

**CITY OF EGG HARBOR
MUNICIPAL LAND USE BOARD
December 17, 2019
7:00 P.M.**

A regular meeting of the Egg Harbor City Municipal Land Use Board was held on December 17, 2019. Those in attendance were Mayor Jiampetti, City Council President Robert Ross, Chairman Jack Peterson, Vice Chairman Todd Warker, Egg Harbor City Fire Department Representative John Garth, Regular Members; Dennis McKenna, Michael McKenna, Keith Mullineaux, Gladys Torres, Alternate #1 Andrew Dixon, Solicitor Leo Manos Esquire, City Planner Tim Michel, City Engineer Ryan McGowan and Secretary Donna Heffley. (Not Present were the Mayors Representative Marie Johns and Alternate #2 Mason Wright).

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 present, Mr. Ross present, Mr. Garth present, Chairman Peterson present, Vice Chairman Warker present, Dennis McKenna present, Mrs. Torres present, Mr. Michael McKenna present, Mrs. Johns absent, Mr. Mullineaux present, Mr. Dixon present, Mr. Wright absent, Mr. Manos present, Mr. Michel present, Mr. McGowan present and Secretary Donna Heffley present.

Approval of Minutes: November 19, 2019

Upon Motion made by Mayor Jiampetti, seconded by Mr. Warker and carried the November 19, 2019 Land Use Board minutes were approved.

Approval of Resolutions: none

New Business: #2019-06

Egg Harbor City Partners, LLC
600 White Horse Pike
Egg Harbor City, NJ 08215
Block 319, Lot 1,5,10,11 & 12
Preliminary Site Plan Approval
Final Site Plan Approval
Variance Relief hardship
Variance Relief Substantial benefit

Present was Stephen Nehmad with Nehmad Perillo Davis and Goldstein, P.C. representing Egg Harbor Partners, LLC.

Mr. Manos announced that Ms. Torres must recuse herself from this application because she owns a portion of the property on the site and must step down from the dais for the meeting.

Stephen Nehmad representing the Applicant, Egg Harbor City Partners, LLC also introduced James Angeloni Redeveloper of the Property and Kristen Ritz, Project in House Engineer on behalf of WAWA. The Applicant is here tonight with an application to allow the redevelopment of approximately 3.64-acre track which is located in the heart of the Egg Harbor City business district located on the corner of Philadelphia Avenue and Route 30, known as 600 White Horse Pike. They are seeking to redevelop the site pursuant to the terms of the Redevelopment plan that the City has adopted and amended. Their plan is almost entirely consistent with the Redevelopment Plan. There were several parcels of land that had to be acquired, Mr. Angeloni had to acquire the land and are under contract contingent on approval from the Land Use Board as well as other regulatory agencies. In addition, an extensive effort to assemble a very experienced team to design the site plans, a Civil Engineer, Traffic Engineer and related Professionals to file the application and obtain the Certificate of Filing from the Pinelands Commission. They also had to make an application with the Governing body to name their client as the Redeveloper of the site pursuant to a resolution adopted by City Council last Thursday night. Mr. Angeloni and his organization have been designated the Redeveloper for the 3.64-acre site. This site is attractive to WAWA because it is a confluence of two State highways White Horse Pike and Route 50, this will be a very significant site plan for WAWA. They are proposing a front and back store which is only for the busier stores. This is a signature property they hope to utilize in our Community. There will be over 1000 plants, trees and shrubs on this site to make this property really stand out esthetically in the heart of our downtown.

Mr. Nehmad wanted on record the proof of service publication has been provided to the Secretary of the Board. Mr. Manos confirmed.

Mr. Nehmad, wanted to swear in all witnesses; Jeff Martell Licensed Professional Engineer with Stonefield Engineering and Design, Doug Polyniak from Dolan & Dean Consulting Engineers LLC, Kristin Ritz from WAWA and James Angeloni of the Applicant Egg Harbor City Partners LLC, were all sworn in by Leo Manos, Land Use Board Attorney for Egg Harbor City.

Mr. Nehmad, noted Mr. Manos was supplied with an exhibit list and well as the Professionals. Mr. Martell was called as a witness and stated his credentials to the Board and Professionals. Exhibit A-1 – is an Ariel Exhibit prepared by Stonefield Engineering date 12-13-2019. The subject property has been outlined in yellow Block 319, Lot 1,5,10,11,12. Notable improvements include Gulf gas station at the intersection of White Horse Pike and Philadelphia Avenue, additional structure immediately behind the gas station as well as the Central Glass building towards the center of the property. There is a total of four roadway frontages for this property including White Horse Pike, Philadelphia Avenue, Atlantic Avenue, Cincinnati Avenue and 6th Terrace which bi-sects the property. There are areas closer to the White Horse Pike that provide access to 6th Terrace and the back remaining two thirds provides access to the rear of the Central Glass Building. Mr. Martell pointed out a unique feature of this property is that it connects the commercial downtown area to the parking area around the train area. This entire area lies totally within the Redevelopment Area known as the 600 White Horse Pike Redevelopment Plan. The Regulating Land Use Ordinance provisions of this site plan are contained in the Redevelopment Plan Ordinance as opposed to the more traditionally zoning ones. Mr. Martell referenced A-2 a site plan rendering dated 12-10-19, identical to sheet C-4 in the site plan set this has been colorized and landscaping has been added and an aerial image underlaying for the purpose for this presentation. Looking back at A-1 the development area encompasses the large two yellow rectangles that are shown on A-1 and in addition there is a proposal to vacate approximately two thirds of 6th Terrace right away. Looking back at A-2 the proposal of the vacated leg of 6th terrace would then become part of that private property which they are looking to consolidate all of the lots, consolidate

that portion of 6th Terrace and create a development parcel. The proposal for this evening in terms of the site plan is for front back building, a total of 5,585 square feet. There will be a front entrance facing Philadelphia Avenue and an entrance facing the rear parking lot facing Cincinnati Avenue. Parking will wrap three sides with a total of 57 proposed parking spaces. In addition to the convenience store there will be a fuel canopy, one single line of 6 pumps each with 2 fueling positions. There will be 3 underground fuel tanks on the frontage of White Horse Pike strictly for fuel delivery and paved with a concrete surface. Between the fuel canopy and the building there is a 18ft wide loading zone immediately adjacent to the building. There is no direct access to the property from the White Horse Pike but one will have the ability to access the property via 6th Terrace, one driveway on Philadelphia Avenue, one driveway on Atlantic Avenue and one entrance on Cincinnati Avenue.

There will be a trash and recycling enclosure closer to the intersection of the Atlantic Avenue and Cincinnati Avenue but within the Wawa parking area with a separate door for employee access to this area

The Applicant has received an inconsistent Storm water management certificate of filing. They are still working on this design with the City Engineer and the Pinelands Commission.

In terms of lighting and landscaping, lighting is designed with all LED flush mount fixtures. Landscaping consists of a very large number of plantings. There is an area towards the Atlantic Avenue frontage that the Applicant is seeking relief from, that is suitable for additional future development. This is a flat area where they are planting street trees around the area but not planting all of the scrubs that are required by the ordinance. The reason for this request is they do not want to have to rip out all of the landscaping when they decide to develop that area.

Mr. Martell is just reviewing the highlights of this application tonight but wanted it noted that a lot of additional information has been submitted to this Board such as memos, environmental impact statements, and storm water management reports. The Paper copies provided will support the proposed development.

Mr. Nehmad asked for confirmation on the number of plants, trees and shrub which will be planted on the site. Mr. Martell said the 1000 number includes about 300 actual trees, shrub type plantings and the rest will be perennials and ground coverings.

All of the landscaped areas will be irrigated except the basin areas.

