

May 11, 2020

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

**RE: Application No. 20-02 LUB
Emmanuel Congregational Church
413 White Horse Pike (Block 203, Lot 11.02)
City of Egg Harbor, Atlantic County, NJ
Site Plan Waiver and Variance Relief
RVE File No. 0107-P-134**

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. **Land Use Board Application No. 2020-02**, dated April 1, 2020.
2. **Owners Consent and Authorization Corporate Resolution** prepared by Thomas H. Darcy, ESQ, dated March 31, 2020.
3. **Statement of the Application** prepared by Thomas H. Darcy, ESQ, dated March 25, 2020.
4. **Site Plan Checklist**.
5. **Egg Harbor City – Fees and Deposits**.
6. **W-9** request for taxpayer identification number and certification.
7. **Property Location** information sheet.
8. **Zoning Map Location** prepared by Peter P. Karabashian Associates, Inc.
9. **Wheelchair Lift Plan** dated March 26, 2020.
10. **200 Foot Property Owners List** prepared by the City of Egg Harbor, dated March 26, 2020.
11. **Plot Plan for Application for Zoning Analysis and Planning Board Review** prepared by Thomas H. Darcy Associates, dated March 10, 2020.
12. **Zoning Schedule** prepared by Thomas H. Darcy Associates, dated March 10, 2020.

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: Emmanuel Congregational Church
P.O. Box 292
Egg Harbor City, NJ 08215

Project Attorney & Planning Consultant: Thomas H Darcy, Esq
1 N New York Road, Suite 43
Galloway, NJ 08205

Project Engineer: Benjamin F Risley Jr. AIA, NCARB
2058 Liverpool Ave
Egg Harbor City, NJ 08215

Location: 413 White Horse Pike (Block 203, lot 11.02)

Zoning: HC – Highway Commercial

Listed permitted principal uses in the HC Highway Commercial Zone states, in part, "Additional uses permitted in the zone are included in the definitions section, 170-17, under "highway commercial." In the definitions section, under highway commercial is the following language "All of the uses permitted in the Retail Commercial Zone. Additional uses will include:" then three additional uses are listed. Item B. Institutional Uses is defined as follows: Nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned and operated building, structure, or land used for public purpose.

Existing Use: Place of worship for existing Church, an accessory building that serves as a parsonage/staff residence, and an accessory garage

Proposed Use: Place of Worship with proposed revisions to an existing accessory structure that is used as a parsonage and as offices. Repurpose some residential space as administrative offices for church use and improved access. All changes proposed to the accessory building that serves as a parsonage/staff residence

Proposal: The applicant is seeking either an interpretation or use variance to convert the first floor of the parsonage to administrative offices for church use, as well as a waiver of site plan for the proposed improvements which do not impose significant changes to the site, aside from the building access, which the applicant is requesting "C" Variance relief for. The existing property located at 413 White Horse Pike, Block 203, Lot 11.02 is currently used as a place of worship.

Area, Yard & Bulk Regulations – HC Zone District:

ITEM	REQUIRED/EXISTING	PROPOSED	CONFORMANCE
Use	Place of Worship	Place of Worship	Conforms
Minimum Lot Size	15,000 SF / 22,500 SF	No Change	Conforms
Minimum Lot Width	100 ft / 150 ft	No Change	Conforms
Minimum Lot Depth	N/A / 150 ft	No Change	N/A
Maximum Lot Coverage	30% / ± 37%	No Change	ENC ²
Minimum Setbacks			
Front (Principal)	50 ft / 2.8 ft and 4 ft	No Change	ENC ²
Side (Principal)	15 ft / 50+ ft	No Change	Conforms
Rear (Principal)	30 ft / 48+ ft	No Change	Conforms
Front (Accessory)	50 ft / 27+ ft	No Change	ENC ²
Side (Accessory)	15 ft / 26+ ft	No Change	Conforms
Rear (Accessory)	30 ft / 12+ ft and 25+ ft	7+ ft and 25+ ft	DNC
Maximum Height: Principal Building (HC)	2.5 stories; <35 feet / 2.5 stories; <35 feet	No Change	Conforms
Parking			
Principal Structure	1 space per 5 seats / 16 spaces for 350 seats (±1 space per 22 seats)	No Change	ENC ²

- 1: Values are as provided by Tom Darcy on the submitted zoning schedule dated 3/10/20 except where otherwise noted.
- 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.

Supplemental Regulations - Note 12: Places of Worship

B. Minimum requirements.

- (1) Minimum lot size. A place of worship shall have a minimum lot size of one acre, with a minimum lot frontage of 150 feet, and meet the water quality standards of § 170-53 of Article V.

