

**TOWNSHIP OF EGG HARBOR
PLANNING BOARD**

June 21, 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), Charles Endicott, P.P., in attendance

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, Lft. @ 7:15 p.m.	Joseph Lisa, 2 nd V-Chair., present
Committeeman John Carman, present	Mayor James J. McCullough, Jr., another engage.
Charles Eykyn, present	Peter Miller, Township Admin., another engage.
James Macon, Alt. #I, present	Dorothy Saslav, present
James Garth, Sr., Chairperson, present	Frank Kearns, Alt. #II, present
Robert Levy, present	

PUBLIC HEARING(S):

1. <u>SPPF 01-07/Amended (Aspen Acquisitions) SP 07/10/Amended (Stromfeld Enterprises, LLC)</u>	Amended Final Major Site Plan Amended Minor Site Plan Approval 1508/33.01 and 33.02
Zone: HB, 6.5 acre parcel, sewer/water, applicant proposes to construct on a 16,900 sq. ft. retail structure (Liquor Store) on proposed lot 33.02, which contains 3.38 acres. Applicant is also proposing a second(2nd) free standing sign for the facility on proposed lot 33.01, which fronts along the Black Horse Pike. Pinelands.	6050 Black Horse Pike Waiver of Time– Not Indicated

Checklist Waiver(s):

1. Item #15D: 200' ft. owners list

Variance Relief:

1. §225-63A(1): **Number of facade signs:** a facade sign shall not exceed two (2) square feet in area for each one foot width of the front building facade which is devoted to the business and to which it is attached. The applicant is proposing three (3) facade signs on the building: one (1) on the front, one (1) on the left side and one (1) on the right side of the building.

2. §22563B(3): **Number of free-standing signs:** not more than one (1) free-standing sign shall be permitted for each 300' feet of street frontage. There are two (2) free-standing signs located on lot 33.01 which has only approximately 199 linear feet of frontage. A variance is required to allow for two (2) free-standing signs.

Marc Slotkin, Esq., introduced himself as attorney for Stromfeld, LLC, he indicated the applicant is making a presentation this evening for amended final major site plan approval and amended minor site plan approval for a new retail establishment on the property between Lay-Z-Boy and Lowes

Attorney Slotkin asked the for the following individual(s) to be sworn in:

John Martinez, P.E., KZA Engineers, 2317 Highway 34, Manasquan, New Jersey, New Jersey Licensed Engineer
Joseph Courter, Jr., Architect, 500 Great Bay Blvd., Tuckerton, New Jersey, New Jersey Licensed Architect
Stuart Stromfeld, 100% owner of Stromfeld Enterprises, LLC

Mr. Stromfeld advised he will be constructing another liquor store within Egg Harbor Township. He advised he will be moving Price Right Liquor Store, which is presentlty located within the English Creek Shopping Center, across the street to this facility. He indicated when this application was originally approved it was for the construction of a 16,000 sq. ft. retail facility. Mr. Stromfeld explained he will be constructing a 14,000 + sq. ft. building which will be both a store and warehouse.

Mr. Stromfeld stated he is also seeking variance relief to allow for a second (2) free standing sigh. He indicated because Chick-fil-A, which is also constructing on an adjacent pad site, is a Christian Organization and they will not allow him to place his sign for the liquor store under theirs on the proposed monument sign. Therefore, Mr. Stromfeld explained that 40 sq. ft. will be taken off the proposed monument sign and he will be proposing that 40 sq. ft. on a second (2nd) free standing sign.

John Martinez advised he is the engineer whom designed the original development. He indicated he has been a licensed engineer since 1994 and he has been an engineer with KZA for ten (10) years. Engineer Martinez advised prior to working for KZA he worked for the State of New Jersey and a municipal town in northern New Jersey as the assistant municipal engineer.

Engineer Martinez referred to Exhibit A2: site plan dated 11/09/07 depicting how the overall was approved. He indicated this site was approved a retail strip center with a Chick-fil-A restaurant. He advised last year the original applicant returned to the Board and received minor subdivision approval for three (3) parcels. He indicated Mr. Stromfeld is seeking approval to revise the rear parcel which is the subject of tonight's hearing.