Mr. Nehmad asked Mr. Martell in terms of storm water management would it be accurate for him to say that in the post development condition if the plan was approved as it is being proposed, the storm water runoff for all of the design storms will be significantly lessened from the condition that exists today. Mr. Martell agreed.

Mr. Nehmad and Mr. Martell discussed driveway access to the property and feel that their plan is a very good plan. This plan has been reviewed by DOT and have also addressed parking along Philadelphia Avenue on the WAWA side of the road. Parking on the opposite side of the road is still being addressed.

Exhibit A-2, 24-hour facility, fuel sales on site, a total of 40-50 employees anticipated for all shifts. The a.m. shift would consist of about 10-12 people. The largest vehicle the site is designed for is a WD50 Truck a moderate size tractor trailer, used for the store and to service the fuel area. The dairy is

operated and delivered by WAWA itself about 3 times per week by a WAWA vehicle from their PA facility. A Tractor trailer will make deliveries about 4 to 5 times per week, and other vendors that come any given day will be with a box truck or smaller vehicle. All deliveries are taken on the loading zone side where there is a roll up door to wheel in a hand truck in and out of the WAWA

The trash will be picked up three times a week and the recycling will be picked up two times per week. The shift employees will have the responsibility of emptying the outside trash receptacle's each shift.

WAWA has no franchise agreement with any 3rd party operators and operates everything. About 45% of the equity of the company is owned by the Employees.

Exhibit A-3 – Proposed elevation and floor plan of the building. Mr. Martell described the design finishes on the outside of the building on all sides. All Mechanical equipment on the roof will be screened from street view. Referring to A-3A the gas canopy and trash enclosure will be of the same building material resulting in compatibility and consistency. All three structures will match.

Signage – Exhibit A-4 entitled Signage exhibit designed by Stonefield dated 12-17-19 for 3 free standing signs, one towards the intersection of White Horse Pike and Philadelphia Avenue. Note that this sign is shown on the opposite side of the frontage plan and after meeting with the Professionals they felt it would cause some limitations on visibility so the sign was moved. A similar style sign will be at the driveway on Philadelphia Avenue and one at the Atlantic Avenue entrance. All have the WAWA sign panel at the top and two fuel prices. There will also be two wall signs on the building.

The signage for the fuel canopy was discussed including two signs on the outer ends with the red band and the WAWA lettering and a third sign which has WAWA on the face of the canopy as well which will have to be addressed for a variance.

The applicant is requesting for variance relief to have a third sign on the canopy which is a tall sign about 9 ½ square feet. Mr. Martell noted this is a classic C-2 Variance, there is no hardship. This sign adds to site identification of the site, fuel offering and it's a very small sign in good taste.

Mr. Nehmad discussed the landscaping area that the Applicant is seeking relief from landscaping where future development may take place. Mr. Martell explained the relief that is being requested concerning this area, trees will be planted, but the smaller scrubs they would like to reserve for future development. This non developed area will have equal treatment, a nice lawn area and from the public eye will look like a finished area.

The Applicant is also seeking a variance from parking setbacks along Philadelphia Avenue. There is a requirement that parking must be five feet from any property line. They are compliant around the perimeter of the property with the exception along Philadelphia Avenue, there is a row of parking spaces that are 3 feet offset. There are two requirements of the Redevelopment Plan which are one to provide a minimum 3 feet of landscaping and second provide a 5-foot parking set back. The Applicant is short 3 feet to provide landscaping and meet the intent of parking lot screening and headlight screening. They are asking the Board to grant the two feet to keep all of the structures of the property out of this area and would like the City to vacate 6th Terrace. They do not want a structure in this area due to an underground telephone conduit line running through this area and it is very expensive to relocate a Verizon facility. Also as much as the Applicant is using 6th Terrace for right of way for parking, achieving safe circulation around the property, achieving a dual entrance WAWA, achieving access for the service

vehicles, no structures are proposed for this area. The utilities; the gas main, the water main and the underground telephone conduits will all remain in within this area.

Mr. Martell has had time to review Mr. Michel's report and Mr. McGowan's reports. Number 19 and 20 asks the Applicant to clarify the separation between the Atlantic Avenue driveway and the Cincinnati Avenue driveway.

The Applicant should consider eliminating access from Atlantic Avenue to simplify site circulation and reduce impervious area.

Mr. Martell noted they would like this driveway to remain first for access and distribution of trips and this is mainly a pass by facility where most people would use this where ever they are headed. It adds to the efficiency and overall effectiveness to get into this property.

The portion of 6th Terrace from the end of the fuel canopy to the White Horse Pike will remain a public right of way and from that point on they are asking that the public right of way be vacated but in doing so they would grant a public utility easement.

The Applicant is proposing to enter into a maintenance agreement with the Governing body pursuant to the terms in which that WAWA would be agreeable to maintaining 6th Terrace in perpetuity as long as WAWA exists there. They will widen the road to 30 feet wide and add lighting. They will service the driveway into WAWA.

Questions from the Board

Mr. Garth asked how big the area was that would be for future development.

Mr. Martell responded it is about 3 to 4 thousand square feet.

Mr. Garth asked if the storm water design includes this future area for development.

Mr. Martell noted it would be an extension to the storm water design that would already be in effect for WAWA.

Mr. Garth inquired about parking for the Teamsters Building. Board Members and Professionals discussed this matter.

Mr. Garth asked if it was 2-way traffic on 6th terrace.

The intention would be no parking on 6th Terrace.

Ryan McGowan noted all Terraces in the City are 20 feet wide or less with 2-way traffic. In theory parking should not be permitted on any of them.

The only thing the DOT is requesting concerning parking is the site visibility on the WAWA side. Approximately 10 to 12 parking spots would be lost. Mr. Nehmad noted this would be the case of any redevelopment. They are looking to keep parking on the other side of the street.

This matter was discussed further between Board Members and Professionals.

Traffic studies were conducted by Doug Polyniak Traffic Engineer on October 16, 2019. He Examined the site area and conducted a traffic assessment of the surrounding area during peak periods. Mr. Polyniak reviewed his report with Board Members and Professionals.

Mr. Peterson called a five-minute recess.

Mr. Michel reviewed his report dated December 13, 2019 which has been distributed to all Board Members and Professionals. Attached here to made part of.

Mr. Michel reviewed his report and noted that item one under Completeness on page two, the Applicant has addressed most of the requirements and submitted a conceptual plan where the utilities are to remain and the exact location of where the vacation will take place along 6th Terrace. They have substantially satisfied this.

Mr. Michel noted Item two under Completeness the third pole sign has been identified on an updated plan sheet and was submitted today.

Mr. Michel noted on Item three the Applicant still must show the height of their lighting standards shown on plans. This can be a condition of approval.

Mr. Michel noted on Item four a security plan is required which has not been submitted. This can be a condition of approval.

The Applicant knows they have to comply with any affordable housing requirements.

Under permitted uses – The application exhibits consistency with the description of a Convenience Store with Fueling Station which is defined in the Redevelopment plan

Mr. Michel noted on page three under Building Limit and Site Design Controls, Section 6.34C. that the Applicant is in compliance with all requirements

Under Hours of Operation Mr. Michel noted that the 24-Hour operation has to be approved by the Land Use Board which should be included in the Motion.

Under Parking/Loading on Page 4 Mr. Michel noted that WAWA is providing 57 Parking spaces which is required according to his analysis. The parking space size complies, the parking aisles comply, load space complies and exceed the requirements.

Parking is permitted in all yards (front, side and rear) provided it is a minimum 5' from any property line, Section 6.3.4M.2 of the Redevelopment Plan. Proposed parking is 3' from the Philadelphia Avenue property line which requires variance relief.

