

**TOWNSHIP OF EGG HARBOR
PLANNING BOARD**

May 17, 2010

Solicitor: Christopher Brown, Esq. (Marc Nehmad, Esq. filling in)
Engineer: James Mott, P.E. (Mott and Associates) Robert Watkins, P.E. in attendance
Planner: Vincent Polistina, P.P. (Polistina and Associates)

A regular meeting of the Planning Board of Egg Harbor Township was held on the above date, 6:30 p.m., prevailing time, Egg Harbor Township hall, Egg Harbor Township, New Jersey. The Chairperson opened the meeting by reading the statement in compliance with the Open Public Meetings Act.

Roll Call:

Manuel E. Aponte, V-Chair., present	Joseph Lisa, 2 nd V-Chair., present
Committeeman John Carman, anoth. Twp. Mtg.	Mayor James J. McCullough, Jr., anoth. Twp. Mtg.
Charles Eykyn, present	Peter Miller, Township Admin., anoth. Twp. Mtg.
James Macon, Alt. #I, present	Dorothy Saslav, another engage.
James Garth, Sr., Chairperson, present	Frank Kearns, Alt. #II, present
Robert Levy, present	

PUBLIC HEARING(S):

1. SD 01-10	Minor Subdivision
Frank Grossi	2417/24
Zone: RG-2, 2.30 acre site, sewer/water, applicant seeking minor subdivision approval for three (3) lots which will be utilized for the construction of single-family detached dwelling units. Pinelands: C/F #:1983-5689.002, dated 9-4-09.	4008 Cottonwood Avenue Waiver of Time – Not Indicated

Checklist Waiver(s):

- Item #1(b): Half scale plans**
- Item #6: Updated list of owners and land owners within 200' on plans**
- Item #9: Survey with datums in NAD 83 and NGVD 88**
- Item #19: Proposed connection(s) to sewer systems**

Variance(s):

- §225-7: Lot Width: 50' ft. proposed; 100' ft. required (75' ft. with PDC's) for prop. lot 24.02**

Keith Davis, Esq., introduced himself as attorney for the applicant, Frank Grossi. He advised Mr. Grossi is seeking approval for a minor subdivision consisting of three (3) lots located along Cottonwood Avenue. Attorney Davis explained last month the applicant presented to the Board a Preliminary Major Subdivision consisting of five (5) lots of which one (1) would be used for storm water management and four (4) would be utilized for the construction of single-family dwellings.

Attorney Davis advised during the meeting last the month the Board stated they would be desirous if the applicant were to eliminate the proposed cul-de-sac, the basin and reduce the density. He indicated this application reflects those concerns.

Robert Bruce, P.E., New Jersey Licensed Engineer, Somers Point, New Jersey, sworn in: Engineer Bruce advised the parcel in question is 2.54 acres. He advised the previous application did propose a cul-de-sac, basin, and four (4) building lots. He explained with this application the applicant is proposing two (2) lots both consisting of over 24,000 sq. ft. and a flag lot with an area of 51,000 sq. ft.

Engineer Bruce indicated this proposal is a better design and provides less density than what was previously requested. Engineer Bruce also indicated this design also provides for less lot disturbance, however, proposed lot 24.02 (flag lot) does require variance relief for lot width and lot disturbance.

Engineer Bruce explained the Township Ordinance does allow for flag lots. However, a flag lot is associated with two (2) lots. One standard lot and the other the flag. This proposal is for two (2) lots with the third (3rd) being the flag. Thus the applicant must seek variance relief for the flag section of the lot, which is 50' ft. Again, this would be acceptable in a normal flag lot subdivision.

Engineer Bruce also noted the applicant is seeking relief for lot disturbance. He advised the two (2) 24,000 sq. ft. lots will meet the disturbance standards, however, the flag lot will not. He indicated most of the disturbance will actually occur in the "pole" of the flag in order to gain access to build. Engineer Bruce offered there is far less clearing proposed with this proposal than the previous. He advised the applicant will not have to clear for the basin, the cul-de-sac and the four (4) lots. Engineer Bruce further noted the applicant does exceed lot size requirements for this zone by 50% based on the new design.

Attorney Davis asked if this application were for two (2) lots would it not be a by-right approval under the Township Ordinance requirements? Engineer Bruce stated this is correct. Attorney Davis asked because this is a three (3) subdivision is it less intense than what was previously proposed and does the relief sought create a problem with the Zone Plan of the Township? Engineer Bruce stated yes, the proposal is less intense and there is no problem to the zone plan.