Engineer Martinez referred to Exhibit A3: proposed site plan advising the Chick-fil-A will remain unchanged, as well as the other parcel which is proposed with a 10,500 sq. ft. retail facility. He did indicated, however, the other parcel will be where Mr. Stromfeld is placing the 40 sq. ft. sign. Engineer Martinez advised the rear parcel, which is Mr. Stromfeld's proposed site will be modified. He indicated the foot print of the building will be smaller. He indicated the rear parcel was originally proposed as 16,900 sq. ft. retail facility with possibly six (6) tenants. However, Mr. Stromfeld is proposing a 14,600 sq. ft. facility with two (2) tenants and two (2) mezzanines within the facility. Also, the applicant is proposing 71 parking stalls that comply to the ordinance versus the 85 originally proposed for this facility.

Engineer Martinez further explained there will be two (2) other changes proposed for the facility. He indicated there is an additional ingress and egress from the site and there is an access connecting to the Lowe's site for delivery trucks only. He indicated the motoring public is not permitted to access through Lowe's. Mr. Martinez advised the two (2) tenants proposed for the facility will be the liquor store and a storage warehouse for the beverages.

Engineer Martinez indicated the applicant is also seeking variance relief to allow for a number of signs on the building facade. He indicated the applicant is proposing on the western side of the building a 64 sq. ft. sign, on the southern end of the building they are proposing a 64 sq. ft. sign and on the eastern side of the building the applicant is proposing a 52 sq. ft. sign. He indicated the total amount of square footage for the signs equal 180 sq. ft., which meets ordinance standards for a facade sign. However, since the ordinance only allows for one (1) facade sign and the applicant is seeking three (3) variance relief is being sought. Engineer Martinez advised the three (3) signs are proposed based on the location of this building being situated in the rear of the site and its visibility in conjunction with the Black Horse Pike.

Engineer Martinez indicated the wall mounted signs will project only 6", thus meeting ordinance requirements. He further noted based on Board Engineer Mott's report of June 14th the applicant agrees to provide items #1 -7 under general review comments. Township Committeeman Carman asked if the applicant had any concerns with the Board Professional's report. Engineer Martinez stated the applicant has no problem with complying with the Professional's reports.

Board Member Levy asked if the applicant has any problem taking care of his parcel regardless of what happens with the other site parcels? Engineer Martinez stated yes. He indicated the site was originally phased. He noted Phase I was the road construction and basin, Phase II was the Chick-fil-A, which received a building permit today for the foundation, Phase IV is the building in question tonight and Phase III is the remaining retail facility, which to his knowledge has not been leased out yet.

Joseph Courter, New Jersey Licensed Architect, Architect Courter stated proposed building will be the same as layout and architectural design as the existing Joe Canal's located on Fire Road, within Egg Harbor Township. He indicated there will be a retail area for the sale of liquor, there will be a storage area that does not have direct access to the liquor store and there will be a loading area and loading dock in the rear of the facility. Chairman Garth asked for clarification. He stated the warehouse will be completely separate from the liquor store, therefore, if you must stock the shelves. You will be accessing the warehouse from the loading area, place the goods on something and then bring them into the store through the loading area? Mr. Stromfeld stated this is correct. He indicated the warehouse is an ABC controlled warehouse that will store items for the Price Rite (proposed store), Joe Canal's and the liquor store located in the Sam's store, which is owned by his wife.

Mr. Stromfeld advised Architect Courter is the original architect for the original building located on Fire Road. Architect Courter stated the building will be the exact same layout as the existing Joe Canal's on Fire Road. He further noted the entry way into the facility and the signs will be identical to those also existing at Joe Canal's. He also advised the coloring of the signs will also be exact. Architect Courter did explain the only small difference between the proposed facility and Joe Canal's is the proposed building will be a little longer, due to the warehousing. Architect Courter stated the signs proposed for the building facade will face Lowe's, the Black Horse Pike and the driveway access to the site.

Board Member Eykyn stated resident's in the area were concerned with the placement of the trash receptacle and deliveries occurring late at night. He asked if this has been looked at. Mr. Stromfeld stated in his experience deliveries are completed between 2:30 p.m. and 3:00 p.m., except during the Holiday's. He advised deliveries can go to at least 5:00 p.m., but nothing after that. Engineer Martinez advised trash will be in the rear parking lot and will face the basin and it will be fully enclosed, as outlined within Exhibit A3.