Under Landscaping on page four, Mr. Michel notes the plan shows 1008 evergreen shrubs, deciduous shrubs, ground covers and perennials which comply. The applicant indicates a need for a variance for a deficiency along the Atlantic Avenue frontage where the 330-foot width would otherwise require 67 plantings and 14 are proposed. It appears that the undeveloped area along Atlantic Avenue may be a future development site.

Under signs on page five, the Wall signs, Canopy Sign and pole signs comply. Mr. Michel noted the applicant submitted a new sign tonight showing a third pole sign along Philadelphia Avenue and that sign is properly set back. Note for the record The Redevelopment Plan would prohibit all bare incandescent light sources, but not including neon lights and their immediately adjacent reflecting surfaces shall be shielded from view. Flashing, moving, intermittently moving and illuminated sign,

reflecting signs or luminous signs and or advertising devices shall be prohibited. The Applicant states they will comply.

Mr. Michel discussed Lighting on page six and noted light standards are restricted to 25' height. The Applicant will have to show a dimension on their construction details when they submit for compliance.

Under Sidewalks, Mr. Michel noted sidewalks comply on all sides.

Mr. Michel reviewed the Trash/Recycling Enclosure and noted the plans do not indicate that the doors and gates providing access to the enclosure are fire proof. This detail must be added to the plan and how it will be constructed. This can be done as final plan certification.

Under Architectural Design Standards, Mr. Michel noted all comply and Thanked the Applicant for going through their compliance during their presentation and noted they did a very good job in presenting the entire application in terms of compliance with the Redevelopment Plan.

Mr. Michel reviewed the variances being requested by the Applicant on page nine of his report.

1. Canopy signs are limited to two signs per tenant and three canopy signs are proposed requiring variance relief.
2. The applicant indicates a need for a variance for a deficiency along the Atlantic Avenue frontage where the 330-foot width would otherwise require 67 plantings and 14 are proposed.
3. Parking is permitted in all yard (front, side and rear) provided it is a minimum 5' from any property line, Section 6.34M.2 of the Redevelopment plan. Proposed parking is 3' from the Philadelphia Avenue property line which requires variance relief.

Mr. Garth noted the doors to the Trash and Recycling area at the existing WAWA located on the White Horse Pike need to be replaced as they are damaged and broken. He asked that they be replaced with a better material that will withstand a lot of use.

Mr. Michel noted the doors on the trash and recycling area must be of fire proof material and will have to be shown on the plans. The Construction official will confirm that it is built as required.

Mr. Garth asked when construction will begin on the proposed WAWA.

Kristin Ritz, stated that hopefully all of the WAWA approvals will be received by the end of 2020. The Developer will have to work on the land and then the WAWA team will take over. They would like to start building the end of 2020. It will take about 6 months to build.

Questions from the board

Mr. McGowan reviewed his report dated December 16, 2019. Attached here to made part of.

Mr. McGowan reviewed General comments on page 8 of his report.

1. Mr. McGowan noted they received a revised plan concerning the grade on Friday showing that they lowered the grade which was a primary concern.
2. Mr. McGowan reviewed the Storm water and noted it is their recommendation to the Board that the final stormwater management configuration and calculations be addressed Administratively. This can occur after any approvals granted by the Board.

Mr. McGowan discussed the parking across from WAWA on Philadelphia Avenue, the Teamsters side and how the Board would like to see the parking preserved.

Mr. McGowan reviewed number ten of his report and noted there is no direct pedestrian access to the site from US Route 30. The Applicant should consider adding a sidewalk along the proposed expanded Terrace.

Mr. Nehmad agreed the Applicant will add sidewalk as suggested.

Mr. McGowan noted under number eleven there is no direct pedestrian access to the site from Cincinnati Avenue. The Applicant should consider adding a sidewalk here to provide access to the core of the site.

Mr. Nehmad agreed the Applicant will add sidewalk to this area.

Mr. McGowan noted that number twelve is no longer an issue concerning the utilities, it has been addressed.

Mr. McGowan addressed the lighting and noted under number seventeen site lighting should be shielded to prevent excess spillage to neighboring properties. The lighting plan indicates approximately one-foot candle at the face of numerous neighboring buildings. This should be reduced to the maximum extent possible.

Number eighteen of Mr. McGowan's report has been eliminated.

Number nineteen Mr. McGowan would like the Applicant to clarify the separation between the Atlantic Avenue driveway and Cincinnati Avenue.

Questions from the Board:

Michael McKenna noted there is a fire hydrant in the middle of 6th Terrace in the unit block. Mr. McGowan noted that hydrant may be eliminated. Mr. McKenna asked that the Fire Department be involved on the new location of the hydrants.

Mr. McGowan noted they will work with the Fire Department on this matter.

Mayor Jampetti expressed her concerns and stressed that Egg Harbor City is a walkable community and many people including children like to walk to the existing WAWA. The Mayor noted it is extremely important to ensure pedestrian safety. The White Horse Pike is a very dangerous road. Mayor Jampetti asked Mr. McGowan to meet with Megan about our concerns and the importance of this matter. Mr. McGowan will bring this development to her attention.

Questions from the Board: none

Questions from the Public: Marcus King was present who is the President of the Teamsters Union Local 331 and was sworn in by Mr. Manos.

Mr. King noted about 10 years ago they came before this board for approval of their building located at 2 Philadelphia Avenue. Mr. King noted when they came before this board one of the things that attracted them to the building was the parking around the building this sold them on the property. They are concerned about losing on street parking because of the WAWA development. Mr. King's concern is having enough parking for events held at the Teamster building and being able to provide enough parking for their patrons. Mr. King noted that when the Engineer started his presentation, he noted that

DOT asked the Applicant and Professionals to do a study and Mr. King said he was not included in this. Mr. King would like to have a meeting to discuss this parking matter which will affect the Teamsters site and the events that take place there. Mr. King was also concerned about the water draining. Mr. McGowan discussed the water drainage for the site. Mr. King thanked the Board members for listening to his concerns and asked that before any plans are finalized with DOT that there will be some conversation concerning the parking.

Questions from the Board: none

Mr. Manos read the motion: For Preliminary and Final Major Site Plan Approval together with 3 variances:

1. Canopy signs are limited to two signs per tenant and three canopy signs are proposed requiring variance relief.
2. The applicant indicates a need for a variance for a deficiency along the Atlantic Avenue frontage where the 330-foot width would otherwise require 67 plantings and 14 are proposed.
3. Parking is permitted in all yard (front, side and rear) provided it is a minimum 5' from any property line, Section 6.34M.2 of the Redevelopment plan. Proposed parking is 3' from the Philadelphia Avenue property line which requires variance relief.
*The Approval will also include permission to operate 24 hours, 7 days a week establishment.
*A recommendation to the Governing body to vacate approximately two thirds portion of 6th Terrace and the remaining portion will be widened.

There are also Several Conditions that must be satisfied:

1. That the Applicant will work with the Board Engineer to come to a reasonable satisfactory stormwater management system.
2. The Applicant will submit a plan of utility easements for 6th terrace to be approved by the City.
3. Subject to all outside approvals
4. All other conditions in Ryan McGowan and Tim Michel's report.
5. Removal of Fire Hydrant with the approval of the Fire Department.

Upon motion made by Mr. Garth, seconded by Mr. Mullineaux

Roll Call: Mr. Peterson yes, Mr. Michael McKenna yes, Mr. Dennis McKenna yes, Mr. Garth yes, Mayor Jlampetti yes, Mr. Ross yes, Mr. Dixon yes, Mr. Warker yes, Mr. Mullineaux yes

Public Comments: Jack Darly owner of Luby's Bar was present to discuss his options with the property after the building suffered substantial fire damage.