Engineer Bruce advised the applicant must also seek relief from providing a cultural resource inventory. He indicated with the applicant's preliminary application included an environmental impact statement when submitted. This statement provided there was no historic value to the property and the Pinelands Commission, when reviewing this application, did not require a Cultural Resource Inventory, therefore, the applicant is seeking variance relief not to supply one to the Board.

Engineer Bruce further provided, again, the two (2) lots on Cottonwood will meet the clearing requirements, however, the flag lot will not. He indicated in this zone the applicant has a clearing limitation of 20% and the applicant could have a clearing limit of up to 30%. Engineer Bruce stated most of the clearing, again, will occur in the pole section. He explained the applicant will also lose one (1) tree that has over a 15" dba for an access drive, however, he advised there will be at least ten (10) trees which are over 15" dba that will remain.

Motion Lisa/Aponte to open public portion. Vote 7 yes

May the record reflect no one came forward

Motion Lisa/Aponte to close public portion. Vote 7 yes.

Chairman Garth asked if all the checklist waivers listed on the agenda are required. Engineer Bruce stated the applicant is not seeking a waiver from Checklist Item #3 (as listed on the agenda). Attorney Davis

indicated the applicant will not be seeking any checklist waiver(s). He indicated all waivers listed on the agenda will be addressed with the compliance plans, if the applicant receives approval.

Board Member Aponte indicated he has no issue with granting the variance relief sought because this proposed project is less intense than the one (1) the applicant had presented to the Board last month.

Motion Kearns/Aponte to grant requested variance relief: Lot Width: 50' ft. proposed; 100' ft. required (75' ft. with PDC's) for prop. lot 24.02 and submittal of a Cultural Resource Inventory. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon.

Board Planner Polistina stated the applicant is also seeking relief concerning lot disturbance. He indicated the Ordinance requires 20%, however, the applicant may be clearing up to 30% based upon the flag lot. He indicated this can be made as a condition of the minor subdivision approval.

Motion Aponte/Kearns to grant requested conditional minor subdivision approval. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon.

2. SPPF 11-09 R2 Grace Family Church Zone: RG-1, 5.02 acre site, well/septic, applicant is proposing to construct a 5,198 sq. ft. church. The applicant also seeks approval for a subsequent 2,256 sq. ft. addition to the church, a 3,412 sq. ft. multi-purpose building, and a 3,502 sq. ft. multi-purpose building. The applicant proposes to develop the overall site in four (4) phases. Other associated improvements include storm water maintenance, a 107 space parking area, and landscaping. Pinelands: C/F: 1985-1408.003, dated 11/24/09.	Preliminary/Final Major Site Plan 4004/14 5032 Tremont Avenue Waiver of Time – Not Granted
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Checklist Waiver(s):

1. **Item #18: Loading area**
2. **Item #35: Architectural plans**

Design Waiver(s):

1. **§94-5A(3): Architectural perspective views**
2. **§94-8L: Side yard buffer**
3. **§94-44D(2)(j): More than two feet of water for 50 year storm event**
4. **§94-44E(1)(i)[j]: Top of basin width**

Variance Relief:

1. **§225-7: Maximum impervious coverage: 20% permitted; 32.2% proposed**

Michael Floyd, Esq., introduced himself as attorney for the applicant, Grace Family Church. He indicated the applicant is seeking approval for the construction of church in four (4) phases, which is located within the RG-1 zoning district. Attorney Floyd indicated the proposal requested by the applicant is a permitted conditional use within this zoning district. Attorney Floyd advised the applicant is seeking preliminary approval for phase(s) I, II, III, and IV and final approval for phase I only. He further noted the applicant is also seeking variance relief for impervious coverage and design waivers.

Attorney Floyd asked if the following individual(s) could be sworn in for the record.

Reverend Robert F. Hargrove, II, for Grace Family Church
Gothrie Short, Jr. Contractor
Brian Peterman, P.E., Peterman Maxey Associates
Dan Nichols, Architect

The following individual(s) were sworn in:

Brian Peterman, P.E., New Jersey Licensed Engineer, with Peterman Maxey Associates, advised in Pennsylvania, he graduated in 1984. He advised he has been a licensed engineer for 20 years and has been in business for over 25 years.

Dan Nichols, New Jersey registered Architect. He further noted he has been licensed in Pennsylvania in 1993 and was subsequently licensed in three (3) other States.

Attorney Floyd stated the plans presented this evening have been revised based on reports and meeting(s) between the Technical Review Committee and the applicant. He explained the applicant is proposing a 5,198 sq. ft. church, which will be considered phase I. Phase I will also include 77 parking spaces and improvements. He noted Phase II will consist of an expansion of the church itself in the amount of 2,256 sq. ft., as well as an additional 30 parking spaces. Attorney Floyd advised Phase III will consist of a 3,412 sq. ft. building that will be used for multi-purposes. He also explained that Phase IV will be a 3,502 sq. ft. expansion to the multi-purpose building.