Motion Saslav/Eykyn to open public portion. Vote: 9 Yes

May the record reflect no one came forward concerning this application.

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

Engineer Martinez advised the applicant will provide the checklist waiver(s), therefore, relief is not needed.

Board Planning Representative Edicott stated the applicant is seeking variance relief for free standing sign area for the second (2nd) sign located along the Black Horse Pike, as well as , relief to allow for two (2) free standing signs along the Black Horse Pike. He also indicated the applicant is seeking relief to allow for the number of building mounted signs. He advised the area of the building mounted signs does comply, however, the number of building mounted signs does not. The applicant is permitted one (1) building mounted sign on the facade and the applicant is proposing three (3).

Township Committeeman Carman stated he believes that due to the location of the proposed building being in the back he

has no problem with the applicant proposing three (3) facade signs. He further noted he takes no issue with the additional free standing sign since the originally approved monument sign will be reduced by 40 sq. ft. and the new (additional) free standing sign will be 40 sq. ft. he stated it does not pose a problem.

Motion Carman/Kearns to grant requested variance relief. Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

Motion Aponte/Saslav to grant conditional amended final major site plan approval and conditional amended minor site plan approval. Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav.

2. SPPF 06-10 Louis Altobelli Zone: HB, 5.49 acre site, sewer/water, applicant proposes a 6,360 sq. ft. auto body repair building while maintaining the existing 5,650 sq. ft. building, also to be utilized for auto body repair and services. The applicant also proposes to use existing parking and proposes an additional two (2) parking spaces. The applicant proposes to have outdoor storage and provide additional storm water management facility. Pinelands	Preliminary/Final Major Site Plan 1301/34 Black Horse Pike Waiver of Time – Not Indicated
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Checklist Waiver(s):

- 1. **Item #3:** 1" = 300' ft. key map
- 2. **Item #30:** Location of existing septic tanks and wells

Design Waiver(s):

- 1. **§94-8L:** Buffer
- 2. **§94-9A:** Community Impact Statement

Variance Relief:

- 1. **§225-50.6D:** Cultural Resource Survey

Keith Davis, Esq., introduced himself as attorney for the applicant, Louis Altobelli, whom is seeking preliminary and final major site plan approval this evening. He indicated the subject parcel is located on block 1301 lot 34 along the Black Horse Pike. Attorney Davis advised the applicant is seeking to keep the existing building on site, as well as, proposing an additional new building which will be used as a public garage for the repair of automobiles. He further noted there is an existing parking area that will also be utilized.

Andrew Schaeffer, P.E., New Jersey Licensed Engineer, Cantillon Boulevard, Mays Landing, New Jersey, sworn in Louis Altobelli, owner/applicant, sworn in:

Engineer Schaeffer referred to Exhibit A1: scaled version of site plan and Exhibit A2: smaller scaled version of site plan with ariel photograph of site. Engineer Schaeffer explained this site was previously an equipment rental facility, Volvo Rents, who purchased the site from Cottman Transmissions. Attorney Davis advised the resolution's of Cottman Transmissions were submitted and made part of the record, showing they were approved as a public garage. Engineer Schaeffer stated the applicants proposed use of the facility will be identical to the use of Cottman Transmissions. He indicated the applicant is within the HB zone and public garages are a conditional permitted use.

Engineer Schaeffer advised there is currently a 5,700 sq. ft. building that was utilized by Cottman and for which will be utilized by the applicant. However, the applicant is also adding another 6,300 sq. ft. building on site to utilize as an auto body facility. Engineer Schaeffer advised the equipment storage area used by Volvo Rents will be used to store vehicles in need of repair by the applicant. He further noted the applicant will also be increasing the size of the existing basin located near

the building. He stated to the very rear of the site there are Atlantic Electric Transmission Lines and another basin, however, this area is not part of the applicant's proposal for development.

