

**CITY OF EGG HARBOR  
MUNICIPAL LAND USE BOARD  
September 18, 2018  
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on September 18, 2018. Those in attendance were Mayor Jiampetti, Chairman Jack Peterson, Vice Chairman Todd Warker, City Council President Ed Dennis, Regular Members; Dennis McKenna, Richard Colby, Michael McKenna, Gladys Torres, Alternate #1 Keith Mullineaux, Solicitor Duncan Prime, City Planner Tim Michel and Secretary Donna Heffley. (Not Present were The Mayors Representative Marie Johns, The Egg Harbor City Fire Department Representative John Garth and Alternate #2 Donald Milne).

Chairman Peterson called the meeting to order and made the following announcement.

This meeting was advertised pursuant to the NJ Open Public Meetings Act N.J.S.A. 1:4-6 Seq. Notices were sent to official publications for the Egg Harbor City Municipal Land Use Board; the Press of Atlantic City, the Egg Harbor News, the Atlantic Current and the Hammonton Gazette. A copy of the notice was posted on the bulletin board of the Egg Harbor City Municipal Building.

The Chairman directed the Secretary to enter this public announcement into the minutes.

**Roll Call:** Mayor Jiampetti absent, Mr. Dennis absent, Mr. Garth absent, Mr. Peterson present, Mr. Warker present, Mr. Colby present, Dennis McKenna present, Mrs. Torres absent, Mr. Michael McKenna present, Mrs. Johns absent, Mr. Milne absent, Mr. Mullineaux present, Mr. Prime present, Mr. Michel present, Mr. McGowan present and Secretary Donna Heffley present.

**Approval of Minutes:** August 21, 2018

Upon motion made by Mr. Colby, seconded by Mr. Warker and carried the August 21, 2018 meeting minutes were approved.

**Resolutions:** none

**New Business:** 1. #18-01 LUB Vladislav Girshman

200 White Horse Pike  
Egg Harbor City, NJ 08215  
Block 102, Lot 8  
Use Variance  
Indoor Vertical Farming

Mr. Girshman was not present tonight due to his Public notice that was published in the News paper was inadequate. His application that was submitted was also incomplete.

Last month Mr. Michel advised Mr. Girshman to seek Pinelands council to inquire what their interest in his application may be. Mr. Michel offered to help Mr. Girshman in the communication and asked him to write a brief description in what they would like to do. Mr. Michel sent this description to Chuck Horner at Pinelands. Mr. Horner's response was what the Applicants plans to do is considered processing. If the applicant was just going to grow product and wholesale it out it would be different. A more complete application must be submitted to Pinelands in order for this board to take jurisdiction of the site plan and still give a use variance.

Board Members discussed the deficiencies of the application and the notice that was submitted. Mr. Girshman will be required to re-advertise before his application can be heard. Mr. Prime told Mr. Girshman to have his Attorney contact him with any questions concerning his notice.

Mr. Michel noted the site looks very bad. Architectural plans will be required along with a Certificate of Filing from Pinelands for the site plan.

Mayor JIampetti and Mr. Dennis arrived at the meeting 7:15p.m.

### **2. Tim Michel – Architectural Review on D.R. Horton Homes**

Mr. Michel reviewed his report dated August 28, 2018 titled Egg Harbor City North – Architectural Plan Review Application No. 12-10PB. Review and Approval granted with Conditions D.R. Horton Plans. Attached here to made part of these minutes.

D.R. Horton has been appointed the Redeveloper for the Egg Harbor City North Area. D. R. Horton, Inc. is a home construction company incorporated in Delaware and headquartered in Arlington, Texas. In 2017, the company was the largest home builder in the United States based on the number of homes closed. The company is ranked 232nd on the Fortune 500. The company operates in 78 markets in 28 states.

The City will own and maintain the storm water basins in this development.

Mr. Dennis suggested it would be a good idea for these retention ponds to have a fence around them.

A five-year tax abatement on these homes is still available.

Mr. Dennis also suggested to members if they would like to see models of these homes they can visit Crystal Lakes development in Egg Harbor Township.

Mr. Michel noted landscaping requirements are in place. Minimum landscaped requirements must be met.

### **3. Egg Harbor Festhaus – Informal**

The Egg Harbor Festhaus went before City Council to ask for approval for three upcoming outdoor events and they were approved. The events will take place on Saturday nights from 3:30p.m. to 7:30 p.m. Please check their website for more information on these upcoming events.

**Old Business** – none

**Council Report** – The Mayor announced the City has three new Police Officers and there is one who is still in the Academy.

Also, Mayor JIampetti would like Egg Harbor City Residents to be on alert that there will be **three new All Way Stops being installed in Egg Harbor City.**

***One At the intersection of St. Louis Avenue and Beethoven Street***

***One at the intersection of St. Louis Avenue and Claudius Street***

***One at the Intersection of Havanan and Claudius street.***

Mr. Dennis announced that the Train Station will soon be making some improvements and conducting maintenance work on fencing, stripping and installing additional trashcans while the trains are down.

The proposed bike path was discussed and hopefully new funding will soon become available. This bike path would connect the new Development out by Cedar Creek Highschool to the City.