Mr. Michel discussed his options but directed Mr. Darly to contact the Pinelands Commission first, due to the building being over 50 years old. He will need a Certificate of filing from Pinelands.

Linda Goff, Attorney representing Mr. Darly was present and is representing the owner of Luby's. Mr. Darly is still unsure what he would like to do with the property but will contact Pinelands before moving forward if he plans to rebuild or demolish the house portion. Mrs. Goff says she has not spoken to the Engineers yet to find out the condition of the building. This building is currently a non-conforming use and a non-conforming structure.

Mr. Peterson noted Mr. Darly should contact Pinelands first and then return to the Land Use Board. The City would like to see the site rebuilt it has been there a very long time. The Board

and Professionals will help with any questions and provide guidance Mr. Darly may need in the process.

Mr. Michel read 170-92A (4) – Whenever a nonconforming structure has been damaged by fire or other causes to the extent of 75% of its market value, as determined by the Construction Official it shall be rebuilt or repaired in conformity with the regulations of the district in which it is located.

Mrs. Goff noted Mr. Darly will take all of this information into consideration and make a decision as to what they would like to do and appreciates the time of the Board on this matter.

Old Business: none

Mayors Comments: The Christmas Tree Lighting went very well and a Special Thank you to Santa Clause. The Christmas Tree Parade will be held on December 21, 2019. Cedar Creek won the Central Division Championship for Football. The Bike Path is moving along and The City Received a design assistant grant for the bike path from Diesterweg to the lake, this will be about a two-year process.

Professionals and Board members discussed this matter.

Council Report: Mr. Ross announced the next Council Meeting will be next year and Merry Christmas to all.

Questions and Comments from the board: none

Adjournment: Upon motion made by Mr. Dennis McKenna, seconded by Mr. Mullineaux and carried the meeting was adjourned.

Respectfully submitted
Donna Heffley, Land Use Board Secretary

TIMOTHY D. MICHEL, INC.
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To: Egg Harbor City Land Use Board

From: Timothy D. Michel, P.P. 

Date: December 13, 2019

Subject: Egg Harbor City Partners, LLC
Block 319, Lots 1, 5, 10, 11 & 12
600 White Horse Pike
Egg Harbor City, Atlantic County, NJ
Preliminary and Final Site Plan Review, Variances, Waivers and
Vacation/Dedication of 6th Terrace
Redevelopment Plan for the 600 White Horse Pike Redevelopment
Area
Application # 19-06

Egg Harbor City Partners, LLC of Marlton, NJ is proposing demolition of a gasoline fueling station/convenience store, Central Glass building and residential structure on a 3.64 acre site generally bounded by the White Horse Pike (US Rt. 30), Philadelphia Avenue (CR 563), Atlantic Avenue and Cincinnati Avenue. The existing development will be replaced by a 5,585 square foot Wawa food market with gasoline dispensing facilities, onsite parking, landscaping and related site improvements. The site plan provides for 57 parking spaces, of which 3 will be handicapped spaces. Pinelands issued an Inconsistent Certificate of Filing dated November 22, 2019. The Inconsistent status is related to the petroleum fueling station being defined as a high pollutant loading area requiring stormwater management measures to remove 90 percent of Total Suspended Solids. I will defer further comment on this issue to the Land Use Board Engineer. The applicant is requesting completeness review, preliminary and final site plan review, variances and site plan waivers. The Land Use Board will also need to make a recommendation to the governing body to vacate a portion of 6th Terrace to accommodate this development. The applicant is also dedicating additional land to widen the remainder of 6th Terrace for access from the White Horse Pike. Land Use Board Professionals met with the applicant and his professionals on Monday, December 9, 2019 to resolve many design issues.

A. Completeness

1. Additional detail will be needed to define the vacation of the portion of 6th Terrace and the dedication of additional street width along 6th Terrace, Section 170-30.C (13). Conceptually the proposal is understandable, however the exact configuration and conveyance must be submitted. Utilities are shown to remain which will be the subject of further agreements if ownership of the right-of-way is transferred.
2. Plans indicate an intent for 3 pole signs and plans clearly label one along Atlantic Avenue and another along the White Horse Pike. The location of the third sign must be shown on the Site Plan, Sheet C-4, as required by Section 170-31.A(r).
3. The Redevelopment Plan, Section 6.3.4M. allows for lighting standards of a maximum 25' height, Sheet C-9 shows a light pole installation detail that does not indicate the total height.
4. The Redevelopment Plan, Section 6.3.4.K requires submission of a security plan.
5. The Redevelopment Plan, Section 6.3.4.L provides that any approval granted for development be conditioned upon satisfying any Affordable Housing requirement.
6. The applicant shall explain the status of review an approval by other agencies: Atlantic County Planning Board; Cape Atlantic Soil Conservation District; New Jersey Department of Transportation; or other.

B. Permitted Use The subject property is located in the Redevelopment Plan for the 600 White Horse Pike Rehabilitation Area. Section 6.3.4B lists the permitted use within the Redevelopment Area and includes: Convenience Store with Fueling Stations which are described as: A convenience store is a retail establishment offering for sale prepackaged food products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods such as salads, for off-site consumption. Fueling stations are for retail dispensing of vehicular fuels and may be positioned separately and kept under a protective canopy. They may include sale of lubricants but they may not include servicing and repair of automobiles or accessory sale and installation of tires, batteries and similar vehicle accessories. The application exhibits consistency with the description of a Convenience Store with Fueling Station.

C. Building Limit and Site Design Controls, Section 6.3.4 C

600 White Horse Pike Redevelopment Area

Regulation	Requirement	Proposed	Status
Min. Site Size	30,000 SF	158,400 SF	Conforms
Lot Width	150 FT	150 FT	Conforms
Bldg. Setback to Street	50 FT'	76 FT	Conforms
Bldg. Setback to Interior Property Line	25 FT	59.5 FT	Conforms
Height	2 ½ Stories, 35 FT	1 Story, 33 FT	Conforms
Building Coverage	30%	3.5%	Conforms
Parking	8 Spaces per 1,000 SF GFA or 45 Spaces	57 Spaces	Conforms
Circulation Control	Tire stops or bollards	Belgian curbing or bollards	Conforms
Access	NJ State Highway or Local Streets and Roads	Access from 6 th Terrace, Philadelphia, Atlantic and Cincinnati	Conforms
Vehicle Access and Egress	Clearly defined and controlled	Clearly defined and controlled	Conforms
Exterior Lighting	Arranged to deflect away No blinking or flashing lights	Deflected and/or shielded	Conforms
Service Work on Vehicles	Prohibited	No service work	Conforms
Pennants, Flags	Prohibited	No pennants or flags	Conforms
Fuel Storage	Underground	Underground	Conforms
Loading Space	14' Wide x 35' Long	18' Wide x 100' Long	Conforms
Density or Lot Area Deviations	Require purchase of PDC's	Density: N/A Lot Area: Complies	N/A
Hours of Operation	24 hours each day, if approved	24 hours per day	To Be Determined

D. Parking/Loading A Convenience Store with Fueling Stations is required to have 8 parking spaces per 1,000 square feet of gross floor area and one space per employee based upon the maximum shift, pursuant to Section 6.3.4C.6 of the Redevelopment Plan. The 5,585 square foot building will require 47 parking spaces. The maximum employees per shift is 12, requiring 12 spaces. Total parking required is 57 spaces and 57 spaces are provided. Section 170-62 of the Egg Harbor City Developmental Ordinance provides additional parking requirements. A parking space is required to be 9' wide and 18' deep. Driveway aisles for 90 degree parking are required to be 24' wide. Parking spaces are 10' x 18' minimum and driveways are 25' minimum. Parking design and dimensions comply.