Attorney Davis handed out Exhibit A3: an outline definition of Public Garage as listed within Township Code of Egg Harbor (Section 225-37D(4)) and an explanation as to how the applicant will meet each condition. Engineer Schaeffer advised the applicant does comply with the conditional use protocol

Engineer Schaeffer also explained the proposed building will look the same as the existing building. He stated the existing building is a metal frame building, which will have stucco enhancement added to it, as well as, colored roof tiles and additional windows.. Engineer Schaeffer referred to Exhibit A4: colored photograph of applicants facility currently located within Marmora, New Jersey, advising the color shown on this building will be the same coloring used on the site within Egg Harbor Township.

Again, Engineer Schaeffer advised the applicant meets the zoning requirements for a private garage and will also meet the parking requirements for the HB zone. Engineer Schaeffer indicated the applicant will comply with the drive aisle so variance relief will not be required. Engineer Schaeffer further noted the applicant is proposing lighting that meets the requirements to the ordinance, however, there is one (1) large light in the stone parking area where the cars will be stored. He indicated the reason why there is not much lighting in the storage area is so attention is not drawn to the vehicles waiting to be worked on.

Engineer Schaeffer advised the applicant will meet all requirements for storm water. Board Engineering Representative Watkins stated it appears there will be discharge into Fernwood Avenue. Engineer Schaeffer advised there may be some discharge into Fernwood Avenue, however, there is a basin to basin discharge that currently exist. Board Engineering Representative Watkins stated the issue concerning the drainage can be worked out during compliance.

Engineer Schaeffer advised the applicant is seeking a waiver from providing a Cultural Resource Survey. He indicated during the approval process with the previous application(s) the Board did not require its remittance nor did the Pinelands Commission. Engineer Schaeffer indicated the Township Ordinance requires a 15' ft. wide access way around the basin, which the applicant is not providing. He advised the basins will be private and can be maintained. In addition the applicant is seeking a waiver with respect to an access drive into the basin. Again, they will be private maintained and it is not required.

Engineer Schaeffer explained the applicant is seeking a waiver with respect to the key map. He indicated a key map was provided, however, it is a larger scale then required. Engineer Schaeffer advised the site is already connected to sewer and the applicant is not impacting any other septic or wells that are in the area. He indicated the applicant is meeting all the site plan guidelines.

Planning Representative Edicott advised there is variance relief required for the facade sign. He indicated the total amount permitted is 250 sq. ft., however, the applicant is proposing 350 sq. ft.. Engineer Schaeffer stated the applicant will comply with the ordinance standards and the sign will be 250 sq. ft.

Mr. Altobelli stated he has three (3) existing facilities in Middle Township, one (1) facility in Upper Township, and one (1) site proposed for Lower Township. He further explained that his building for Egg Harbor Township will look just like Exhibit A4: (Marmora site). He indicated all his facilities are maintained and landscaped. He stated the image of his buildings is his biggest asset. Board Member Eykyn asked what will be the hours of operation. Mr. Altobelli stated they are normally 8:00 a.m. to 5:00 p.m., however, there may be times when the facility would open at 7:00 a.m. to accommodate a customer. He also noted this may happen in the evening hours. He stated there may be times when the manager will remain to 6:00 p.m. to wait for a customer. He indicated the facility will operate occasionally on Saturday's and on Sunday's he will be closed.

Board Engineering Representative Wakins asked how many cars can be stored on site and for how long? Mr. Altobelli advised he works on new cars not old cars. He indicated most of his work is from insurance companies. He indicated he deals with up to twenty (20) of them. He indicated the insurance companies do not want to hold on to cars. Mr. Altobelli stated they want cars in and out for repairs. He indicated a car, maybe, will stay up to 30 days at the most.

Mr. Altobelli explained that when a car is determined to be "Totaled" it is taken to wreck facility. It will not remain on site. He again indicated he moves the cars in and out. He further noted he does not work on cars as a hobby or at his leisure. He further noted that any aluminum, fenders, etc...are also moved out quickly.

Board Member Eykyn asked if there will be a towing operation? Mr. Altobelli advised in some towns he has asked to be placed on their tow listing. He indicated Egg Harbor Township has their own storage yard and will not have an impact on this facility. Mr. Altobelli stated he will tow cars to his facility, but this will be for his customer's. He will not have Marmora towing bringing cars to this site.

