franklin Avenue should be requested. Attorney Nehmad stated the applicant could. Mayor McCullough asked if the removal of spaces were discussed at the technical review. Board Engineer Watkins stated yes, it was discussed that the applicant would be willing to remove 24 spaces. Mayor McCullough stated this is the biggest concern of the people living in the development behind this. Board Engineer Watkins stated it gives another 20' ft. of existing trees, the fence will be further away also, and additional plantings will be provided. Mayor McCullough asked so everyone understands could Attorney Nehmad advise how deep this will be. Attorney Nehmad stated from the edge of paving it will be a variable width. Engineer Barnhart stated from the edge of paving it will be a variable width from 85' ft. and at its shallowest from the edge of pavement would be almost 75' ft. Attorney Nehmad stated the buffer well exceeds the 25' ft. that is required. He advised the applicant wants and will be a good neighbor.

Attorney Nehmad advised based on the elevation of the site along Franklin Avenue is the highest point. He indicated where the fence is placed at this high point you will not be able to see the buildings. Board Planner Hurless stated he suggested the applicant increase the buffer along Franklin Avenue. He stated they have over 4,000 plantings, but they do not meet the ordinance requirements for landscaping around the basin. He indicated it does not make sense to have the amount of plantings around the basin. He stated it does not make sense to provide all the landscaping around the basin when it is more important to buffer this use from the adjoining residential use. He stated their recommendation within their report is to take the deficient landscaping and supplement along the street to create a substantial buffer.

Planner Hurless stated when you walk along the street the trees are not really dense so there is an opportunity to create a screening. Attorney Nehmad stated the applicant agrees. He stated the applicant is placing curb and sidewalk along our side of Franklin Avenue. He stated the applicant does not have to place the curb and sidewalk in and place more landscaping in. Township Administrator Miller stated the Board will listen to the residents. He also suggested to not to place in a planting strip between the curb and sidewalk and place the sidewalk against the curb and place the plantings on the other side of the sidewalk. He indicated the applicant proposes 800' ft. of sidewalk and there may be some neighbors who want to walk a baby stroller. He indicated the Board can listen to the neighbors to see if there is a benefit or not and weigh this.

Attorney Nehmad stated the architect is present to discuss any building finishes. He indicated the finishes on the Mercedes building is a lot of glass, chrome and stainless steel. He indicated the Porsche Dealership is the same and both will be finished all the way around. He indicated they will be a very high level of finish. Attorney Nehmad advised the proposed finishes via Exhibit A7: architectural perspective of entire site.

Motion Rosenberg/Eykyn to open public portion.

Donna Mazzochi, 29 Lenape Drive, which she indicated was actually the corner of Lenape Drive and Franklin Avenue, Egg Harbor Township, duly sworn in: Ms. Mazzochi stated most of her questions have been answered. She indicated she likes the change of taking out some auxiliary parking and providing more green space. Ms. Mazzochi advised her currently overlooks the woods and she does not believe a white vinyl fence will blend in with nature. Mr. Mehrlander stated they can provide a cedar board on board. Attorney Nehmad stated for consideration the Board Professionals have often suggested a black vinyl coated fence because it blends in with landscaping. He indicated whatever the resident's desire the applicant will place in. Township Administrator Miller stated if the 6' board on board cedar is acceptable to the residents that is what can be placed up.

Ms. Mazzochi stated she does not understand the lighting that is proposed. Board Engineer Watkins advised the applicant had proposed 25' ft. poles in their auxiliary parking and his office recommended they be lowered to 16' ft. and they will be dimmed at 8:00 p.m. to a less percentage. She asked if these would be even with her second floor. Attorney Nehmad stated the lights will have cut off shields and the light will be shining directly down.

Ms. Mazzochi asked what about doing test drives and things along this line. She asked if people will be driving around their neighborhood. Township Administrator Miller stated they will not be going down Franklin Avenue based upon the conditions placed upon them by the Planning Board. Ms. Mazzochi asked if there will be a sidewalk on Riddle Avenue. Board Engineer Watkins stated yes, and advised they will be paving.

Sandra DeMarco, 4 Lenape Drive, Egg Harbor Township, duly sworn: Ms. DeMarco stated she is concerned about property values and she does not see any value left once the business goes in within her residential area. She stated if there was a residential business there when she moved in it would have been by choice. She stated she does not know why this is needed or why after paying taxes for all these years do they deserve this.

Township Administrator Miller stated he has spoken with Mrs. DeMarco a few times. He stated the property was always zoned commercial and there have always been commercial uses. He indicated the Fenton's Brothers junk yard they had run from this site within the last 20 years. He indicated the applicant has spent in excess of at least \$50,000.00 to clean up the scrap and left overs that were in the junk yard in front of her property and there was a full R.V. Dealership there also. He indicated Egg Harbor Township is the main street of Egg Harbor Township and commercially zoned in order to stabilize her taxes and residential taxes. He advised we need to encourage commercial ratables along the Black Horse Pike.