Minimum Lot Size - ENC 22,500 SF provided where 43,580 is required

Minimum Lot Frontage - Complies 150 ft provided

Water Quality Standards - Does not apply to proposed development

- (2) Maximum allowable height. A place of worship may be built to a maximum height of 45 feet, provided that the number of stories at any point along the periphery of such building shall not exceed two stories or 35 feet.

Conforms - No change proposed

- (3) Distance of building from property line other than street lines. No building or part thereof shall be erected nearer than a distance equal to 1 1/2 times the height of such building to any property line other than a street line.

Existing Non-Conforming – Proposed external stairs will encroach further

- (4) Building coverage as a percentage of lot area. All accessory buildings shall be located on the same lot as the principal buildings, and the sum of all areas covered by all principal and accessory buildings shall not exceed 30% of the area of the lot.

Existing Non-Conforming – De minimis additional coverage proposed

- (5) Landscaping.

- (a) In all cases where the subject building abuts any property line other than a street line, there shall be a landscaped buffer strip of at least 10 feet in depth. Such buffer area shall be planted with evergreen trees in double alternating rows and shrubs which substantially screen, at the time of planting, one area from the other. Such evergreen trees shall be a minimum height of four feet at time of planting. The front and side areas of the building site, exclusive of walks and driveways, shall be landscaped with trees and shrubs if no natural tree cover exists.

- (b) See § 170-73 for standards pertaining to vegetation removal, fire hazard abatement and tree preservation.

Existing Non-Conforming – No change proposed

- (6) Parking. There shall be one off-street paved parking space for every five seats in the church auditorium. No off-street parking shall be allowed in the front or side yard areas of the lot. The perimeter of each parking area shall be landscaped with evergreen shrubs and trees to substantially screen this area from view.

Status Unknown – No change proposed

- (7) Exterior signs. Each place of worship shall be permitted to maintain an exterior bulletin board with an area of not more than 10 square feet.

Status Unknown – No change proposed

III. Completeness Review

The applicant requested the following waivers (W), exclusions for no changes (EX) or marked items "not applicable" (NA) for the following checklist items which can be granted by the Board:

Site Plan Checklist

1. Location dimensions and details for all signs and exterior lighting including type of standards, location, radius of light and intensity in foot-candles. – **EX**
2. Storm drainage plan showing location of inlets, pipes swales, berms and other storm drainage facilities including roof leaders, indicate existing and proposed runoff calculations. - **NA**
3. Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses. - **NA**
4. Significant existing physical features including streams, water courses, rock outcrop, swampy soil, etc. - **NA**
5. All driveways and streets within 200 feet of site. - **NA**
6. Typical floor plans and elevations. - **NA**
7. Existing and proposed sanitary sewerage disposal system. Show percolation test holes and results and soil log data. - **EX**
8. Water supply system. - **EX**
9. Method of solid waste disposal and storage and details for trash enclosures to located on-site. - **EX**
10. Existing and proposed spot elevations based upon the U.S. Coastal Geodetic Datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations. - **NA**
11. Location of all existing trees or tree masses, indicating general sizes and species of trees. - **NA**
12. Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting (base rooted, ball and burlap). - **NA**

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 20-02 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. General Comments

1. Given the de minimis nature of the proposed improvements, the request for a site plan waiver could be deemed to be appropriate if the Board is satisfied with the information submitted.
2. As noted above, Institutional Uses are permitted in the HC zone and are defined as "Nonprofit, religious, or public use, such as a church, library, public or private school, hospital, or government owned and operated building, structure, or land used for public purpose." Both parsonage space and administrative space for church purposes would fit

within the above definition of permitted uses in the HC zone as complimentary to the Church on the property. Therefore the conversion of the first-floor space from parsonage space to church administrative space is a conversion of that space from one permitted use to another permitted use.

3. The applicant should provide testimony about the anticipated occupants of the residential and office spaces and their respective relationships to the Church.
4. The applicant should provide testimony as to why the internal staircase is no longer adequate to serve the needs of the building.
5. The applicant should provide testimony as to why the proposed external staircase could not be located behind the parsonage or between it and the church building.
6. The applicant should provide testimony as to whether the existing door which appears to be directly below the proposed door will remain and how access to that door will be maintained.
7. The applicant should advise whether the existing fence along 4th Terrace will remain and, if so, its approximate distance from the existing dwelling.

V. 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 20-02 LUB of the City of Egg Harbor Land Use Board, it is our recommendation that the Applicant may be granted Preliminary and Final approval if the Board is comfortable with the information submitted as supplemented by any testimony provided at the meeting.

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
Benjamin F Risley Jr, AIA, NCARB, Applicant's Engineer
Thomas H Darcy, Esq., Applicant's Attorney
Emmanuel Congregational Church, Applicant