Motion Saslav/Lisa to open public hearing. Vote 9 Yes.

Motion Eykyn/Kearns to close public hearing. Vote 9 Yes.

Township Committeeman Carman stated the site was previously developed and a Cultural Resource Survey was not requested from the Township nor the Pinelands Commission, therefore, it is not needed.

Motion Carman/Eykyn to grant requested checklist waiver(s). Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav.

Attorney Davis advised there is one design waiver not required it is listed as §94-8L: Buffers, however, there are two (2) more design waiver(s) required that are not listed. They are the access way around the basin and topography within 200' ft.

Motion Kearns/Eykyn to grant requested design waiver(s). Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

Motion Carman/Eykyn to grant requested variance relief. Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

Motion Carman/Eykyn to grant conditional preliminary/final major site plan approval. Vote 9 Yes: Aponte, Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

* **May the record reflect:** due to another engagement Board Member, Manuel Aponte left the meeting at 7:15 p.m.

3. SPPF 07-09	Preliminary/Final Major Site Plan
Precision Cars, LLC	4205/2
Zone:SHD, 1.85 acre site, sewer/water, applicant	7018 Black Horse Pike
is proposing to expand the existing Precision Cars Mercedes Benz dealership. The applicant is proposing 11,050 sq. ft. of addition of showroom, service and drive-thru service areas. This will increase the building size of the facility from 17,400 sq. ft. to 28,450 sq. ft.. The existing number of parking spaces will be decreased from 121 spaces to 78 spaces as a result of this proposal. CAFRA	Waiver of Time - - Not Indicated

Checklist Waiver(s):

- 1. Item #13: Landscaping plan**
- 2. Item #18: Storm water management plan**
- 3. Item #19: Water and sewer report**
- 4. Item #20: Traffic report**

- 5. **Item #21: Fiscal impact report**
- 6. **Item #22: Modification report**
- 7. **Item #23: Utilities plan**

Design Waiver(s):

- 1. **§94-8H: Buffers**

Variance Relief:

- 1. **§225-55D: Interior driveways**
- 2. **§225-55E & M(7): Parking distance from buildings**
- 3. **§225-55F: Curbing**
- 4. **§225-55P: Parking for the handicapped**
- 5. **§225-56A: Minimum parking requirements**
- 6. **§225-63A(3): Wall mounted signage vertical dimension:** shall not have a vertical dimension in excess of five (5' ft.) feet. The applicant is proposing the “Star Element” of the building mounted signage to have a vertical dimension of 6.5', exceeding the maximum permitted
- 7. **§225-63B(2): Freestanding sign surface area:** maximum area of freestanding sign shall be one square foot of surface area on any one side for each five-foot interval of street frontage, except that no freestanding sign shall exceed 250 sq. ft. in area on any one side. The applicant will require a variance and is proposing a freestanding sign with a surface area of 82.8 sq. ft. where 32.4 square feet maximum is permitted
- 8. **§225-63B(7): Freestanding sign setback from R-O-W.:** no freestanding sign shall be located closer to the street line than 25' ft. The applicant will require a variance and is proposing a freestanding sign setback 8' feet from the R-O-W which is not permitted.

Nicholas Talvacchia, Esq., introduced himself on behalf of the applicant, Dr. Leonard Berger, the owner of Precision Mercedes Benz. He also introduced Jon Barnhart, with Ponzio Associates. Attorney Talvacchia advised the applicant is before the Board seeking preliminary and final major site plan approval to expand the existing dealership in order to meet the required changes mandated by Mercedes Benz.

Dr. Berger, owner of Precision Mercedes Benz, sworn in: Dr. Berger advised he is the owner of the Precision Cars and is the sole member for 22 years. Dr. Berger explained Mercedes Benz has a nation program called the “Auto House”, which requires meeting a certain square footage and adding customer features. He advised as part of this program there is a drive through drop-off for cars and the show room will be expanded. Dr. Berger advised the modifications will create another sixteen (16) to eighteen (18) jobs for Egg Harbor Township. He indicated he is excited to propose this project, it will add to the surrounding area, and it will meet the Mercedes requirements.