Ms. DeMarco asked if this means her taxes will go down, because she has lived in five (5) different areas and they have not. Township Administrator Miller stated it takes more than one (1) commercial ratable. He indicated if Mrs. DeMarco has lived here for the last 20 years the local purpose has gone down during her tenure here. He stated he cannot speak for the School Board or the County. Township Administrator Miller stated the ordinance states if you construct a commercial development that abuts a commercial zone you have to construct a buffer between 25' and 100' ft. to protect residential zone. He indicated based upon the applicant's testimony they are placing a 75' ft. buffer and placing up a fence and landscaping. He indicated the Board cannot tell them they cannot develop commercial uses.

Ms. DeMarco asked if they believe she will get a good price for her home because she does not believe she will. She stated she would not want to live behind a dealership. She stated it will be obnoxious. Attorney Nehmad stated the junk yard was obnoxious. Ms. DeMarco stated the junk yard did not bother her at all. She indicated she did not even know it was there. Attorney Nehmad stated the investment for this site will be 29 million dollars. Ms. DeMarco stated it does sound like a neat little package but she does not have a condo in Florida to go to. She stated no one is going to purchase their properties. Attorney Nehmad stated the testimony is conjecture and debatable. He indicated he would dare say with a good buffer in the rear of this site it will enhance and not detract.

Ms. DeMarco stated she is not in favor of sidewalk. She stated she does not want them in there. She stated every day she picks up the paper and there is ten (10) pages of Sheriff Sales. She stated after this goes in it will be valueless. She stated she has been struggling for many years to pay taxes and does not understand why she is not represented her.

Mayor McCullough stated Ms. DeMarco wrote him a letter and he asked if she receive her response. Ms. DeMarco stated yes she did. Mayor McCullough he stated if an applicant meets all the requirements of the State of New Jersey and the Township Laws the Board cannot just turn them down because a resident says I wish I had known because I would have sold my home before the dealership came. He stated it is beyond Board's control. He stated the Board's control is that the applicant does everything that is right. Mayor McCullough stated this is the first he has seen this application and it is beautiful. Ms. DeMarco stated she can tell he is impressed but he would not be if he was a property owner there. She stated they can purchase her property. Mayor McCullough stated the Board has to make sure that the applicant does everything within the ordinance requirements. He advised the applicant is actually going above what they need to in order to make sure the residents that live nearby as happy as they can possible be. He stated the Board cannot say no to the applicant because they are entitled to this because it is zoned that way.

Chairman Garth stated when Home Depot was constructed the residents were concerned and advised their homes would be worthless and it turned out they were not. He stated the Board cannot predict your value will go down or up. Ms. DeMarco stated you would have to go by what you are looking for in and home and you would not be looking to live behind business. Township Administrator Miller stated when the Matt Blatt Dealership and the Auto Lenders Dealership went in along the Black Horse Pike the residential homes that existed there before they were built did not see a dimius value. He advised they also have buffers and we have not seen what Ms. DeMarco has indicated will happen. He advised there is a significant amount of buffering proposed. Ms. DeMarco advised she does not know how this will be remedied unless they want to purchase her property. She indicated for the record she did not like anything that was said here.

James DeMarco, 4 Lenape Drive, Egg Harbor Township, duly sworn: He indicated there are eight (8) families and the Fire Company that have concerns. He stated this should be taken into consideration. He indicated we keep discussing a buffer, however, he stated there is a big difference between trees and a sidewalk, fence, and landscaping. He indicated landscaping is not a buffer what is there is really nice. He stated there are other dealership on the Black Horse Pike, however, there are no houses or neighborhoods behind them. He indicated there is a big difference between the Home Depot and the first neighborhood. He indicated there is not a lot a traffic on Franklin Avenue. He stated these are things the Board should think about.

Hilary Cavanaugh, 309 Franklin Avenue, duly sworn: Ms. Cavanaugh asked what Riddle Avenue entrance will be used for. Board Engineer Watkins stated it will only be for cars. Attorney Nehmad stated people may come out of Riddle Avenue and make a left onto Riddle to go to the Black Horse Pike for Test Drives. He indicated no delivery trucks will use Riddle Avenue. Ms. Cavanaugh stated she is concerned with people making right to Franklin Avenue to go West Bound down the Black Horse Pike. Attorney Nehmad stated there is no desire for the applicant to use this area. He stated the only people using Franklin would be those that live in the area and want to visit the site.