On loading space is required for each building over 4,000 square feet, with a minimum dimension of 14' wide by 35' long. An 18' wide striped loading area is shown on the northeast side of the building and is over 100' in length which complies.

Parking is permitted in all yards (front, side and rear) provided it is a minimum 5' from any property line, Section 6.3.4M.2 of the Redevelopment Plan. Proposed parking is 3' from the Philadelphia Avenue property line which requires variance relief.

E. Landscaping

The Redevelopment Plan, Section 6.3.4.F.2.a requires one canopy tree of 2 ½" caliper and 12' high for every 30' of lot width. There is 1,445' of frontage (600' Philadelphia Avenue, 330' Atlantic Avenue, 380' Cincinnati Avenue, 135' White Horse Pike) requiring 48 canopy trees where 41 are proposed leaving a 7 tree deficiency. Seven (7) additional trees need to be added to the plan or a contribution may be made as described below.

The Redevelopment Plan, Section 6.3.4.F.2.b requires one shrub or ornamental plant for each 5 feet of total lot width. There is 1,445' of frontage requiring 289 shrubs and ornamental plants. The plan shows 1008 evergreen shrubs, deciduous shrubs, ground covers and perennials which complies. The applicant indicates a need for a variance for a deficiency along the Atlantic Avenue frontage where the 330 foot width would otherwise require 67 plantings and 14 are proposed. It appears that the undeveloped area along Atlantic Avenue may be a future development site.

The Redevelopment Plan, Section 6.3.4.F.2.c., allows landscape contributions in lieu of installing landscaping in accordance with Section 170-30D(17).

The Redevelopment Plan, Section 6.3.4.M.3a, requires a 3' landscape strip along all property lines. The proposed plan complies.

The Redevelopment Plan, Section 6.3.4.M3.b, requires street trees be planted a maximum spacing of 50'. Spacing complies except where entry drives prevent placement.

The Redevelopment Plan, Section 6.3.4.M.3c, requires in lieu of interior parking lot landscaping, one deciduous shade tree be provided as perimeter landscaping for every 12 parking spaces. The 57 parking spaces requires 5 trees.

F. Signs

The Redevelopment Plan provides sign regulations in Section 6.3.4.I.

Wall Sign: Two signs per tenant per street frontage; two square feet for each foot of building frontage, not to exceed 80 square feet; not to exceed 6 feet in height; not to project more than 14" from wall. Proposed is one sign per tenant per street frontage. The north facade has 67.7 square feet and 5.54 feet height. The south facade has 36.9 square feet and 4.0625 feet height. The wall signs comply.

Canopy Sign: Two signs per tenant; not to exceed 10 square feet; not to exceed 2 feet in height; attached to underside of canopy and not closer than 10' to ground level. Two signs are proposed attached to the underside of the canopy, of 7.83 square feet and 1.5 feet in height. One sign is proposed on the fascia being 9.03 square feet and 1.66 feet in height. Canopy signs are limited to 2 signs per tenant and three canopy signs are proposed requiring variance relief.

Projecting Sign: One sign per building; not to exceed 16 square feet; not greater than 6' from the wall and not lower than 10' from grade or higher than 20' and no higher than the roof eave or second floor windowsill, which ever is less. Projecting signs are prohibited where a commercial use abuts a residential zone. There are no projecting signs.

Pole Sign: A sign mounted on a freestanding pole(s) or other support so the bottom edge of the sign face is 6' or more above grade. The aggregate area of the sign shall not exceed 100 square feet and the sign height shall not exceed 25'. A pole sign shall be setback 20 feet from the property line. One pole sign per roadway frontage shall be permitted for each principal use if approved by the Land Use Board and Governing Body. Three (3) signs are noted as proposed and two are clearly shown, one along Atlantic Avenue and one along the White Horse Pike. The location of the third sign must be shown. The proposed pole signs have a complying area of 95.23 square feet and 23.25 feet in height. The Atlantic Avenue sign meets the require 20' setback from property lines. The White Horse Pike sign is setback 20' from the highway but has inadequate setback form the 6th Terrace property line and could be moved to comply. The third pole sign is not shown on the site plan and has not been evaluated.

All bare incandescent light sources, but not including neon lights, and their immediately adjacent reflecting surfaces shall be shielded from view. Flashing, moving, intermittently moving and illuminated signs, reflecting signs or luminous signs and/or advertising devises shall be prohibited. The applicant states they will comply.

No temporary signs made of paper, cardboard, canvas or similar material, other than a sign advertising a sale on the premises or the sale or rent of the premises on which the

sign is located, shall be permitted except inside the building. A temporary sign permit shall be required. The applicant states they will comply.

No sign shall be placed on the roof of any building. The applicant states they will comply.

If entrance and exit signs are proposed, they must comply with Section 6.3.4M.5.a of the Redevelopment plan.

G. Lighting

The Redevelopment Plan, Section 6.3.4M. allows for lighting standards of a maximum 25' height, Sheet C-9 shows a light pole installation detail that does not indicate the total height. The Lighting Plan, Sheet C-8 shows lighting level and lighting regulations. Comment regarding the site and street lighting are deferred to the Land Use Board Engineer.

H. Sidewalks

The Redevelopment Plan, Section 6.3.4.M.6.a allows minimum 5' wide sidewalks and an appropriate grass strip shall separate the sidewalk from the street curb line. Five foot wide sidewalks are shown along the property line of the White Horse Pike, Philadelphia Avenue, Atlantic Avenue and Cincinnati Avenue. A grass strip is shown between the sidewalk and curb line.

The Redevelopment Plan, Section 6.3.4.M.6b allows sidewalks to be constructed of concrete, brick, slate or concrete pavers. Construction Details show concrete sidewalks which comply.

The Redevelopment Plan, Section 6.3.4.M.6 allows bollards along buildings which are shown separating parking spaces from walkways on three sides of the building.

I. Trash/Recycling Enclosure

The Redevelopment Plan, Section 6.3.4.M.6.d requires a trash and recycling enclosure to be setback 50' from any property line. The proposed enclosure complies with the setback requirement.

A fire-resistant enclosure of a minimum 5 feet high and surrounded on 3 sides by landscaping is required, Section 170-114M. Garbage collection, recycling areas, and other utility areas shall be screened around their perimeter by fire resistant enclosures with a roof or by masonry walls, with a minimum height of five feet. Such a wall shall be capped on the top. A landscaped planting strip a minimum of three feet wide shall be located on three sides of such a facility. Planting material shall be separated from the parking lots by Belgian block curbing, but shall have ramp access to such facility for

vehicles and carts. A mixture of hardy flowering and/or decorative evergreen and deciduous trees may be planted; the area between trees shall be planted with shrubs, ground cover, or covered with mulch. Garbage and recycling shall not be placed in the front yard. See Section 170-111B and Section 170-114M. The proposed enclosure is 9' tall and finished in fire proof materials and color to match the building. Landscaping is provided on three sides as required. The door and gates providing access to the enclosure must be fire proof and have specifications shown on the plan, Architectural Sheet 2. A construction detail must be added to the plan to clearly indicate the intended construction materials.

The site plan submission requirements, Section 170-30.C(21) provide that a commercial development of more than 1,000 square feet provide a written and illustrative plan for the collection, disposition and recycling of recyclable materials. As noted above an illustrative plan is provided and narrative dated October 30, 2019 indicated recycling will be collected 2 times per week, daytime, off peak hours.

J. Storm Water Management, Section 170-48

Pinelands Inconsistent Certificate of Filing contains required changes to the stormwater design. Comments on the plan are deferred to the Planning Board Engineer. A maintenance plan for the stormwater system has been provided.