John Barnhart, Ponzio Associates, Atlantic City, New Jersey, New Jersey Licensed Engineer and Planner, sworn in: Engineer Barnhart referred to Exhibit A1: Sheet C2 property survey plans, advising the site in question is a parcel of land located one (1) lot off Palermo Avenue along the Black Horse Pike. He advised the property width is roughly 262' ft. and the depth of the parcel is 500' ft, with a property size of just about two (2) acres.

Engineer Barnhart the site presently has a display area and existing showroom toward the front and there is a service area along with a parking area in the rear of the site. He further noted to the left of the site heading toward Pleasantville is the Integrity Bus Company and to the east, heading toward Atlantic City is the Porche Dealership.

Engineer Barnhart referred to Exhibit A2: colored rendering of site plan, explaining the expansion of this facility is to meet the “Auto House” requirements. He indicated the proposal does not expand the business but it does allow for the service of vehicles to become quicker. He advised the existing showroom will be expanded to allow for more space and allow for an internal drive through for customers. Engineer Barnhart explained that cars will park under the proposed canopy, go into the building to fill out paperwork, and then the car will be taken by the employees to the service area. The cars will remain within the building until they are finished.

Engineer Barnhart noted internally within the building there is a loft area or in theory a second floor that will be expanded to allow for a conference room and an additional storage area. He further noted the main access for the facility will be off the Black Horse Pike, however, there is an access that will remain within the rear of the facility off of Milan Avenue. Engineer Barnhart stated there will be parking spaces that will be removed in order to accommodate this proposal. He indicated the Township Ordinance requires to the site to have 85 spaces, even with the removal of spaces, and considering the spaces that will be available within the drive-through the applicant will have a total of 107 spaces, which meets the requirements of the Township Code.

Engineer Barnhart stated the side yard setback within this zoning area requires 20' ft., however, the existing building is 10' ft. from the sideyard setback and the applicant proposes to expand the service area to match the building line, therefore, variance relief is sought. He indicated this side of the building is adjacent to the Integrity and he does not believe there would any negative impact on the neighbor whom is a bus company.

Engineer Barnhart advised the applicant is seeking relief from curbing in the parking field in the rear of the facility. He indicated the rear parking area does not have curbing. Engineer Barnhart stated if it were to be curbed it would impede the drainage within the rear parking area. Engineer Barnhart advised the applicant will provide handicap parking, even though it is listed on the agenda as a variance. Engineer Barnhart stated the spaces were not specifically referenced on the original plan, thus it was noted. He indicated the applicant can not seek variance relief for the spaces, so they will be provided to meet standards. Engineer Barnhart advised two (2) spaces will be provided adjacent to the basin and two (2) spaces will be provided across the drive aisle across from the main door.

Engineer Barnhart advised the front parking field will be for the display of vehicles, the back parking area will be for vehicle storage, customer parking will be provided via the drive-through and adjacent to the building. He indicated there is a small need for customer parking, maybe four (4) to five (5) customers are on site at one (1) time.

Engineer Barnhart referred to Exhibit A3: Architectural Rendering, he stated the ordinance allows for 150 sq. ft. of building facade signs. The signs proposed include a Mercedes sign, a service center sign, and emblem sign, and directional signs. He indicated these signs total 139 sq. ft., which meet within the requirements of the ordinance. Engineer Barnhart stated however, only one (1) facade sign is permitted and since there are more than one (1) variance relief must be sought for the number of signs requested on the facade.

Engineer Barnhart also noted variance relief must be sought for the emblem proposed on the building. He indicated the emblem is the smallest sign available through the Mercedes Franchise. He explained the Township Ordinance requires the vertical height of a facade sign to be no more than 5' ft. Engineer Barnhart advised the emblem sign, which again, is the smallest sign available, is 5' 4", therefore the applicant must seek variance relief for 4".

Engineer Barnhart advised the applicant is also seek variance relief for a ground mounted free standing sign. He indicated the proposed sign is 72 sq. ft. in area, which is over what the Ordinance requirements allow. He indicated the ordinance allows for a 32 sq. ft. area sign. The applicant currently has existing sign that is 52 sq. ft., and the applicant is seeking relief to allow for a 72 sq. ft. sign, therefore, the applicant is seeking 20 sq. ft. more than what presently exist. Engineer Barnhart advised the applicant will meet the free standing height requirements so variance relief will no longer be requested.