Township Administrator Miller stated if the Board approves the project the Board will prohibit Test Drives on Franklin Avenue. He indicated this will be condition of approval and if they do we can take action against them to stop. Ms. Cavanaugh asked if the car wash is only for dealership use. Attorney Nehmad stated it is only for the dealership not public use. Ms. Cavanaugh stated any additional space for a buffer that can be given so she is not looking at a parking lot is appreciated. Ms. Cavanaugh stated she does not want to see any sidewalks.

Township Administrator Miller asked Ms. Cavanaugh were she is on Franklin. Ms. Cavanaugh stated she is on the corner of Franklin and Riddle Avenue's. Township Administrator Miller suggested if the Board removes the sidewalk there is a dollar value, if the residents wanted to plant some shrubs on their property and the applicant bought delivered them to the residents and the residents planted because the applicant did not want to go onto their property to do that. Adding a buffer to the resident's property to landscape Franklin Avenue is it reasonable or attractive. Ms. Cavanaugh stated she does find this attractive. She indicated a cedar fence is better than vinyl. She indicated she does not understand why they are proposing curb and sidewalk along Franklin and Riddle Avenue's. She stated it is useless.

Township Administrator Miller stated there may be people who would like to use in order to get to the Black Horse Pike to get to other uses. He stated we try to have alternatives to people walking in the street. Ms. Cavanaugh asked what the build time would be for Phase I and II. Attorney Nehmad stated Phase I would hopeful start within the next four (4) months. He indicated it would take about ten (10) months to construct Phase I.

Ms. Cavanaugh asked if off the back of the property can the homes that don't have sewer tie in. Township Administrator Miller stated the sewer and water is coming off the Black Horse Pike and it is not running down Riddle Avenue to Franklin Avenue. Ms. Cavanaugh stated any consideration for the noise level being considered coming from the Black Horse Pike. She indicated there is already a difference being heard with the removal of the removal of the campers. Board Engineer Watkins stated the buildings being proposed will help block the noise.

Board Engineer Watkins stated the sewer is coming off Franklin Avenue. He indicated the applicant is not required to extend. Mayor McCullough stated if Ms. Cavanaugh has enough neighbors they could request. Ms. Cavanaugh stated there is only two (2) and the other is abandoned. She stated she did call the MUA and they were not expanded and having the Township pay. She stated for her to extend it the cost is ridiculous.

Ms. Cavanaugh asked about on site security. Attorney Nehmad stated there is security 24 hours a day. Ms. Cavanaugh stated the applicant indicated they have no intention of building on the corner lot at this time. She asked if in the future they will. Attorney Nehmad stated the applicant has no intention at this time, however, cannot tell her what the future will hold. Ms. Cavanaugh asked that there will still be a buffer. Township Administrator Miller stated yes.

Maureen DeGaetano, 103 Riddle Avenue, duly sworn: Ms. DeGaetano stated she and her mother live on Riddle Avenue. She indicated she has been dealing with Attorney Nehmad and Mr. Long. She advised she is comfortable but would like to know what kind of buffer she will have. Engineer Barnhart advised there is a driveway on either side of Ms. DeGaetano's home. He stated there is a very thick stand of trees on her property and the applicants that will stay because their curb line is 24' ft. from her property line on this side. He indicated on the back side of her property they were a little over 30' ft. from the rear property line and along the other side yard area the applicant is about 60' ft. and it will remain in its existing vegetation condition. He stated the applicant is also placing in new vegetation in this area.

William Danz, Township Fire Chief, duly sworn: have been a 47 year member of Cardiff Volunteer Fire Department. He indicated he has been past president and fire chief of Cardiff and is now currently the Township Chief. He indicated one thing he can say about this project is that one neighbor did not sell their property "Lamberti's" so the applicant could construct up to the Fire Departments property line. He indicated he would have liked the applicant to be neighbors up to their concrete wall.

Chief Danz stated we have lived with a rambled shack restaurant next door with the rats and mice coming into the fire house. He indicated Fenton's junk yard has been there for 100 years. He indicated there were varmints from their too including a fox. He stated the buffer the applicant has place will be good. He stated when you look into the junk yard and the trailer place you could trash and junk. He

indicated the people who live there and bought their houses there this stuff was there when they bought their homes. He stated he applauds them for cleaning up this strip of land and giving up 100' ft. buffer to improve the ride going down Franklin Avenue. He stated he cuts down Franklin Avenue to go down to avoid the traffic light. He stated many people do this. Have to give them a chance and will be good neighbor. He stated he would rather not see sidewalk and plant more trees. He indicated this project will be good.