Attorney Floyd advised the parcel in question is five (5) acres in size, the applicant will meet all parking setbacks for the zone, as well as, front and rear yard setbacks for both the use and the parking. He indicated the applicant is proposing all their utilities will be underground, therefore, the applicant will meet all the requirements for a conditional use within the RG-1 zone.

Attorney Floyd also noted the applicant is requesting two (2) checklist waivers. He indicated the first waiver is from a loading berth. He indicated with the exception of a UPS type truck there are no large deliveries on a constant basis that would require a loading area. Attorney Floyd indicated the applicant is also seeking a waiver from providing architectural plans for phase(s) II, III, and IV. He advised the applicant does have architectural renderings for the church and all additions and expansions will be consistent with the church design.

Dan Nichols (Architect) advised the colors for the church were chosen in order to keep a warm appearance through the trees. He explained the church will have a green roof, which the body of church have a tan coloring. He indicated, however, that half way up the facade there will be brick work. Architect Nichols stated the church is centered on the road in which you drive-up. He stated when you enter the property via the driveway there will be a portecochere for drop-off of the members. Once the member(s) are dropped off then the cars may proceed to the parking area. He indicated the church was designed to have wings on either side building, that give the feeling of arms outstretched. Architect Nichols advised these wings will be utilized for the pastor's office and meeting rooms for the congregation.

Architect Nichols indicated the future expansion of the church (phase II) will be additional sanctuary area. He indicated the future architecture to the phasing plans will be consistent to the existing church. Chairman

Garth asked how tall the church will be. Architect Nichols advised the church will be 38' ft. in height to the very top of the cross. Attorney Floyd asked the architectural floor plan and elevations that were presented by Architect Nichols during his testimony (were a colored rendering) be marked in as **Exhibit A1**.

Engineer Peterman advised the basin in the front will be revised so not to encroach into any of the proposed buffer areas of the site. He indicated the applicant wanted a visual impact when coming into site, therefore, the landscaping proposed is decorative to a boulevard setting. Engineer Peterman stated the site has been designed with two (2) basins. He indicated there is one (1) proposed for the front and one (1) proposed for the rear. He indicated the applicant has prepared their site plan in whole in order to receive pinelands approval. Engineer Peterman advised the applicant is meeting the 25' ft. buffering requirements and the applicant will infill with landscaping in those areas if necessary. He did however note there is a design waiver for landscaping along the rear basin. Engineer Peterman stated the applicant focused on the front basin and the access drive to the site with respect to the landscaping. He indicated the rear basin will have landscaping between the parking area and the basin, however, beyond this area the applicant would like to keep the vegetation in a natural state. Engineer Peterman advised there is a neighbor to the rear of this site, however, the neighbor's property is several hundred feet and away and the home can not be seen though the woods.

Engineer Peterman advised the applicant is proposing an increase in depth to both the front and rear basin. He advised the depth is minor. He advised the depth has been increased because the applicant did not want to over clear and cut in order to meet the standards. He indicated he does not believe this increase will be a problem. Engineer Peterman indicated the church will maintain the basins, not the Township, therefore, the applicant is seeking a design waiver from providing a 15' access way around the basin for maintenance. He noted because the basin will be maintained by the church access to it will be gained off Tremont Avenue for the front basin and off the side yard of the site for the rear basin. He further explained both basins will be fenced in as required under the Township Ordinance requirements.

Engineer Peterman advised the applicant is seeking "c" variance relief for lot coverage. He indicated the proposal presented this evening has a lot coverage of 32.6% versus the 20% that is permitted by ordinance. Engineer Peterman explained 20% lot coverage is designed more for the residential development allowed in this zone. He indicated the 20% coverage does not work under the concept of a church use, which is a conditional permitted use in the zone.

Engineer Peterman stated the cost of construction and meeting the needs of churches are becoming more comprehensive. He indicated many congregations want to offer more than just the Sunday Services. They want to offer other programs for their youths, couples, establish elder programs, and provide Sunday School Classes. Engineer Peterman stated that of course the applicant is still looking at Saturday and Sunday Services during the normal peak times for worship. However, when the applicant approached his firm they explained what type of proposal they would like. He indicated the applicant wanted to propose a campus feel. He indicated the applicant wants to have the sanctity of the church, but again, does not just want to offer typical Sunday Services.

