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**APPLICATION OF SS PROP CO
LLC/SPENCER GIFTS LLC FOR
LOTS 3-6 IN BLOCK 2112 AND LOTS
5-6 IN BLOCK 2114
6826 BLACK HORSE PIKE**

**TOWNSHIP OF EGG HARBOR
PLANNING BOARD**

**APPLICATION NO. SD 04-22
SPPF 08-22**

DECISION AND RESOLUTION

THIS MATTER having been heard by the Planning Board of the Township of Egg Harbor (the “Board”) on February 13, 2023, at a regularly scheduled meeting (the “Hearing”) at the Egg Harbor Township Municipal Building and the Board having reviewed the Applicant’s submitted request and a quorum being present; and

WHEREAS, Applicant is SS Prop. Co., LLC/Spencer Gifts, LLC (“Applicant”).

WHEREAS, Applicant is represented by Amanda Mosciello, Esquire of Fox Rothschild, LLP.

WHEREAS Kevin Dixon, P.E., P.P., New Jersey Licensed Engineer/Planner of Dixon Associates, Lewis V. Sabeck, of NJ Sola 23, LLC and Andrew Galasso of Spencer Gifts appeared on behalf of the Applicant (the “Representatives”).

WHEREAS, the Property is located at 6826 Black Horse Pike and is known as Lot(s) 3-6 in Block 2112 and Block 2114, Lot(s) 5-6. The Property consists of 23.64 acres and has frontage on the Black Horse Pike and the former Spencer Avenue (vacated per Ordinance

#35-2018). The Property contains an existing 2-story office building, a one story office building, retail building (aquarium sales) and building formerly used as a former bank and office, and more recently, bank/school and off-street parking area (the “Property” or “Site”).

WHEREAS, in 2015, the Applicant received administrative approval and amended site plan approval to convert a storage building to office space and for the construction of an accessory shed for storage.

WHEREAS, in 2016, the Applicant received amended site plan approval to construct a building addition for office space that connected two existing buildings and to restripe parking spaces adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing, sidewalk and landscaping.

WHEREAS, the Applicant also received Preliminary and Final Amended Site Plan approval on May 20, 2019 in accordance with Decision & Resolution No. SPPF 56-79 Amended.

WHEREAS, the Applicant has changed the location of the previously approved two-story building addition. The Applicant has also restriped the parking spaces at the northern property line and adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing and sidewalk and landscaping.

WHEREAS, in November, 2022, the Applicant received conditional Preliminary Major Site Plan approval with variances under Application No. SD 04-22 SPPF 08-22 from the Board (the “2022 Preliminary Site Plan Approval”).

WHEREAS, on December 19, 2022, Applicant received minor subdivision approval under Decision and Resolution SD 04-22 SPPF 02-22 to create Block 2112, Lot 3.01

consisting of 1.5 acres (the “Bank Lot”). A proposed bank (4,851 square feet) with drive thru is proposed on the Bank Lot. Access from the Bank Lot to the Black Horse Pike is provided by driveways thru the adjoining lot (the “2022 Minor Subdivision Approval”).

WHEREAS, the Applicant proposes a three (3) story addition to the Spencer Gifts office building headquarters. The lower level of the addition is 26,937 square feet. The first floor of the addition is 27,627 square feet and second floor is 24,108 square feet. Total proposed area is 78,672 square feet. A parking lot and driveway connection to the existing parking area is proposed. An employee picnic area is also proposed. Applicant also proposes to utilize the existing structure and to construct a new retail building addition ("Dubell Building Addition") at the rear of the Property and to relocate the aquarium sales and site plan improvements on Block 2114, Lots 5 & 6. A new parking area is proposed at the rear of the building and the front parking area is to be removed (the “Project”).

WHEREAS, Amended site plans have been provided and four (4) solar panel arrays are now proposed for the Project over the existing parking area (the “Solar Array”).

WHEREAS, the Amended Preliminary Major Site Plan with the proposed installation of the Solar Array and Final Major Site Plan approval for the Project and other relief requested by the Applicant are referred to as the Requested Relief.

WHEREAS, the Board has received the following documents and submissions in support of the application by Applicant:

NO.	TITLE	PREPARED BY	DATE	REVISION
	Application Materials & Checklists	Applicant	9.13.2022	
8	Site Photos	Applicant	11.4.2022	
	Decision & Resolution SPPF23-00 Amended	EHT Planning Board		
	Decision & Resolution SPM	EHT Planning Board		

	56-79 Amended			
	CAFRA Individual Permit	NJDEP	8.22.2017	
	Ordinance No. 35 of 2018	Township Clerk		
	Traffic Report	Dixon Associates	8.31.2022	
1 of 1	Land Title Survey for Spencer Gifts, LLC	Colliers Engineering & Design	3.1.2022	
1 of 1	Boundary & Topographic Survey for Spencer Gifts, LLC	Colliers Engineering & Design	8.26.2022	
11 of 11	SS Prop Co LLC Corporate Headquarters Plan	Dixon Associates	8.31.2022	9.12.2022 11.4.2022
17 of 17	SS Prop Co LLC Corporate Headquarters Plan	Dixon Associates	8.31.2022	9.12.2022 11.4.2022 11.17.2022 12.28.2022
10 of 17	Lighting & Signage Plan	Dixon Associates	9.12.2022	11.4.2022 11.17.2022 12.28.2022 1.27.2023
5 of 17	Site Plan	Dixon Associates	8.31.2022	9.12.2022 11.17.2022 12.28.2022 1.27.2023
3 of 3	Spencer Gifts Corporate Office - Dubell Building Addition	Frederick Goglia	9.23.2022	
A101	Spencer Gifts Corporate Office - Dubell Building Addition 1st floor plan	Frederick Goglia	9.23.2022	
A-1	Proposed Freestanding Building: Bank of America	The Dietz Partnership	10.25.2022	
PL-008	Spencer's Headquarters Signage	L2P	10.28.2022	
LP-101	Landscape Planting Plan & Details	L2P	9.16.2022	
1 of 1	Minor Subdivision Plan for Spencer Gifts, LLC	Colliers Engineering & Design	12.01.2022	
PL-001-PL-008	Spencer's Headquarters	L2P	9.14.2022	10.28.2022