K. Architectural Design Standards

The applicants' site commands a very prominent location along the White Horse Pike. The proposed building has attributes that are required for this corner property and the following review demonstrates compliance with Section 170-117.

1. Buildings on corner lots shall be considered significant structures, since they have at least two front facades visibly exposed to the street. If deemed appropriate by the planning board, such buildings may be designed with additional height and architectural embellishments, such as corner towers, to emphasize their location. (Section 170-117.B) The main entry to the building faces Philadelphia Avenue and has an elevated gabled entry. A rear vestibule faces Cincinnati Avenue and it has a pronounced entry.
2. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections, recesses, and changes in floor level shall be used in order to add architectural interest and variety, and to relieve visual effect of a simple, long wall. Similarly, roof-line offsets shall be provided, in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. (Section 170-117C) The building is 85'-6 1/2" in length x 77' -7 1/2" in width and has varied facade and finishes.
3. Buildings with more than one facade facing a public street or internal open space shall be required to provide several front facade treatments. (Section 170-117.D) The building

has 3 front facades and the side facing northeast will be for loading operations as it faces the gas fueling islands and canopy.

4. The architectural treatment of the front facade shall be continued, in its major features, around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors, and details. Blank wall or service area treatment of side and/or rear elevations visible from the public view shed is discouraged. (Section 170-117.E) All four sides of the building are finished in the same combination of building materials and colors.

5. Gable roofs with minimum pitch of 9/12 should be used to the greatest extent possible. Flat roofs should be avoided on one-story buildings. Other roof types should be appropriate to the building's architecture. (Section 170-117.G) Building roof lines are varied and the main entry is accented with an elevated roof line.

6. Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building. Windows shall be vertically proportioned wherever possible. (Section 170-117.H) The arrangement of windows and doors on the building appear proportional to the elevation.

7. Blank, windowless walls are discouraged. Where the construction of blank wall is necessitated by local building codes, the wall should be articulated by the provision of blank window openings trimmed with frames, sills and lintels, or if the building is occupied by a commercial use, by using recessed or projecting display window cases. Intensive landscaping may also be appropriate in certain cases. (Section 170-117.I) Three sides of the building have windows and/or doors. The remaining elevation contains services doors for loading and employee operations.

8. All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, and others, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors, and details of the building as a whole, as shall the doors. (Section 170-117.J) The building elevations are articulated where appropriate.

9. All air conditioning units, VAC systems, exhaust pipes or stacks, elevator housing, and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, penthouse-type screening devices, or landscaping. (Section 170-117.O) Plans need to show the described elements and the appropriate screening. Plans do not show any exposed mechanical systems. The applicant shall describe where it is placed and if architectural elements are intended to hide them from view (such as the roof parapet).

L. Variances

The applicant submitted a document titled Zoning Relief Memorandum, dated October 30, 2019. Two variances are requested.

1. The Redevelopment Plan provides sign regulations in Section 6.3.4.I. **Canopy Sign:** Two signs per tenant; not to exceed 10 square feet; not to exceed 2 feet in height; attached to underside of canopy and not closer than 10' to ground level. Two signs are proposed attached to the underside of the canopy, of 7.83 square feet and 1.5 feet in height. One sign is proposed on the fascia being 9.03 square feet and 1.66 feet in height. Canopy signs are limited to 2 signs per tenant and three canopy signs are proposed requiring variance relief.
2. The Redevelopment Plan, Section 6.3.4.F.2.b requires one shrub or ornamental plant for each 5 feet of total lot width. There is 1,445' of frontage requiring 289 shrubs and ornamental plants. The plan shows 1008 evergreen shrubs, deciduous shrubs, ground covers and perennials which complies. The applicant indicates a need for a variance for a deficiency along the Atlantic Avenue frontage where the 330 foot width would otherwise require 67 plantings and 14 are proposed.
3. Parking is permitted in all yards (front, side and rear) provided it is a minimum 5' from any property line, Section 6.3.4M.2 of the Redevelopment Plan. Proposed parking is 3' from the Philadelphia Avenue property line which requires variance relief.

M. Site Plan Waivers

The Site Plan Checklist requests a waiver for submission of proof of notification

- cc. Elias Manos, Esquire (via email)
Donna Heffley (hand deliver)
Ryan McGowan, PE (via email)
Stephen Nehmad, Esquire (via email)

Egg Harbor City Partners, LLC

Documents Reviewed:

1. Transmittal letter Nehmad Perillo Davis & Goldstein dated November 26, 2019.
2. Land Use Board Application Form, 19-06.
3. Pinelands Inconsistent Certificate of Filing dated November 22, 2019.
4. Land Title Survey by Stonefield dated 10/30/19, 3 sheets.
5. Civil engineering plans by Stonefield dated 10/30/19, 20 sheets.
6. Architectural Plans by Richard W. Luke Architect undated, 2 sheets.
7. Stormwater Management report by Stonefields dated 2/22/19 and revised to 9/3/19.
8. Stormwater Operation and Maintenance Plan by Stonefield dated 9/4/19.
9. NJDOT Traffic Impact Analysis by Dolan and Dean dated 10/16/19.
10. Property Owner Information and Agreements of Sale, 3 documents.
11. Site Plan Checklist.
12. Checklist Memorandum dated 10/30/19.
13. List of Regulatory Approvals Memorandum dated, 10/30/19.
14. Sewer and Water Memorandum dated 10/30/19.
15. Photo Report dated 11/4/19, 6 pages.
16. Environmental Site Analysis & Natural Resource Inventory dated 10/30/19.
17. Zoning Relief Memorandum dated 10/30/19.
18. Solid Waste Memorandum dated 10/30/19.



**REMINGTON
& VERNICK
ENGINEERS**

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December 16, 2019

Donna Heffley, Board Secretary
Egg Harbor City Planning Board
500 London Avenue
Egg Harbor City, NJ 08215

**RE: Application No. 19-06 LUB
Egg Harbor City Partners, LLC
600 White Horse Pike (Block 319, Lots 1, 5, 10, 11 & 12)
City of Egg Harbor, Atlantic County, NJ
Preliminary and Final Major Site Plan Approval with "C" Variance Relief
RVE File No. 0107-P-132**

Dear Board Members:

Please review the following report prepared for the above-referenced application based on the materials received by our office.

I. Application Materials

1. **Transmittal listing submission contents**, prepared by Stephen R. Nehmad, dated November 26, 2019.
2. **Transmittal detailing Stonefield Engineering submission**, dated October 30, 2019.
3. **Land Use Board Application No. 2019-06**, dated November 26, 2019.
4. **Site Plan Checklist**.
5. **Checklist Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019.
6. **Preliminary and Final Major Site Plan**, prepared by Stonefield Engineering, revised October 30, 2019.
7. **ALTA/NSPS Land Title Survey**, prepared by Stonefield Engineering, revised October 30, 2019.
8. **Architectural Plans**, prepared by Richard W. Luke, dated January 4, 2019.
9. **Zoning Relief Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019 and last revised December 12, 2019.
10. **List of Regulatory Approvals Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019.
11. **Solid Waste Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019.
12. **Sewer & Water Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019.
13. **Modification Memorandum**, prepared by Stonefield Engineering, dated October 30, 2019.