Engineer Peterman stated the congregation wanted to create a separation between the church and the offerings of programs. Thus, a few multi-purpose buildings were originally proposed with this application, which placed the proposed coverage at 40%. However, after speaking with the Technical Review Committee They suggested the multi-purpose buildings be combined into one, which the proposal tonight now reflects. He indicated with combining the buildings it would lower the coverage requirements. Also, with the original

proposal the applicant was requesting extra parking spaces, which also have been eliminated, thus reducing the coverage requirements. Engineer Peterman stated the applicant is trying to meet all the requirements possible. He indicated they tried to meet the coverage requirements, but again, can not with the 20% permitted by Ordinance. He advised the proposed design helps reduce the coverage requirements originally sought and still allows for a campus atmosphere. He indicated seeking the variance relief for coverage will not be a deterrent to the zone plan of the Township. Engineer Peterman stated the church is concerned with the adjacent neighbor's, which he indicated he believes has been addressed by providing buffers and the landscaping requirements.

Chairman Garth asked how much of the overall land will be cleared since this is being phased? Engineer Peterman advised the applicant will have to clear the land so that both basins can be constructed because water from this site flows to the front and the rear. Chairman Garth asked when did the applicant believe they would construct phases II, III and IV? Engineer Peterman stated the construction of the additional phase(s) depends on the growth of the congregation.

Board Member Levy asked which basin is proposed for 2.04' ft. and which basin will have depth of 3.08' ft. Board Engineering Representative Watkins stated the basin in the front will 2.04' ft. and the rear basin will be at 3.08' ft. He further noted the ordinance requirements for depth of the basins are more conducive to residential development than what is being proposed. He stated he does not believe what the applicant is requesting will be an issue. Board Engineering Representative Watkins stated he believes there is an inlet on Tremont Avenue. He indicated he believes the survey for this site was done prior to the inlet being completed. Board Engineering Representative Watkins advised he will want the applicant to show the inlet along Tremont to via the revised plans and place piping in so that the low point can be dealt with. Board Engineering Representative Watkins stated he does not believe there will be any flooding onto Tremont Avenue.

Board Member Aponte asked if the applicant is correct with advising the 20% impervious is for residential development. Board Planner Polistina stated yes, the 20% is for residential uses not commercial type uses. Board Member Aponte also suggested that maybe a time limit should be placed on the applicant for the completion of the landscaping just in case the other phase(s) do not move forward as hoped. Engineer Peterman stated the applicant will have to clear the site of necessary vegetation and they do anticipate placing landscaping in. The applicant will agree to whatever condition the Board decides concerning the landscaping. He also suggested that the Board can revisit the landscaping with each phase and if it does not meet their intent of approval they can also deal with it at that time. Attorney Floyd suggested that if the applicant does not return for final approval of the additional phase(s) within two (2) years the applicant will be required to meet with the Board Professional(s) and return to the Board for discussion concerning the landscaping.

Chairman Garth stated the very rear parking lot will not be paved until phase II? Attorney Floyd stated this is correct. He indicated when the applicant returns for final approval(s) for phase II paving of the rear parking lot will occur. He indicated until this time the applicant will have a grassed area in the rear, but will place landscaping in along the basin. Engineer Peterman stated the applicant is not proposing any curbing down the swales of the basin adjacent to the parking areas. He indicated this was discussed with the Technical Review Committee. They did ask, however, that depressions be made every two (2) or three (3) parking spaces in order for the drainage from the parking area to funnel into the swales. He indicated the swales proposed are designed to meet the standards and to allow water to flow to the basins.

Board Member Lisa asked if there were barriers between the basins and the parking area? Engineer Peterman stated each parking space will have a wheel stop and there is 20'ft of separation between the stop and basin which where landscaping will be placed.

Board Planner Polistina stated the ordinance requires the applicant to analyze the two (2) closest intersections, however, the applicant is seeking a waiver of this requirement. He further asked if the applicant has looked at the turning radius for the site. Board Planner Polistina stated there is a concern with larger vehicles accessing site. He advised fire apparatus will have to back out if there is ever a problem. Attorney Floyd advised Deanna Drum, of Horner Canter Associates spoke with Joe Johnston of Remington, Vernick and Walberg, the Township Traffic Consultants. He indicated they have agreed information listed within their report will be submitted as a condition of approval.

Bishop Robert Fulton Hargrove, II., sworn in: Bishop Hargrove stated he entered the Township in 2000 with a small church on West Jersey Avenue. This church was small and there was difficulty with a paper street that prohibited it being expanded. He indicated the congregation wanted to return to the Township and they have found this site. Bishop Hargrove stated he has a growing church that currently has forty (40) families. He indicated there will be both morning and evening worship services on Sunday's and there will be various programs that will be offered on Tuesday's.