WHEREAS, the Applicant presented the following Exhibits at the time of the Hearing:

- A-1: Rendered Site Plan
- A-2: Grading and Drainage Plan

WHEREAS, the Applicant requested the following Checklist Waivers at the time of the Hearing:

1. **Item #13:** Landscaping plan including:
(D): Maintenance notes
(E): Sight Easements
2. **Item #14:** Lighting and signage plan showing the locations of signs
3. **Item #17:** A copy of any existing and/or proposed protective covenants, deed restrictions applying to the subject site
4. **Item #23:** A utilities plan at the same scale of the site plan.
5. **Item #35:** Typical floor plan and building views/elevations
6. **Item #37:** The purpose of any proposed easement dedicated to public or common use.

WHEREAS, the Board granted the requested Checklist Waivers and the Application was deemed complete subject to the comments of the Board's Engineer and Planner.

WHEREAS: the Site is located in the RCD Regional Commercial Development zoning district where offices for business, professional and governmental purposes are permitted uses. Drive in banking facilities and retail buildings are also permitted uses.

WHEREAS, the following Variances were previously granted:

Block 2112 Lots 3-6 & 4-5 - Office Addition

- | | | |
|----|--------|---------------------|
| 1. | §225-7 | Side yard Setback |
| 2. | §225-7 | Impervious Coverage |

Proposed Block 2112 Lot 3.01 - Bank

- | | | |
|----|--------|--------------------------|
| 3. | §225-7 | Lot Size |
| 4. | §225-7 | Lot Width |
| 5. | §225-7 | Minimum Gross Floor Area |

Proposed Block 2114 Lot 5 & 6 (Lots 5-6) - Retail Aquarium

- | | | |
|-----|--------|------------------------------|
| 6. | §225-7 | Lot Size |
| 7. | §225-7 | Rear Yard Setback |
| 8. | §225-7 | Minimum Gross Floor Area |
| 9. | §225-7 | Parking Setback - Front Yard |
| 10. | §225-7 | Parking Setback - Rear Yard |

WHEREAS, the following design waiver was previously granted:

- | | | |
|----|-----------|--------------------------------|
| 1. | §94-14.B. | Environmental Impact Statement |
|----|-----------|--------------------------------|

WHEREAS, the reports of the Board's Planning professional, Vincent J. Polistina, P.E., P.P., CME ("Board Planner") dated February 8, 2023 ("Planner Report") and the Board's Engineering professional, Robert A. Watkins, P.E., P.P., CME, CFM ("Board Engineer") dated January 31, 2023 ("Engineer Report") are incorporated in this Decision and Resolution by reference (the "Professional Reports").

WHEREAS, Amanda Mosciello, Esquire represented the Applicant and summarized the Requested Relief.

WHEREAS, Engineer Kevin Dixon discussed the utility plan and septic system and explained that Applicant is currently within the CAFRA review process and has made all necessary changes within the parking area as requested and which are reflected on the plans.

WHEREAS, Mr. Dixon noted that the aquarium site is also part of this Project and that the aquarium building will be demolished and the aquarium moved to the Dubell Building. In addition, the road between the Dubell building and Spencer's will remain available to the public until the driveway location for Spencer has been approved. He indicated that as a result of roadway vacation, the Site as proposed will have a campus-like atmosphere.

WHEREAS, Engineer Dixon discussed the proposed Solar Array which will be placed on the imperious coverage of parking lot. The solar array will not create any variances including for lot coverage. Mr. Dixon stated that the solar array is designed and located so that it will not take away any available parking. There will be EV (electric vehicle) parking in the area with the solar panels.

WHEREAS, the lots comprising the Site, except for Lot 3, Block 2114 (the Dubell Building) will be consolidated with lots 5 and 6 once the applicant receives its CAFRA approval (the "Lot Consolidation"). The Lot Consolidation will provide sufficient area for a basin and parking; will be approved by the Board Professionals; and will be a condition of any approval.

WHEREAS, Mr. Galasso testified that Bank of America will own the Bank Lot subject to the Applicant's cross access easements. The Applicant will lease the Dubell building to the current owner of the aquarium.

WHEREAS, Lewis V. Sabeck of NJ Sola 23, LLC advised the Solar Array is owned and operated by his company, which is currently located in Vorhees, NJ. Mr. Sabeck advised his company has constructed panels on properties as far away as Hawaii and throughout the nation. He indicated the Solar Array will be specifically used for the Spencer building and placed over the existing parking lot.

WHEREAS, there was no public comment.

WHEREAS, the Applicant agreed to comply with all comments in the Professional Reports as conditions of approval.

WHEREAS, after carefully considering the legal argument and representations made by Applicant's attorney Amanda Mosciello, Esquire and the sworn testimony of Applicant's Representatives at the public Hearing held on February 13, 2023, the Board has made the following factual findings and conclusion of law:

1. Applicant is SS Prop. Co., LLC/Spencer Gifts, LLC. The Property is located at 6826 Black Horse Pike in the Township's RCD Regional Commercial Development zoning district. The Property is known as Lot(s) 3-6 in Block 2112 and Block 2114, Lot(s) 5-6 and is 23.64 acres. It has frontage on the Black Horse Pike and the former Spencer Avenue (vacated per Ordinance #35-2018). The site contains an existing 2-story office building, a one story office building, retail

building (aquarium sales) and building formerly used as a bank/school and off-street parking area.