14. **Site Photograph Location Map**, prepared by Stonefield Engineering, dated November 4, 2019.
15. **Stormwater Management Report**, prepared by Stonefield Engineering, revised September 3, 2019.
16. **Stormwater Operations & Maintenance Plan with Field Manuals**, prepared by Stonefield Engineering, dated September 4, 2019.
17. **Environmental Site Analysis & Natural Resource Inventory**, prepared by Stonefield Engineering, dated October 30, 2019.
18. **NJDOT Traffic Impact Analysis** for Proposed Wawa, prepared by Dolan & Dean Consulting Engineers, LLC, dated October 16, 2019.
19. **Property Owner Information**, prepared by Stonefield Engineering, dated October 30, 2019.
20. **Agreement of Sale between BS of EHC, LLC** for Block 319, Lot 1 & 5 pertaining to the application.
21. **Agreement of Sale between Belford Rivera, Ana Rivera and Gladys I Torres** for Block 319, Lot 10 & 11 pertaining to the application.
22. **Agreement of Sale between Egg Harbor City Station, LLC** for Block 319, Lot 12 pertaining to the application.
23. **Redevelopment Plan** for the 600 White Horse Pike Rehabilitation Area, prepared by Timothy D. Michel, revised November 29, 2018.
24. **Pinelands Certificate of Filing – Email Proof**, from Branwen Ellis of Pinelands Commission to J. Martelli of Stonefield Engineering, dated October 21, 2019.
25. **Grading Exhibit** - prepared by Stonefield Engineering, prepared December 12, 2019.
26. **Site Plan Exhibit** - prepared by Stonefield Engineering, prepared December 12, 2019.
27. **Easement Exhibit** - prepared by Stonefield Engineering, prepared December 12, 2019.

This report consists of our review of the subject application for conformance with the Egg Harbor City Land Use Ordinance requirements and applicable Redevelopment Plan and is limited to engineering. Planning issues are deferred to the Board Planner. Legal issues shall be deferred for review by the Board Solicitor. Our review is limited to the information presented to date. The Applicant may present additional information and testimony at the Board hearing.

We offer the following comments with regard to the above information:

II. General

The following general information has been provided for this application.

Applicant/Owner:	Egg Harbor City Partners, LLC 702 E. Rt. 70, Bldg. 1, 2 nd Fl. Marlton, NJ 08053
Project Attorney:	Stephen R. Nehmad, Esq. Nehmad Perillo Davis & Goldstein 4030 Ocean Heights Avenue

Egg Harbor Township, NJ 08234

Project Engineer:

Jeffrey A. Martel, P.E.
Stonefield Engineering & Design
15 Spring Street
Princeton, NJ 08542

Project Traffic Engineer:

Betsy Dolan
Dolan & Dean Consulting Engineers, LLC
181 West High Street
Somerville, NJ 08876

Location:

600 White Horse Pike (Block 319, Lots 1, 5, 10, 11 & 12)

Zoning:

HC – Highway Commercial / Redevelopment Plan

Existing Use:

Gas/convenience station, commercial building, and residential structure

Proposed Use:

Convenience store with fuel sales

Proposal:

The applicant is seeking preliminary and final major site plan approval, as well as, hardship variance relief and substantial benefit variance relief for the existing gas station/convenience store, commercial building, and residential structure on the properties located at 600 White Horse Pike, Block 319, Lots 1, 5, 10, 11 & 12. The subject property will follow the Redevelopment Plan for the 600 White Horse Pike Rehabilitation Area as well as the general Land Use Regulations.

The applicant describes the proposed use associated with the project to be a convenience store with motor fuel dispensing operating 24 hours per day, 7 days per week, offering for sale prepackaged products and grocery items, hot and cold made-to-order drinks, freshly prepared foods, including sandwiches, soups and salad, household items, tobacco products, newspapers and magazines, in-store ATM and lottery, and which includes outside facilities for dispensing motor fuels, gasoline and diesel fuel for light trucks and passenger vehicles under a lit canopy. No servicing of motor vehicles is permitted, although up to two external air pumps may be provided. A trash enclosure is located near the driveway on Atlantic Avenue. Solid waste will be maintained per the schedule provided.

Area, Yard & Bulk Regulations – HC Zone District:

ITEM	REQUIRED	PROPOSED	CONFORMANCE
	Redevelopment Parcel 6.3.4 (E) Attachment 02	Convenience Store with fuel sale	Yes
Minimum Lot Size Block 319, Lot 1 Block 319, Lot 5 Block 319, Lot 10 Block 319, Lot 11 Block 319, Lot 12 P/O 6 th Terrace	30,000 square feet 150' x 380' = 1.3085 ac 150' x 400' = 1.3774 ac 40' x 150' = 0.1377 ac 40' x 150' = 0.1377 ac 120' x 150' = 0.4132 ac 30' x 380' = 0.2617 ac	158,400 square feet 3.8362 Acres	Yes
Minimum Lot Width	150 feet	150 feet	Yes
Maximum Lot Coverage	30%	3.5% 0.0035 Acres 5,585 SF	Yes
Minimum Setbacks			
Any Street Line	50 feet	60.1 feet	Yes
Interior Property Line	25 feet (each)	N/A ³	N/A ³
Maximum Height: Principal Building (HC)	2.5 stories; 35 feet	1 story, 33 feet	Yes
Parking	See Redevelopment Parcel 6.3.4 (C) 6	57 Spots	Yes
Convenience Store Patron Parking	8 spaces per 1,000 SF GFA 8 x 5,585 / 1,000 SF = 45 Spots		
Employee Parking	1 space per employee based upon maximum shift 12 Employee Spaces		
Gasoline (or similar substance) Storage⁵	Minimum of 25 feet from any property line other than a street line		
Gasoline Pump	Minimum of 20 feet of any street or property line		
Loading Space	1 off-street loading space per building over 4,000 square feet with minimum dimension of 14' wide x 35' long	18' x 125'	Yes

ITEM	REQUIRED	PROPOSED	CONFORMANCE
Hours of Operation	May be operated 24 hours each day if approved by the Land Use Board and City Governing Body	24 Hours Operation	
Landscaping	Minimum requirements for plantings in the front yard area		
Canopy Trees	Minimum caliper of 2.5 inches and a height of 12 feet at the time of planting 1 for every 30 feet of total lot width		Yes
Shrubs & Ornamental Plantings	1 plant per 5 feet of total lot width Atlantic Avenue = 330' / 5 = 66 Shrubs	Atlantic Avenue: 14 Shrubs	No
Signs	See §170-71 B See Redevelopment Parcel 6.3.4 (I)		
Wall Sign	2 per tenant per street frontage; 2 square feet for each foot of building frontage, not to exceed 80 square feet; not to exceed 6 feet in height; not to project more than 14" from wall.		
Canopy Sign	2 per tenant; not to exceed 10 square feet; not to exceed 2 feet in height; attached to underside of canopy and not closer than 10' to ground level.	3 Signs: 2 attached to underside, 1 attached to fascia. Fascia Sign: 9.03 sf	No
Projecting Sign	1 per building; not to exceed 16 square feet; not greater than 6' from the wall and not lower than 10' from grade or higher than 20' and no higher than the roof eave or second floor windowsill, whichever is less. Projecting signs are prohibited where a commercial use abuts a residential zone.		