Bishop Hargrove advised the church has focused on the spirit. He indicated, however, that just meeting on Sunday's does not completely help the spirit. He indicated the congregation needs to come together with the community and work with the teenagers by giving them a place to learn. He indicated with the rate of pregnancy and children dropping increasing the children need a place to learn and grow. He also advised he wants to offer programs to the elder's within the community. Bishop Hargrove stated he is hoping with the growth of the congregation it will extend the bodies and souls of the church community.

Chairman Garth asked how many seats will be available in the church? Bishop Hargrove advised the church will have 125 seats that will be doubled upon the completion of phase II. Engineer Peterman stated there is no sewer near this site, therefore, the applicant will have to rely on a septic system. He indicated the plans reflect what he believes will be the estimated size of the system, but until it receives approval from the Pinelands and County he is not sure how large it will be. Board Planner Polistina stated the sewer is a bit away from this site. He stated it is actually near West Jersey Avenue. He indicated the applicant will have to deal with Pinelands and their calculations for the septic system. Engineer Peterman advised that as the applicant returns with the final plans for the future phase(s) they will advise what is needed.

Motion Lisa/Kearns to open public portion. Vote 7 Yes.

Robert Barnes introduced himself. He advised he is a friend of Bishop Hargrove for a number of years and a member of the church. He indicated Bishop Hargrove is a man of character and integrity. He provides leadership and excellence. Mr. Barnes stated he believes the church will be an asset to the community.

Motion Lisa/Eykyn to close public portion. Vote 7 Yes.

Board Planner Polistina stated the applicant does not need the design waiver for side yard buffer(s). Therefore, waiver #2 can be eliminated. He did advise the applicant will need a few more waiver(s) not listed on agenda. He indicated the first is 198-15D20: intersection analysis, 225-55D: Curb Radii, 225-55F: curbing the parking lot area. He also advised that as a condition of the approval the applicant has agreed the

a two (2) year requirement of rear basin landscaping placement. He stated if in two (2) years the applicant does not return with finals for additional phases() at the discretion of the engineer the applicant must place landscaping on site.

Motion Eykyn/Kearns to grant requested checklist waiver(s). Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

Motion Aponte/Eykyn to grant requested design waiver(s). Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

Board Member Aponte stated variance relief should be granted based on the explanation from the professionals concerning impervious coverage requirements of residential uses. Board Member Kearns stated he believes variance relief should be granted. He stated the proposed will be an asset to the community. Board Member Levy advised he also has not problems granting variance relief based upon the recommendation of the Board Professionals.

Motion Kearns/Eykyn to grant requested variance relief. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

Attorney Floyd asked for a separate motion for conditional use

Motion Lisa/Aponte to grant conditional use approval. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

Motion Aponte/Eykyn to grant requested conditional preliminary major site plan approval for phase(s) (I, II, III, and IV) and final major site plan approval for phase (I) only. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

MEMORIALIZATION OF RESOLUTION(S):

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| 1. | <u>SP 01-09</u>
Thomas Family Enterprises, LLC | Minor Site Plan
407/7
6587 Delilah Road |
| 2. | <u>SDF 15-02-A2</u>
Matzel and Mumford Organization, Inc. | Amended Final Major Site Plan
4305/4
Black Horse Pike |
| 3. | <u>SDP 01-09</u>
Frank Grossi | Preliminary Major Subdivision
2417/24
4008 Cottonwood Avenue |

Motion Aponte/Eykyn to memorialize resolution as listed above. Vote 5 Yes Aponte, Eykyn, Garth, Levy, Lisa

SUMMARY MATTER(S):

1. Discussions of matters pertaining to the Board:

Board Planner Polistina advised everyone has received copies of these ordinance. He asked if anyone had any questions. Board Planner Polistina stated the ordinance(s) are consistent with the master plan and if the Board feels this way a motion must be provided.

- a. Ordinance No. 14 of 2010:** An ordinance to amend Chapter 198 of the Township Code Entitled “Subdivision of Land and Site Plan Review”.
- b. Ordinance No. 15 of 2010:** An ordinance to amend Chapter 94 of the Township Code Entitled “Design, Performance, and Improvement Standards”.

Motion Eykyn/Kearns to recommend Ordinance No.’s 14 of 2010 and 15 of 2010, to Township Committee for review and approval, finding it meets the requirements of the Master Plan. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon.

Motion Aponte/Kearns to adjourn at 7:40 P.M. Vote 7 Yes: Aponte, Eykyn, Garth, Kearns, Levy, Lisa, Macon

Respectfully submitted by,

Theresa Wilbert, Secretary