2. In 2015, the Applicant received administrative approval and amended site plan approval to convert a storage building to office space and for the construction of an accessory shed for storage.
3. In 2016, the Applicant received amended site plan approval to construct a building addition for office space that connected two existing buildings and to restripe parking spaces adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing, sidewalk and landscaping.
4. Applicant received Preliminary and Final Amended Site Plan approval on May 20, 2019 in accordance with Decision & Resolution No. SPPF 56-79 Amended.
5. Applicant changed the location of the previously approved two-story building addition. The Applicant also restriped the parking spaces at the northern property line and adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing and sidewalk and landscaping.
6. In November, 2022, the Applicant received conditional Preliminary Major Site Plan approval with variances under Application No. SD 04-22 SPPF 08-22 from the Board (the "2022 Preliminary Site Plan Approval").
7. On December 19, 2022, Applicant received minor subdivision approval under Decision and Resolution SD 04-22 SPPF 02-22 to create Block 2112, Lot 3.01 containing 1.5 acres (the "Bank Lot"). A proposed bank (4,851 square feet) with drive thru is proposed. Access from the Bank Lot to the Black Horse Pike is provided by driveways thru the adjoining lot (the "2022 Minor Subdivision Approval").
8. The Project consists of a three (3) story addition for the Spencer Gifts office building headquarters. The lower level of the addition is 26,937 square feet. The first floor of the addition is 27,627 square feet and second floor is 24,108 square feet. Total proposed area is 78,672 square feet. A parking lot and driveway connections to the existing parking areas is proposed. An employee picnic area is also proposed. Amended site plans have been provided for the Solar Array which are also proposed over the existing parking area.
9. Applicant proposes to utilize the existing building structure and construct a new retail building addition at the rear of the Property ("Dubell Building Addition") and to relocate the aquarium sales and site plan improvements on Block 2114, Lots 5 & 6. A new parking area is proposed at the rear of the building and the front parking area is to be removed.

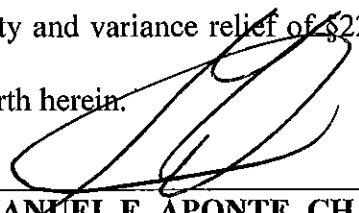
10. Applicant seeks Amended Preliminary Major Site Plan to address the proposed Solar Array and Final Major Site Plan approval for the Project.
11. Applicant shall comply with all comments in the Professional Reports as conditions of approval and shall further complete the Lot Consolidation to the satisfaction of the Board Professionals as a condition of approval.
12. The Board grants the Requested Relief and Amended Preliminary Major Site Plan Approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side of the Property and conditional Final Major Site Plan approval, including, conditional Final Major Site Plan approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side Property and variance relief from §225-7 requirements as set forth in the recitals.
13. The Applicant will comply with all outstanding conditions and General Review Comments of the Board Professionals set forth in the Professional Reports dated January 31, 2023, and February 8, 2023, which are incorporated by reference or otherwise set forth in the testimonies of the Board Professionals, unless modified.
14. This approval is based upon the full and diligent adherence by the Applicant to all representations made to the Board. Any failure of the Applicant or the Applicant's successors or assigns to fully adhere to all of the provisions of this approval and all representations made by or on behalf of the Applicant, directly or indirectly, in the Hearing or in the application documents, may be deemed to be a material breach of this approval. Such a breach will constitute a violation of the Development Ordinance and the Township may remedy such violation by the withholding of building permits, certificates of occupancy, continuing certificates of occupancy, or any other permit, approval or certificate for the property which is the subject of this approval. In addition, the Township may seek the imposition of fines or penalties pursuant to the Land Development Ordinance or may pursue any other remedy available to it at law or in equity, including an action in the Superior Court to enjoin such violation or to compel performance or compliance.
15. The Applicant shall comply with all federal, state and local laws, rules and regulations and shall obtain any and all other necessary government approvals required for this approval. If as a result of the review by any other governmental agency there is any change in the approval by this Board or any modification of any statement or representation made by or on behalf of the Applicant, the applicant must notify the Board and the Board shall have the right to review that issue as it may relate to or impact this approval and the Board may modify or amend this approval as appropriate. Approvals which may be required include, but are not necessarily limited to, the following:
 - Atlantic County Planning Board
 - Cape Atlantic Soil Conservation District

- Egg Harbor Township Road Opening Permit
- Egg Harbor Township Public Works
- Egg Harbor Township Municipal Utilities Authority
- Egg Harbor Township Fire Department / Fire Official
- Egg Harbor Township Construction Code Official

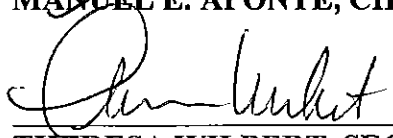
16. All references in this Decision and Resolution to the Applicant shall, where appropriate for the context, also mean the Applicant's successors or assigns. If any provision of this Decision and Resolution or the application thereof shall be held to be invalid or unenforceable to any extent, the remainder of this Decision and Resolution shall not be affected thereby and shall remain enforceable to the fullest extent of the law.

17. This approval is conditioned upon payment of any fees due and owing to the municipality's affordable housing trust fund, all taxes and assessments on the subject property, the payment of all application fees and escrows and posting of performance guarantees which may be authorized by state law.

NOW, THEREFORE, BE IT DECIDED AND RESOLVED by the Planning Board of the Township of Egg Harbor that Amended Preliminary Major Site Plan Approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side property and conditional Final Major Site Plan approval, including, conditional Final Major Site Plan approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side property and variance relief of §225-7 is hereby granted by a vote of eight (8) in favor as set forth herein.