Township Administrator Miller asked Chief Danz based on the layout of the site and the buildings does he anticipate any problems protecting from for firefighting purposes. Chief Danz stated he reviewed the plans and the applicant does have a yard hydrant. He indicated there is a hydrant on Riddle Avenue and another on Franklin and Lenape Avenue's. He stated he would like a fire gate in the rear. He stated his next hydrant is across the Black Horse Pike. He advised if he needs to obtain water from there the Black Horse Pike will be closed down the entire time they are fighting the fire.

Township Administrator Miller asked does the applicant have a siamese connection. Chief Danz stated it does, however, there are times when we need more water. Attorney Nehmad stated the buildings will have sprinklers. Chief Danz asked for a 12' ft. gate to pull a truck through in the rear. Township Administrator Miller stated a 12' ft. gate cannot be provided because of the buffering. He asked if the Chief would have a problem with a 4' ft. gate and the hose can be dragged across the top of the basin. Chief Danz stated what every can be done.

Sandy DiMarco previously sworn: she advised there is a 92 year old woman whose property abuts to their business. She indicated her property is at Spruce and Franklin Avenue and what does she tell her. Board Engineer Watkins stated she will have a fence and a buffer. Engineer Barnhart stated the applicant will have a buffer. He stated there will be a fence but it will be between 30' to 35' ft. from the property line. He indicated there will be supplemental plantings also.

Ken Stitler, 3019 Spruce Avenue, Egg Harbor Township, duly sworn: Mr. Stitler stated he use to the have the property that was the junk yard. He indicated it was in his family for 92 years and there were five (5) generations that lived there. He indicated he did not want to get rid of the property but the taxes were the main factor. He indicated it was an old place and it was falling apart. He indicated the camper place next door had loud speakers all hours of the day and night. He indicated you will not have this now. He stated this is class act that will move in. He advised residents are concerns with the cars that are 80' ft. from the property line with a fence that is going to be 6' ft. high they will not know the cars are there.

Mr. Stitler stated he has dealt with the Long's for the last few years and they have been admirable. He indicated his grandmother lived here. He stated his great grandmother purchase the property. He indicated his mother passed away 12 years ago and they kept the property because they promised his grandmother they would keep the property until her passing. He stated she lived until she was 102 years of age. He advised she was the lady who walked to the mall every day to get a cup of coffee. He indicated it will be a good group of people and will work with the community.

Motion Mccullough/Kearns to close public portion.

Attorney Nehmad stated variance relief marked #2, 3, 4, and 6 is no longer needed.

Motion Rosenberg/Pfrommer grant requested checklist waivers. Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

Motion Miller/Rosenberg to grant requested design waivers. Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

Township Administrator Miller stated the variance relief is related to circulation around the site and the freestanding sign is the branding logos and they are appropriate and no negative impact. Mayor McCullough stated he agrees.

Motion McCullough/Rosenberg to grant requested variance relief. Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

Township Administrator Miller stated the properties this will be limited to those that are directly across the street from the facility along Franklin Avenue. He indicated the Applicant will deliver the plantings to the residents they are not responsible for planting. The residents will be responsible for their own. He indicated the limit should be \$1,000.00 per home owner. He indicated this would start from Riddle going down Franklin Avenue. Attorney Nehmad stated there appears to be eight (8) or nine (9) homes. Township Administrator Miller stated this includes Ms. Cavanaugh.

Township Administrator stated there will be no sidewalk along Franking Avenue. He asked what the frontage was along Franklin Avenue. Engineer Barnhart stated it is 1,050. Township Administrator stated the value for the residents will \$1,000.00 and the remaining value for what the sidewalk would be is given to the Township for an in lieu contribution for them to place vegetation in the Township.

Township Administrator Miller stated there will be no cars parked in the grass area of the Black Horse in the front can be placed for display, no test driving on Franklin Avenue, and Cedar Board and Board at 6' ft. high fence, meet conditions of the MUA and Pinelands and place a 4' ft. opening along Franklin to be determined by the Fire Department and the applicant. Chief Danz stated that is fine it can be discussed if it works. Township Administrator Miller stated if it cannot be worked out that is fine.

Motion Rosenberg/Kearns to grant conditional preliminary and final major site plan Phase I. Vote:
Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

Motion Rosenberg/Miller to grant conditional preliminary and final major site plan Phase II. Vote:
Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

SUMMARY MATTER(S):

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

SECTION I:

- a. **General public discussion:**

Motion Rosenberg/Kearns to open public portion

May the record reflect no one came forward

Motion Rosenberg/Kearns to close public portion

Motion Rosenberg/Pfrommer to adjourn at 8:37 P.M. Vote 7 Yes: Eykyn, Garth, Kearns, McCullough, Miller, Rosenberg, Pfrommer

Respectfully submitted by,

Theresa Wilbert
Secretary