

Egg Harbor City
Municipal Land Use Board
June 16, 2015

The Regular Meeting of the Egg Harbor City Municipal Land Use Board was held on Tuesday, June 16, 2015 at 7:00pm at the Egg Harbor City Municipal Building, located at 500 London Avenue. Chairman Gerhard Mueller opened the meeting and the following members of the Municipal Land Use Board were present: Vice Chairman Richard Colby, Mayor Lisa Jampetti, Council President Edward Dennis, Regular Members Donald Milne, Dennis McKenna, Todd Warker, Michael McKenna, Jack Peterson, Municipal Land Use Board Solicitor Jim Schroeder, City Planner Tim Michel, City Engineer Ryan McGowan and City Clerk Meg Steeb. (Not present Municipal Land Use Secretary Donna Heffley and Alt. #1 Gladys Torres)

Chairman Gerhard Mueller called the meeting to order and made the following announcement:

In compliance with the "Open Public Meetings Act" of the State of New Jersey, adequate notice of this meeting of the Egg Harbor City Municipal Land Use Board was provided in the following manner:

1. Advance written notice of this meeting was posted on the Egg Harbor City Hall Bulletin Board.
2. Advance written notice of this meeting was sent to the News, Press, Hammonton Gazette and the Current

I direct the City Clerk to enter into these minutes this public announcement.

Upon motion of Mr. Colby, seconded by Mr. Dennis McKenna and carried, the minutes of May 19, 2015 were approved.

Informal Presentation: Proposed Auto Zone Retail Store
100 Philadelphia Avenue
Block 318, Lot 1
Egg Harbor City, NJ

Attorney Stephen Nehmad came before the EHC Municipal Land Use Board. Mr. Nehmad stated Nehmad, Perillo and Davis, PC Counselors at Law represent AZ EHC, LLC ("Auto Zone"). Mr. Nehmad stated the City Planner suggested his applicant come before the EHC Municipal Land Use Board for an informal hearing. Mr. Nehmad stated with him tonight are two Auto Zone District Managers. Mr. Nehmad stated Auto Zone is the contract purchaser of 100 Philadelphia Avenue. Mr. Nehmad stated the property is located in the City's Downtown Redevelopment Area and was previously zoned Highway Commercial. Mr. Nehmad stated Auto Zone's proposed use is once again retail, and extremely minor exterior changes, which are mostly signage related. Mr. Nehmad stated there are no new improvements or development of any kind proposed by Auto Zone. Mr. Nehmad stated Auto Zone previously obtained a zoning permit for its proposed use on January 12, 2015.

Mr. Nehmad stated Auto Zone's proposed building mounted signage will fit within the dimensions of the previously approved signage variances for the Eckerd Pharmacy. Mr. Nehmad stated this is legally permitted even though the sign will obviously change to Auto Zone. Mr. Nehmad went over the floor plan. Mr. Nehmad stated Auto Zone would

like to request approval to place ballards on Philadelphia Avenue. Several members of the board were against the ballards and Mr. Nehmad was informed Philadelphia Avenue was a County Road and Auto Zone would also need County approval. City Engineer Ryan McGowan suggested placing the ballards inside the wall instead of on the sidewalk.

Mr. Nehmad stated all Auto Zone delivery activities will take place within the designated loading zone as shown on the site plan. Mr. Nehmad stated the applicant will comply with the sign regulations and the applicant agrees to all the repair/maintenance items previously noted by code enforcement, including maintenance of the building's exterior mortar; repair/replacement of the metal fence; and replacement of broken windows. Mr. Nehmad also stated the existing clock tower will be made operational and the applicant does not plan to paint the building a different color from what exists presently.

Several members of the Board expressed concerns over parking. City Engineer Ryan McGowan stated the site is a preapproved site. Council Pres. Dennis stated he wanted to make the applicant aware that large tractor trailers will have a problem delivering on the site. Council President Dennis also stated making a left hand turn onto the White Horse Pike from the site is very difficult. Mr. Nehmad stated it is an approved site and prior approvals allow for tractor trailers. Mr. Nehmad assured board members that Auto Zone will adapt to the site.

Chairman Mueller thanked Mr. Nehmad for coming before the Board to discuss Auto Zone's proposed plans.

Other Business:

Chairman Mueller stated the City is participating in the Atlantic County Pre Disaster Hazzard Mitigation Plan and additional information on the plan is on the City's website.

Municipal Land Use Board Attorney James Schroeder stated Euro Sports located in the City's Industrial Park has approached the City asking for a waiver from the conditions of their site plan approval. Mr. Schroeder stated they are asking that the required sidewalks and fencing be waived. Mr. Schroeder stated they are currently operating on a temporary certificate of occupancy. After discussion and deliberation, the Board agreed no waiver is to be issued until the property is in compliance. City Engineer Ryan McGowan stated there is a list of problems with the site. The Board was in agreement that Euro Sports needed to come before the Board with a plan and that there should be a time limit placed on them or their TCO will be revoked.

Mayor Jiampetti stated EHC Municipal Land Use Alternate #2 Kristin DeClementi submitted a letter of resignation from the board. Mayor Jiampetti stated she has asked Egg Harbor City resident John Garth to replace Ms. DeClementi on the board and he has agreed.

Mayor Jiampetti asked the City Clerk to forward a copy of the CO & TCO Report for the Industrial Park Properties to Chairman Mueller.

Council President Ed Dennis stated the City submitted an application to the Atlantic County Improvement Authority for the ACIA Redevelopment Initiative. Council Pres.

Dennis stated the City is hoping to use the funds to determine what could be done with the old Tower Site.

Attorney James Schroeder stated the Dollar Fresh store on Philadelphia Avenue may be reopening.

Upon motion of Mr. Dennis McKenna, seconded by Mr. Warker and carried, the meeting was adjourned.

Respectfully Submitted,

Meg Steeb / City Clerk RMC