MANUEL E. APONTE, CHAIRPERSON

Dated: 3/20/23


THERESA WILBERT, SECRETARY

Amanda Moscillo, Esquire
 SS Prop. Co., LLC/Spencer Gifts, LLC
 Application # SD 04-22; SPPF 08-22

Motion Hodson/Rosenberg to grant conditional amended preliminary major site plan approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side property. Vote 8 Yes: Aponte, Eykyn, Hodson

Pfrommer, Rajput, Rosenberg, Schiffler, Slusarski

Motion Rosenberg/Hodson to grant conditional final major site plan approval, including, conditional final major site plan approval for the installation of four (4) solar panel canopies within the existing parking lot on the eastern side property and variance relief of §225-7 as referenced on agenda. Vote 8 Yes: Aponte, Eykyn, Hodson Pfrommer, Rajput, Rosenberg, Schiffler, Slusarski

RECEIVED

JAN 31 2023

PLANNING & ZONING BOARD
TOWNSHIP OF EGG HARBOR

MEMORANDUM

January 31, 2023

TO: Planning Board
Egg Harbor Township

FROM: Bob Watkins PE, PP, CME, CFM
Mott Watkins Associates *[Signature]*
Planning Board Engineer

RE: SPPF 08-22 SD 04-22
SS Prop Co LLC / Spencer Gifts
MWA No. 2114.8

LOCATION: 6826 Black Horse Pike
Block 2112 / Lot(s) 3-6; Block 2114 / Lots(s) 5 & 6

STATUS: Preliminary Major Site Plan – Compliance
Final Major Site Plan – Completeness

USE: Office Building Addition (Block 2112, Lots 3-6)
Proposed Bank (Block 2112, Lot 3.01)
Proposed Retail (Block 2114, Lot 5)

JURISDICTIONAL AREA: CAFRA

The materials submitted and subject to review are as follows:

NO.	TITLE	PREPARED BY	DATE	REVISION
17 of 17	Site Plans	Dixon Associates Engineering, LLC	8/31/22	1/27/23
1 of 1	Landscaping Plan	L2Partridge, LLC	9/16/22	
3 of 3	Dubell Addition Architectural Plans & Elevation	Frederick Goglia	9/23/22	
1 of 1	Bank of America Architectural Plan & Elevations	The Dietz Partnership	10/25/22	
8 of 8	Architectural Floor Plans & Elevations	L2Partridge, LLC	9/14/22	10/28/22
1 of 1	Land Title Survey	Colliers Engineering & Design	3/1/22	
1 of 1	Topographic Survey	Colliers Engineering & Design	8/26/22	
	Traffic Report	Dixon Associates Engineering, LLC	8/31/22	
	Stormwater Facilities Maintenance Plan	Dixon Associates Engineering, LLC	8/31/22	12/28/22
	Stormwater Management Report	Dixon Associates Engineering, LLC	8/31/22	12/28/22
	D&R No. SPPF 23-00 / Amended	EHT Planning Board	9/21/15	
	D&R No. SPM 56-79 / Amended	EHT Planning Board	4/18/16	
	D&R No. SPPF 56-79 / Amended	EHT Planning Board	4/15/19	
	Signage Plan	L2Partridge, LLC		
	Site Photographs	Applicant	11/04/22	
	Application Materials	Applicant	1/27/23	

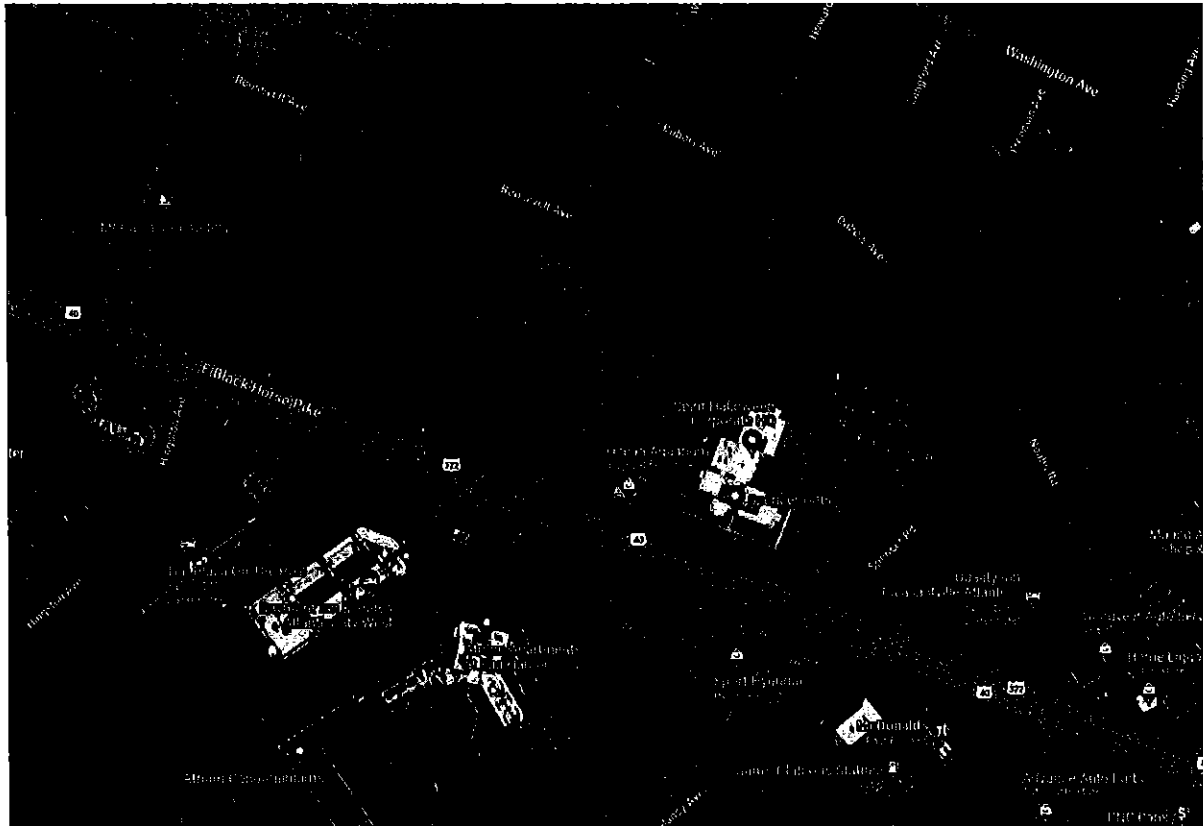
DESCRIPTION:

The applicant is requesting Major Site Plan approval to propose a 78,672 GFA addition to the existing Spencer's Gifts Headquarters building. Additionally, the applicant is proposing a 4,851 SF Bank with drive-thru lanes for Block 2112, Lot 3.01. Also, the applicant is proposing an employee picnic area on Lot 3, and an additional seventeen (18) parking spaces behind the existing Dubell Lumber Company Block 2114, Lot 5. A new parking lot of (427) parking spaces is proposed for the associated additional building. The property is located at 6826 Black Horse Pike, Block 2112, Lots 3-6; Block 2114, Lots 5&6. The existing property features the old Trocki Hebrew School and the Ocean Aquarium. Both building will be demolished, and all associated pavements will be removed as well. The total property is approximately 23.64 acres in size.