ITEM	REQUIRED	PROPOSED	CONFORMANCE
Pole Sign	A sign mounted on a freestanding pole(s) or other support so the bottom edge of the sign face is 6' or more above grade. The aggregate area of the sign shall not exceed 100 square feet and the sign height shall not exceed 25'. A pole sign shall be setback 20 feet from the property line. One pole sign per roadway frontage shall be permitted for, each principal use if approved by the Land Use Board and Governing Body.	P-75	
Fences	See §170-59 Fencing shall be required around the perimeter of the property		

- 1: Values are approximate, as scaled or calculated using the submitted information.
- 2: A notation of "ENC" indicates an existing nonconforming condition that will not be expanded by Applicant.
- 3: A notation of "N/A" indicates that the subject requirement is not applicable to this application.
- 4: A notation of "N/P" indicates the necessary information has not been provided to determine conformance.
- 5: A notation of "TBD" indicates that additional information is required to determine conformance.
6. All flammable and combustible liquids, including gasoline, shall be stored in compliance with the BOCA National Fire Prevention Code, National Fire Protection Association regulations, Chapter 102 of the New Jersey Laws of 1986, N.J.S.A. 58:10A-21 et seq., and all other pertinent regulations of the State of New Jersey. A permit shall be obtained from the Egg Harbor City Fire Subcode Official for installation, removal or changes to any storage tank or facility for flammable or combustible liquids. The Fire Subcode Official shall not issue any permits until the Pinelands Commission notice and review requirements in § 170-32(D) and (E) of this chapter have been complied with. Each such tank or storage facility must be inspected annually by the Fire Official.

III. Completeness Review

The applicant requested the following waivers (W) or marked items "not applicable" (NA) for the following checklist items which can be granted by the Board:

Site Plan Checklist

1. Significant existing physical features including streams, water courses, rock outcrop, swampy soil, etc. - **NA**
2. Existing and proposed sanitary sewerage disposal system. - **NA**
3. If variances are required, proof of notification as required by the municipal Land Use Law. - **W**

The above-received information has been reviewed for completeness in accordance with the requirements set forth by the Land Use and Development Ordinance (Chapter 170) of the City of Egg Harbor (hereafter "Ordinance") and the New Jersey Municipal Land Use Law (NJSA 40:55D et. seq.). Based on the requirements set forth therein, if the Board decides to grant the requested waivers, then our office recommends that Application 19-06 LUB of the City of Egg Harbor Land Use Board (hereafter "Board") is deemed **complete**. If the Board decides not to grant the requested waivers, then our office recommends that this application be deemed **conditionally complete** provided all completeness items above are addressed as a condition of any approval granted by the Board.

IV. Technical Review

We have reviewed the application for compliance with the Egg Harbor City Land Use Ordinance and Redevelopment Plan and note the following deficiencies, which are keyed to the relevant sections of the Ordinance/Plan.

1. Redevelopment 6.3.4.F.2 Minimum requirements (For plantings in the front yard area).

- a. Canopy trees (Note: Either existing trees or new plant material). Canopy trees must have a minimum caliper of 2.5 inches and a height of 12 feet at the time of planting; 1 for every 30 feet of total lot width.
- b. Shrubs and ornamental plantings: one plant per 5 feet of total lot width.
- c. The Land Use Board may determine where landscaping improvements are made. Contributions may be in lieu of installing landscaping in accordance with Section 170-30D(17).

Applicant has requested a waiver from meeting this submission requirement.

2. Redevelopment 6.3.4.I In the 600 White Horse Pike Rehabilitation Area, a principal land use may have 4 types of signs.

- a. Wall Signs: Two signs per tenant per street frontage; two square feet for each foot of building frontage, not to exceed 80 square feet; not to exceed 6 feet in height; not to project more than 14" from wall.
- b. Canopy Signs: Two signs per tenant; not to exceed 10 square feet; not to exceed 2 feet in height; attached to underside of canopy and not closer than 10' to ground level.
- c. Projecting Signs: One sign per building; not to exceed 16 square feet; not greater than 6' from the wall and not lower than 10' from grade or higher than 20' and no higher than the roof eave or second floor windowsill, whichever is less. Projecting signs are prohibited where a commercial use abuts a residential zone.
- d. Pole Signs: A sign mounted on a freestanding pole(s) or other support so the bottom edge of the sign face is 6' or more above grade. The aggregate area of the sign shall not exceed 100 square feet and the sign height shall not exceed 25'. A pole sign shall be setback 20 feet from the property line. One pole sign per roadway frontage shall be permitted for each principal use if approved by the Land Use Board and Governing Body.

Applicant has requested a waiver from meeting this submission requirement.

V. General Comments

1. The original plan proposed a significant grade change from US Route 30 to the site. The proposed curb and pump islands were 5+ higher than the adjacent sidewalk. It appears that this has been addressed in the revised grading exhibit.
2. There are issues with the stormwater management report that need to be addressed. We are confident that the stormwater management needs for the site can be addressed utilizing the site configuration shown in the Site Plan Exhibit provided on 12/12/19. It is our recommendation to the Board that the final stormwater management configuration and calculations be addressed administratively. This can occur after any approvals granted by the Board.
3. The applicant should connect the stormwater management discharge to the inlet at the corner of Atlantic Avenue and Philadelphia Avenue. We believe that the system that the applicant is proposing to connect to is a bubbler system with no positive outflow.
4. The vegetated swale between the proposed building and Atlantic Avenue should be relocated, preferably near Cincinnati Avenue where the larger of the two basins is proposed.
5. The applicant should clarify any proposed striping changes or parking restrictions proposed offsite.
6. There is an existing hydrant at the north-west corner of the intersection of 6th Terrace and US Route 30 that will conflict with the proposed driveway that does not appear on the proposed plan. The hydrant will need to be relocated.
7. Details should be provided for all proposed utility infrastructure.
8. Details should be provided for the trash enclosure.
9. The developer should provide a maintenance agreement for the maintenance of 6th terrace in perpetuity. This acts as a primary driveway access to the site.
10. There is no direct pedestrian access to the site from US Route 30. The applicant should consider adding a sidewalk along the proposed expanded terrace.
11. There is no direct pedestrian access to the site from Cincinnati Avenue. The applicant should consider adding a sidewalk here to provide access to the core of the site.
12. The proposed easement depicted in the proposed Easement and Dedication exhibit does not fully encompass the proposed utilities. This should be corrected.
13. There are only two P-75 signs (pole mounted signs) located on the site plan but three are described. This appears to have been corrected on the revised site plan exhibit.
14. The emergency spillway elevations for each basin should be shown on the plan.
15. The applicant should clarify whether extended curb is proposed on the site. A detail is provided but the item does not appear on the site plan.
16. The area near the corner of Atlantic Avenue and Philadelphia Avenue is not lit to the City's standards. It is our understanding that this will be the site of a future development proposal. It appears that this portion of the site will be inadequately lit until further development occurs on this portion of the site.

17. Site lighting should be shielded to prevent excess spillage to neighboring properties. The lighting plan indicates approximately 1-foot candle at the face of numerous neighboring buildings. This should be reduced to the maximum extent possible.
18. The applicant should clarify that there is sufficient fall to accommodate the proposed sanitary sewer realignment.
19. The applicant should clarify the separation between the Atlantic Avenue driveway and Cincinnati Avenue.
20. The applicant should consider eliminating access from Atlantic Avenue to simplify site circulation and reduce impervious area.

VI. Other Approvals

The applicant shall be required to obtain approvals and or permits from all other State and local agencies having jurisdiction over this project.

VI. Recommendations

Based on our review of Application 19-06 LUB of the City of Egg Harbor Land Use Board, it is our recommendation that the Applicant be granted Preliminary and Final if the Board is comfortable allowing the final stormwater design and calculations to be addressed administratively.

We may have further comments pursuant to testimony presented at the public hearing or the receipt of revised plans.

Should you have any questions, comments or require additional information, please do not hesitate to contact our Pleasantville office at your convenience.

Very truly yours,

REMINGTON & VERNICK ENGINEERS



Ryan A. McGowan, PE, PP, CME

cc: Egg Harbor City Land Use Board Members
Elias Manos, Esq., Planning Board Solicitor
Tim Michel, PP, Planning Board Planner
Jeffrey Martell, PE, Applicant's Engineer
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Betsy Dolan, Traffic Engineer
Egg Harbor City Partners, LLC, c/o Jeff Angeloni, Applicant