Engineer Barnhart stated he does not see a proliferation of signs on the building. He indicated given the geometry of the signs in association with the curving of the road he believes the signs as proposed are a good designation. Engineer Barnhart further expressed he does not believe the proposed signs are out of character with the overall sight. Engineer Barnhart advised the applicant is also seeking to maintain the setback of the sign to 8' ft., were 25' ft. is required, again, he stated the geometry of the sight lends to the free standing sign being at the appropriate location. He further explained that the signs located at the adjacent Porsche Dealership are a little further back than the Mercedes Benz dealership. He indicated the Porsche site may be 12' to 15' off the Black Horse Pike. Board Engineering Representative Watkins advised the Board does not give variance relief for the setbacks of free standing signs. He asked if the applicant lined the proposed Mercedes Benz Dealership sign with the Porsche would this be an issue? He stated the Mercedes site is a destination spot. The applicant does not just have people coming and out often.

Board Member Levy stated the applicant should move the free standing sign back at least five (5') feet. He indicated it appears the proposed Mercedes sign will be higher and larger than the existing Porsche dealership. Dr. Berger advised the large curve in front of the facility is a concern. He indicated when cars are coming from the east 45 to 50 miles an hour, often more. It is important to the sign designate the facility, especially when 25% of his business comes from individuals, whom live outside the area. Dr. Berger expressed that identification is important to his business. Board Engineering Representative Watkins stated he agrees. He indicated the square footage of the sign is larger, which will help. He does feel however, that the sign should be moved back. Board Member Levy agreed he indicated the sign should be moved back five (5') feet since it will be higher and the square foot is larger than the existing.

Attorney Talvacchia explained that the motor public will fly by the drive entrance. He stated the curve in the road makes it difficult. He indicated that unless you know where the driveway is you go past the facility. Board Engineering Representative Watkins state the new larger and higher sign will be seen. He indicated he would agree the existing sign is of issue, however, he does not see where the proposed will be. Attorney Talvacchia stated he believes the Porsche sign will block the proposed Mercedes sign if moved back. Board Member Lisa asked why then was the size of the sign proposed. He asked if the Board were to allow the free standing sign to remain at the 8' ft. setback then the applicant can reduce the sign size? Attorney Talvacchi stated the curve in the road makes this a unique situation. He explained the Porsche sign does appear to be setback 20' ft.. Township Committeeman Carman stated the current sign at this location is tough to see. Dr. Berger stated when you look at the Porsche and Mercedes Dealership's together then he has over 400 sq. ft. of frontage along the Black Horse Pike. Board Planning Representative Edicott stated the applicant is seeking variance relief in order to allow the free standing sign to be 20 sq. ft. larger than what the Ordinance requires. Chairman Garth stated he believes the sign is needed at the existing location and at the proposed square footage since the curve is difficult

Motion Eykyn/Saslav to open public portion. Vote 8 Yes

Motion Kearns/Eykyn to close public portion. Vote 8 Yes

Board Engineering Representative Watkins stated the only variance of issue is the sign setback proposed for the Mercedes Dealership. He advised he can not say without visual pictures that the sign would be blocked by the Porsche Dealership sign if it were moved back. He further noted, both the Mercedes and Porsche Dealership are owned by the applicant. Both parcels have cross access easements between these sites. Township Committeeman Carman suggested the applicant move the proposed freestanding Mercedes sign back 2' ft. then it will be 10' ft. from the front yard setback and it will not effect parking or any other sign's between the two (2) dealerships. Attorney Talvacchia stated the applicant will move the proposed sign back 2' ft., thus making the proposed front yard setback 10' ft.