Additionally, the applicant is proposing solar panel canopies for the existing parking lot on the Eastern side of the property.

The project site will be serviced by public water and sewer.

LOCATION MAP:





ZONING REQUIREMENTS:

This property is located in the RCD (Regional Commercial Development) zoning district. The retailing of goods including the warehousing or storage of goods are a permitted principal use in this zone. The following is a review of the bulk requirements for the project:

Zoning Requirements for the RCD (Regional Commercial Development) Zoning District					
BLOCK 2112					
Standard	Required	Proposed Lot 3.01	Proposed Lots 3 & 6	Proposed Lots 4 & 5	Status
Use		Drive-in Bank	Office	Office	Conforming
Min. Lot Area	3 acres	1.50 acres*	12.84 acres	8.04 acres	Non-conforming* Conforming Conforming
Min. Lot Width	300 ft	204 ft*	779.4 ft	547.01 ft	Non-conforming* Conforming Conforming
Min. Building Setbacks					
Front (BHP)	80 ft	95 ft	112 ft	100 ft	Conforming
Rear	50 ft	158.08 ft	244 ft	69.1 ft	Conforming
Side	25 ft	35.7 ft	0 ft*	60.8 ft	Conforming Non-Conforming* Conforming
Max. Build. Height	45 ft	20 ft	<i>i</i>	<i>i</i>	<i>i</i>
Max. Impervious Coverage	70 %	42 %	46.9 %	72.3 %*	Conforming Conforming Non-Conforming*
Min. Gross Floor Area	5,000 sf	4,851 sf*	190,830 sf	<i>i</i>	Non-Conforming* Conforming <i>i</i>
Parking Setbacks					
Front	20 ft	>20 ft			
Rear	10 ft	>10 ft	<i>i</i>	<i>i</i>	<i>i</i>
Side	10 ft	>10 ft			
Parking Spaces (Office/Professional)	1 space / 400 sq. ft = 477 spaces			712 spaces	Conforming
Parking Spaces (Banks)	1 space / 250 sq. ft. = 20 spaces	27 spaces			Conforming

i = more information required; *- Variance required; ENC- Existing Non-conforming; ¹- Variances granted

All other aspects of zoning must comply at the time of the issuance of building permits.



Zoning Requirements for the RCD (Regional Commercial Development) Zoning District			
BLOCK 2114 **			
Standard	Required	Proposed Lots 5 & 6	Status
Use		Retail	Conforming
Min. Lot Area	3 acres	1.25*	Non-Conforming*
Min. Lot Width	300 ft	322 ft	Conforming
Min. Building Setbacks			
Front (BHP)	80 ft	19 ft*	ENC*
Rear	50 ft	>50 ft	Conforming
Side	25 ft	40.8 ft	Conforming
Max. Build. Height	45 ft	24.5 ft	Conforming
Max. Impervious Coverage	70 %	26.2 %	Conforming
Min. Gross Floor Area	5,000 sf	3,487 sf*	Non-Conforming*
Parking Setbacks			
Front	20 ft	16.2 ft*	Non-Conforming*
Rear	20 ft	5.5 ft*	Non-Conforming*
Side	10 ft	>10 ft*	Conforming
Parking Spaces (Retail)	1 space / 200 sq. ft. = 18 spaces	18 spaces	Conforming

i = more information required; *- Variance required; ENC- Existing Non-conforming; 1- Variances granted

All other aspects of zoning must comply at the time of the issuance of building permits.

COMPLETENESS REVIEW:

This application has been reviewed for completeness using the checklist for Minor Subdivisions (§198-12A) Major Site Plans (§198-15D) and Chapters 94 & 225 of the Township Code. The following items must be addressed before deeming this application complete:

Major Site Plans (§198-15D)

1. §198-15D(15) – Site Characteristic Map. A **waiver has been requested.**
2. §198-15D(17) – Existing & Proposed Deed Restrictions
3. §198-15D(19) – Sewer & Water Report. A **waiver has been requested.**
4. §198-15D(29) – Areas Disturbed by Grading or Construction

COMPLETENESS COMMENTS:

- 1) In accordance with §198-15D(17), A copy of any existing and/or proposed protective covenants or deed restrictions applying to the land shall be submitted



with the plan. This information shall be provided for the access driveway connections.

- 2) In accordance with §198-15D(29), All areas to be disturbed by grading or construction shall be clearly shown on the plans.

Mott Watkins Associates recommends that this application be deemed **conditionally complete for Final Major Site Plan approval** and may proceed to the Board for review provided the applicant addresses all issues raised within this report.