**Public comments:** none

**Questions and comments from the Board:** none

**Adjournment:** Upon motion made by Mr. Dennis, Seconded by Mrs. Torres and carried the meeting was adjourned.

**TIMOTHY D. MICHEL, INC.  
NJ PROFESSIONAL PLANNER**

2168 River Road  
Egg Harbor City, NJ 08215

Telephone: (609) 965-2213  
Cell: (609) 576-3098  
Email: [timichel@comcast.net](mailto:timichel@comcast.net)

**To: Egg Harbor Mayor and City Council**

**From: Timothy D. Michel, P.P.**

**Date: August 28, 2018**

**Subject: Egg Harbor City North - Architectural Plan Review  
Application No. 12-10PB  
Review and Approval Granted with Conditions  
D.R. Horton Plans  
Concept Layout Rendering Overall Plan by Hammer  
Engineering dated 7/30/18  
Express Homes, The Cali  
Express Homes, The Durham  
Express Homes, The Eastover  
Express Homes, The Galen  
D.R. Horton, The Bayberry  
D.R. Horton, The Chestnut  
D.R. Horton, The Dogwood  
D.R. Horton, The Oakton**

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Egg Harbor City Planning Board Resolution #8-2012PB contains terms and conditions and condition #7 states: "The Redeveloper shall adhere to the Architectural Controls dated April 2011, submitted herein as Exhibit I, which are to be recorded with the Atlantic County Clerk's office. To ensure adherence to said Architectural Controls, the Redeveloper shall submit all architectural plans to the City Planner to ensure adherence to said controls for administrative review and approval prior to construction permits being issued."

Deviations from the Plan and the specific controls may be granted by the Governing Body (Section 9.2.3)

## **Land Plan**

Proposed lots in Phases 1 & 2 are a minimum 75' wide x 150' deep which comply. Lots in Phase 3, will be a minimum of 70' wide x 130' deep which comply with the lot area minimum of 9,100 SF. The lot width requirement of 75' may be reduced to 70' if approved by the Land Use Board pursuant to Section 9.4 of the Redevelopment Plan.

Access to the lots in Phase 1 & 2 were intended to be from the Terrace and 2 parking spaces were to be provided on an 18' wide x 22' deep concrete pad or in a rear loaded garage. The new plan calls for completion of the traditional grid layout, including paved Terraces to Kant Street, and elimination paved Terraces thereafter. Terraces were not anticipated beyond London Avenue. The new homes to be built in phases 2A, 2B and Phase 3 will have front loaded 2 car garages. The modification allowing front loaded garages will require Governing Body approval.

## **Guiding Principals**

No more than 2 houses which front on the same side of the street may be substantially identical which is defined to mean the same floor plan and elevation with identical color pallet. No substantially identical house shall directly face another across the street. D.R. Horton is not likely to build speculative houses that are substantially identical, however D.R. Horton has had customers who order homes together with family or friends and all want identical homes. D.R. Horton will ask the Governing Body to relieve this limitation.

The finished floor should be not less than 1.5 above grade. This configuration worked for Brad Haber who was building homes with crawl spaces or basements. D.R. Horton proposes slab on grade construction. They will ask the Governing Body to relieve this limitation.

Building exteriors have a variety of brick, synthetic stone, horizontal and vertical siding and decorative treatment options which comply.

Homes have single and twin double hung windows with grills. Note that some elevation options have only top grills which comply.

Principal Roofs which cover the main building have 5 ½ pitch or greater which comply. Porches may have a pitch of 3 ½ or greater. Dimensional shingles cover all roofs which comply. Some of the D.R. Horton homes have Principal Roof of less than 5 ½ pitch which can be modified by the Governing Body.

The Redevelopment Plan requires that 50% of dwellings have a front porch 5' deep along the front wall and 10' long. All of the models have covered front entries. Several models offer the option of a larger front porch with a depth of 4' which is adequate. The modification will require Governing Body approval.

## **Landscaping Standards**

Landscaping plans have not been submitted. Prior to a Certificate of Occupancy being issued, the site must be reviewed for compliance with the Typical Lot Layout & Landscaping Plan, Sheet 51 of the civil engineering plans by Remington Vernick & Walberg last dated 4/27/12.

## **Deviations from the Architectural Controls may be Granted by the Governing Body (Section 9.2.3)**

1. The lot width reduction from 75' to 70' in Phase 3 may be granted by the Land Use Board as provided for in Section 9.4 of the Redevelopment Plan.
2. The new plan will have 2 car, front loaded garages which deviates from the traditional street grid layout which can be modified by the Governing Body.
3. The new concept calls for 8 model homes which have between 6 and 9 or more elevation options. D.R. Horton wants the restriction of having substantially identical homes eliminated.
4. The finished floor is required to be 1.5' above grade which worked for homes built on crawl spaces or basements. D.R. Horton plans for some of the new homes to be slab on grade construction which would require substantial amount of unnecessary fill.
5. Porches are only required for 50% of the homes. All of the D.R. Horton models have covered entries and many have porch options which should be acceptable.
6. Some of the D.R. Horton homes have Principal Roof of less than 5 ½ pitch which can be modified by the Governing Body.

This comprehensive review of D.R. Hortons Concept Layout Rendering Overall Plan of build out of the development and of the 8 model plans with all of the options should eliminate the need to review each home application prior to construction permits being issued.

cc. Alfred Scerni, Esquire (via email)  
James Carroll, Esquire (via email)  
Duncan Prime, Esquire (via email)  
Donna Heffley (hand deliver)  
Ryan McGowan, PE (via email)  
Robert Fecso (via email)  
Thomas Darcy, Esquire (via email)