Engineer Barnhart stated he would like to go over the variance relief that is being sought. He indicated the side yard setback is proposed at 10' ft. versus the 20' ft. required, the second is the width of the interior driveway(s) He indicated the first is proposed at 19' ft. where 22' ft is required and the second is proposed at 22' ft. where 24' ft. is required. The applicant is seeking relief from curbing around the parking lot, the free standing sign area is proposed at 72.3 sq. ft. where 32.4 sq. ft. is permitted and free standing sign front yard setback of 10' ft. in lieu of the 25' ft. required, the applicant is seeking variance relief for the number of facade signs proposed. He indicated the building mounted signs do meet the square footage requirements (131.5 sq. ft.), and finally variance relief is needed for the emblem (star) affixed to the building facade. He stated the Ordinance requires a vertical height five (5') feet, however, the emblem, which is the smallest sign available through Mercedes is proposed at 5'4".

Board Member Lisa stated he would like the motion for the variance relief not to include the free standing signs. He indicated he does not have an issue with most of the variance relief requested, however, he does have issues with the freestanding signs.

Motion Eykyn/Saslav to grant requested checklist waiver(s). Vote 8 Yes: Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav.

Motion Carman/Kearns to grant requested design waiver(s). Vote 8 Yes: Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav.

Township Committeeman Carman stated he would like to make the motion concerning the variance relief requested, with the exception of the free standing Mercedes sign, He indicated he believes the variance(s) requested for the side yard setback of the building is not a problem. He indicated the building is an existing non-conforming structure, he stated he has no issue with not curbing the parking area since it would impede the drainage. He future noted the proposed facade signs are not out of character for the dealership and they are tasteful. He indicated the proposed is for the better good of the area.

Motion Carman/Kearns **to grant requested variance relief.** Side yard setback (existing building) proposed 10' ft. in lieu of 20' ft. req., width of the interior driveway(s): 19' ft. in lieu of 22' ft is required and 22' ft. in lieu of 24' ft. required. curbing around the parking area (rear), facade signs: 1 permitted 3 proposed, and vertical height (facade sign: "Star Emblem"); 5'4" proposed; 5' ft. permitted. **Vote 8 Yes:** Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

Township Committeeman Carman stated he would like to make the motion allowing the free standing sign to be located at a 10' ft. front yard setback in lieu of the 25' ft. required and the sign area proposed at 72.3 sq. ft. in lieu of the 32.4 sq. ft. permitted. He stated this is a unique site because of the curvature of the road way and the location of the existing driveway. Board Member Levy stated he believes the setback of the sign should be in alignment with the Porsche Dealership located on the adjacent parcel. Board Member Lisa stated he agreed with Board Member Levy.

Motion Carman/Kearns **to grant requested variance relief:** Free standing sign area (Black Horse Pike): 72.3 sq. ft. in lieu of 32.4 sq. ft. is permitted and Free standing sign front yard setback (Black Horse Pike): 10' ft. in lieu of the 25' ft. required. **Vote 6 Yes:** Carman, Eykyn, Garth, Kearns, Macon, Saslav **2 No:** Levy, Lisa

Motion Carman/Kearns **to grant conditional preliminary/final major site plan approval. Vote 7 Yes:** Carman, Eykyn, Garth, Kearns, Levy, Macon, Saslav. **1 No:** Lisa

MEMORIALIZATION OF RESOLUTION(S):

1. SD 01-10 Minor Subdivision
Frank Grossi 2417/24
4008 Cottonwood Avenue

Memorialize resolution granting requested checklist waiver(s), variance relief, and conditional minor subdivision approval. Voting Member(s): Eykyn, Garth, Kearns, Levy, Lisa, Macon.

2. SPPF 11-09 R2 Preliminary/Final Major Site Plan
Grace Family Church 4004/14

Memorialize resolution granting requested checklist waiver(s), design waiver(s), variance relief., conditional use approval, and conditional preliminary major site plan approval for phase(s) (I, II, III, and IV) and final major site plan approval for phase (I) only. Voting Member(s): Eykyn, Garth, Kearns, Levy, Lisa, Macon.

Motion Eykyn/Lisa **to memorialize resolution(s) as listed: Vote 6 Yes:** Eykyn, Garth, Kearns, Levy, Lisa, Macon

Motion Kearns/Eykyn **to adjourn at 8:10 P.M. Vote 8 Yes:** Carman, Eykyn, Garth, Kearns, Levy, Lisa, Macon, Saslav

Respectfully submitted by,

Theresa Wilbert, Secretary