VARIANCES:

Block 2112 Lot 3.01 (Bank)

- | | | |
|----|--------|---|
| 1) | §225-7 | Minimum Lot Area – Block 2112 Lot 3.01 (Bank) |
| 2) | §225-7 | Minimum Lot Width – Block 2112 Lot 3.01 (Bank) |
| 3) | §225-7 | Minimum Gross Floor Area – Block 2112 Lot 3.01 (Bank) |

Block 2112 Lots 3-6 & 4-5 (Office Addition)

- | | | |
|----|--------|--|
| 4) | §225-7 | Minimum Building Side Setback – Block 2112 Lots 3-6 & 4-5
(Office Addition) |
| 5) | §225-7 | Maximum Impervious Coverage – Block 2112 Lots 3-6 & 4-5
(Office Addition) |

Block 2114 Lots 5 & 6 (Retail)

- | | | |
|-----|--------|---|
| 6) | §225-7 | Minimum Lot Area – Block 2114 Lot 5 & 6 (Retail) |
| 7) | §225-7 | Front Yard Setback – Block 2114 Lot 5 & 6 (Retail) |
| 8) | §225-7 | Minimum Gross Floor Area – Block 2114 Lot 5 & 6 (Retail) |
| 9) | §225-7 | Parking Setback – Front Yard – Block 2114 Lot 5 & 6 Retail) |
| 10) | §225-7 | Parking Setback – Rear Yard – Block 2114 Lot 5 & 6 Retail) |

VARIANCE COMMENTS

Block 2112 Lot 3.01 (Bank)

1. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a bank on Block 2112 Lot 3.01 a 1.50-acre lot where 3 acres is required. A variance is required.**
2. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a 204 ft lot width for Block 2112 Lot 3.01 where 300 ft is required. A variance is required.**
3. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a 4,851-sf bank on Block 2112 Lot 3.01 where 5,000-sf is required. A variance is required.**

Proposed Block 2112 Lots 3-6 & 4-5 (Office Addition)



4. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a 0 ft side and setback where 25 ft is required. These lots shall be consolidated to the variance is not required.**
5. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing an addition on Block 2112 Lots 3 & 6 as well as Lots 4 & 5 with an impervious coverage of 72.3 % where a maximum of 70% is allowed. A variance is required.**

Proposed Block 2114 Lots 5-6 (Retail Aquarium)

6. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The proposed lot size for the building addition on Block 2114 Lots 5 & 6 is 1.25-acres where the minimum required is 3-acres.**
7. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant has an existing 19 ft building front yard setback where 80 ft is required. A variance is required.**
8. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a gross floor area of 3,487 sf where 5,000 sq is required. A variance is required.**
9. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a parking lot with a 16.2 ft front setback where 20 ft is required. A variance is required.**
10. In accordance with §225-7, all zoning requirements and standards shall be met as required within the RCD zoning district. **The applicant is proposing a parking lot with a 5.5 ft rear yard setback where 10 ft is required. A variance is required.**

DESIGN WAIVERS:

- 1) §94-14B Environmental Impact Statement

WAIVER COMMENTS:

- 1) In accordance with §94-14B, an environmental impact statement shall be required for all major site plans. **A waiver is required.**

REVIEW COMMENTS:

Site Plan Comments:



- 1) Testimony shall be provided for the existing and proposed buildings.
- 2) Testimony shall be provided for the employee picnic area.
- 3) Testimony shall be provided for the proposed Photovoltaic Parking canopy proposed for the existing parking lot.
- 4) As a condition of approval, a revised landscaping plan shall be submitted for review. **We defer further landscaping comments to the Board Planner.**
- 5) Proper signage and directional arrows shall be provided at the entrance and exits along US Route 322/40.
- 6) Site plan sheet 4 there appears to be exiting stormwater labels along the frontage of Black Horse Pike shown on the site plan sheet which do not show the structure it is identifying. **RCP is called out on the Southeast side of Black Horse Pike and near the first entrance on the Eastern side. The following labels shall be eliminated.**

Architectural Comments:

- 7) The plans submitted by L2P shall provide dimensions for the proposed elevations and floor plans. **The current set of architectural plans has an elevation issue in the rear of the proposed building. As a condition of approval, additional topography must be shown on the plans to solve any discrepancies on how this area will be graded.**

Grading & Storm Comments:

- 8) All tables within the Stormwater Report shall be labeled accordingly. **Currently, the tables are not labeled and provide confusion trying to match calculations with the plans.**
- 9) Pre & Post Development plans must label the Tc values to match the Stormwater Report.
- 10) We reserve the right to add Stormwater comments during final approval submission.
- 11) Additional topography shall be provided in the rear of the proposed building detailing how this area will be graded.

General Comments:



- 12) In accordance with Township code §198-19, the applicant shall provide a cost estimate for review and be required to post inspection escrows for the improvements as part of any approval.
- 13) The applicant shall respond to this report in writing addressing all comments and how the revisions were complete.
- 14) Approval from the Cape Atlantic Conservation District is required.
- 15) Approval from the Atlantic County Division of Planning is required.
- 16) The applicant must comply with all other state, county and local agencies having jurisdiction over the project.

Should there be any questions regarding this report, please feel free to contact this office.

Vincent J. Polistina, PE, PP, CME
Craig R. Hurless, PE, PP, CME
Ronald N. Curcio, PE, PP
Jennifer L. Heller, PP, AICP
Charles J. Kaenzig, PE



Civil / Municipal Engineering
Site Plan and Subdivision Design
Surveying
Land Use Planning
Water and Wastewater Design
Environmental Consulting
Inspection / Construction Management

MEMORANDUM

February 8, 2023

RECEIVED

FEB - 8 2023

PLANNING & ZONING BOARD
TOWNSHIP OF EGG HARBOR

TO: Egg Harbor Township Planning Board

FROM: Polistina & Associates
Vincent J. Polistina, PE, PP, CME
Planning Board Planner

RE: TWP NO. SD04-22/SPPF08-22
SS PROP CO LLC/SPENCER GIFTS LLC
PA No. 2104.30

LOCATION: #6826 Black Horse Pike
Block 2112, Lot(s) 3-6
Block 2114, Lot(s) 5-6

ZONE: HB Highway Business
RCD Regional Commercial Development
CAFRA

STATUS: Preliminary Major Site Plan - Compliance
Amended Preliminary Major Site Plan - Completeness
Final Major Site Plan - Completeness
Minor Subdivision - Approved

PROPOSED USE: Proposed Office Building (Block 2112, Lots 3-6)
Proposed Bank (Block 2112, Lot 3.01)
Proposed Retail (Block 2114, Lots 5)

BASIS FOR REVIEW: The materials submitted and subject to review are as follows:

NO.	TITLE	PREPARED BY	DATE	REVISION
	Application Materials & Checklists	Applicant	9.13.2022	
8	Site Photos	Applicant	11.4.2022	
	Decision & Resolution SPPF23-00 Amended	EHT Planning Board		
	Decision & Resolution SPM 56-79 Amended	EHT Planning Board		
	CAFRA Individual Permit	NJDEP	8.22.2017	
	Ordinance No. 35 of 2018	Township Clerk		
	Traffic Report	Dixon Associates	8.31.2022	
1 of 1	Land Title Survey for Spencer Gifts, LLC	Collers Engineering & Design	3.1.2022	

1 of 1	Boundary & Topographic Survey for Spencer Gifts, LLC	Colliers Engineering & Design	8.26.2022	
11 of 11	SS Prop Co LLC Corporate Headquarters Plan	Dixon Associates	8.31.2022	9.12.2022 11.4.2022
17 of 17	SS Prop Co LLC Corporate Headquarters Plan	Dixon Associates	8.31.2022	9.12.2022 11.4.2022 11.17.2022 12.28.2022
10 of 17	Lighting & Signage Plan	Dixon Associates	9.12.2022	11.4.2022 11.17.2022 12.28.2022 1.27.2023
5 of 17	Site Plan	Dixon Associates	8.31.2022	9.12.2022 11.17.2022 12.28.2022 1.27.2023
3 of 3	Spencer Gifts Corporate Office - Dubell Building Addition	Frederick Goglia	9.23.2022	
A101	Spencer Gifts Corporate Office - Dubell Building Addition 1st floor plan	Frederick Goglia	9.23.2022	
A-1	Proposed Freestanding Building: Bank of America	The Dietz Partnership	10.25.2022	
PL-008	Spencer's Headquarters Signage	L2P	10.28.2022	
LP-101	Landscape Planting Plan & Details	L2P	9.16.2022	
1 of 1	Minor Subdivision Plan for Spencer Gifts, LLC	Colliers Engineering & Design	12.01.2022	
PL-001-PL-008	Spencer's Headquarters	L2P	9.14.2022	10.28.2022

Bold = Most Recent Application Submission

DESCRIPTION:

The site is located at 6826 Black Horse Pike in the Township's RCD Regional Commercial Development zoning district. The site is known as Lot(s) 3-6 in Block 2112 and Block 2114, Lot(s) 5-6. Total tract size is 23.64 acres. The site has frontage on the Black Horse Pike and the former Spencer Avenue (vacated per Ordinance #35-2018). The Mt. Calvary Avenue right-of-way was vacated in November 2015. The site contains an existing 2-story office building, a one story office building, retail building (aquarium sales) and building formerly used as a bank/school and off-street parking area.

In 2015, the Applicant received administrative approval and amended site plan approval to convert the storage building to

office space, the construction of an accessory shed for storage. In 2016, the Applicant received amended site plan approval to construct a 2,520 square foot building addition for office space that connected the two existing buildings and to restripe parking spaces adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing, sidewalk and landscaping. The Applicant also received preliminary and final amended site plan approval for the proposed improvements on May 20, 2019 in accordance with Decision & Resolution No. SPPF 56-79 Amended. The Applicant changed the location of the previously approved 4,511 square foot, two-story building addition. The Applicant also restriped the parking spaces at the northern property line and adjacent to the renovated office building to provide handicap accessible spaces, concrete curbing and sidewalk and landscaping.

The Applicant received minor subdivision approval to create Block 2112, Lot 3.01 which will contain 1.5 acres. A proposed bank (4,851 square feet) with drive thru is proposed on this lot. Access to the Black Horse Pike is provided by driveways thru the adjoining lot.

A three (3) story addition is proposed on the remaining lot(s) for the Spencer Gifts office building headquarters. Lower level is 26,937 square feet. The first floor is 27,627 square feet and second floor is 24,108 square feet. Total area is 78,672 square feet. A parking lot and driveway connections to the existing parking areas is proposed. An employee picnic area and ball field is also proposed. Amended site plans have been provided and four (4) solar panel arrays are now proposed over the existing parking area.

The applicant also proposes to utilize the existing structure and construct a new retail building ("Dubell Building Addition") addition at the rear to relocate the aquarium sales and site plan improvements on Block 2114, Lots 5 & 6. A new parking area is proposed at the rear of the building and the front parking area is to be removed.

The applicant received Preliminary Major Site Plan approval on November 21, 2022 (Decision and Resolution SD 04-22 SPPF 08-22) and Minor Subdivision approval on December 19, 2022 (Decision and Resolution SD 04-22 SPPF 08-22). The Applicant is now seeking amended preliminary major site plan to address the proposed installation of four (4) solar

panel canopies over the existing parking and final major site plan approval from the Egg Harbor Township Planning Board.

COMPLETENESS REVIEW:

The application has been reviewed for completeness using the requirements for major site plans as outlined in §198-15.D of the Egg Harbor Township Code. The following applicable checklist items must be addressed:

Item 13 – *Landscaping Plan including:*

D – *Maintenance notes*

E – *Sight easements*

This information must be provided as a condition of approval.

Item 14 - *A lighting and signage plan showing the locations of signs and light standards, direction of illumination, mounting heights, setbacks, type of light standards and lighting pattern superimposed onto the plan and noted in footcandles. This information must be provided as a condition of approval.*

Item 17 - *A copy of any existing and/or proposed protective covenants, deed restrictions applying to the subject site shall be submitted with the plan, if applicable. This information must be provided for the forest preservation area and access driveway connections between sites. This information must be provided as a condition of approval.*

Item 23 – *A Utilities Plan at the same scale of the site plan showing:*

B - Plans of proposed improvements and utility layouts, including sewer, water and storm drains, showing all proposed connections to existing systems. If service will be provided by an existing utility company, a letter from that company stating that service will be available before occupancy will be sufficient. When individual on-lot water or sewage disposal is proposed, the plan for such system shall be approved by the appropriate Township, county and state agencies, and the results of percolation tests shall be submitted with the preliminary plan under conditions designated by the Township and the County Board of Health and/or the Pinelands Commission. Where applicable, the utility company

letter must indicate that wet hookups will be available for each subdivided lot. If private utilities are proposed, they shall comply fully with all Township, county and state regulations.

This information must be provided. Evidence of septic approval is also required. Conflicts with stormwater basin must be addressed.

Item 35 – Typical floor plans and building views/elevations. Additional information including labeling the proposed use, square footage of rooms, and second floor plans must be provided. Revised plans consistent with the site plans and comments in this report must be provided.

Item 37 – The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated, and the proposed use of sites other than for residential uses shall be noted. This information must be provided for the forest preservation area and access driveway connections between sites. This information must be provided as a condition of approval.

The applicant has not addressed the checklist items as indicated above. The applicant should address these items by providing the information or by requesting a waiver and demonstrating a waiver is justified. Compliance items from preliminary approval must be addressed. A comprehensive complete set of site and architectural plans revised to meet the conditions of approval is required.

This office recommends that this application be deemed conditionally complete for final major site plan approval. Compliance items and checklist items identified above must be addressed.

ZONING REQUIREMENTS: The site is located in the RCD Regional Commercial Development zoning district. Offices for business, professional and governmental purposes are a permitted use in this district. Drive in banking facilities are also a permitted use. Retail buildings are also permitted.

The following is a review of the zoning requirements for the project:

RCD Zoning District - Block 2112 Lots 3-6 & 4-5 Office Addition				
STANDARD	REQUIRED	EXISTING	PROPOSED	STATUS
Use		Office	Office addition	Conforming
Lot Size	3 acres	I	20.88 acres	Conforming
Lot Width	300 feet	1326'	1326'	Conforming
Minimum Front Yard				
Black Horse Pike	80 feet	>80 feet	100' min.	Conforming
Minimum Rear Yard	50 feet	>50 feet	69.1' min.	Conforming
Minimum Side Yard	25 feet	>25 feet	>25 feet	Conforming
			0 feet**	Non-Conforming
Maximum Building Height	45 feet	<45 feet	39 feet	Conforming
Maximum Impervious Coverage	70%	<70%	<70%	Conforming
			72.3%**	Non-Conforming
Minimum Gross Floor Area	5,000 sf	I (112,158 sf?)	+ 78,672 sf 190,830 sf	Conforming
Min. Distance Between Buildings	20 feet	>20 feet	>20 Feet	Conforming
Parking				
Offices - 1 space/400 sf (190,830sf)	477 spaces	397 sp.	712 sp.	Conforming
Accessible Parking (2% of Total)	14	I	9	Non-Conforming
Parking Setback				
Front	20 feet	>20'	>20'	Conforming
Rear	10 feet	>10'	>10'	Conforming
Side	10 feet	>10'	>10'	Conforming

I = Information Required

* Lot contains one use and should be consolidated as condition of any approval.

**Applicant requested variance for proposed addition. Variance not required if lots are consolidated.

RCD Zoning District - Signage Block 2112 Lots 3-6 & 4-5 Office Addition			
STANDARD	REQUIRED	PROPOSED	STATUS
Directional Signage			
Entry / Exit Sign		None Indicated -	
Total Area of Directional Signage	I	I	I
Building Mounted Signage			
Number - None Indicated	I	I	I
Area - 2sf/1 lf bldg. or 250 sf	I	I	I
Vertical Dimension	5'	I	I
Projection	15"	I	I
Freestanding Signage - Black Horse Pike (1326 lf)			
Number	4	I	I
Area - (1326' x 1 sf per 5 lf)	250 SF max.	90 SF	Conforming
Height	15'	15'	Conforming
Setback	25'	I	I

ENC = Existing Non-conforming

I = Information Required

RCD Zoning District - Proposed Block 2112 Lot 3.01 Bank				
STANDARD	REQUIRED	EXISTING	PROPOSED	STATUS
Use		-	Bank	Conforming
Lot Size	3 acres	-	1.5 acres	Non-Conforming
Lot Width	300 feet	-	204 feet	Non-Conforming
Minimum Front Yard Black Horse Pike	80 feet	-	95.92'	Conforming
Minimum Rear Yard	50 feet	-	158.08'	Conforming
Minimum Side Yard	25 feet	-	35.7'/68.8'	Conforming
Maximum Building Height	45 feet	-	20 feet	Conforming
Maximum Impervious Coverage	70%	-	42%	Conforming
Minimum Gross Floor Area	5,000 sf	-	I (4,851 SF)	Non-Conforming
Parking Banks 1sp./250gfa (4851 sf)	19 spaces	-	27 spaces	Conforming
Accessible Parking	1 space	-	2 spaces	Conforming
Parking Setback				
Front	20 feet	-	>20 feet	Conforming
Rear	10 feet	-	>10 feet	Conforming
Side	10 feet	-	>10 feet	Conforming

RCD Zoning District - Signage Proposed Block 2112 Lot 3.01 Bank			
STANDARD	REQUIRED	PROPOSED	STATUS
Directional Signage			
Entry / Exit Sign		None Indicated -	
Total Area of Directional Signage	I	I	I
Building Mounted Signage		None Indicated -	
Number -	1	I	I
Area - 2sf/1 lf bldg. or 250 sf (58 LF)	116 SF	I	I
Vertical Dimension	5'	I	I
Projection	15"	I	I
Freestanding Signage - Black Horse Pike (204 lf)			
Number	1	I (4)	I (Non-Conforming)
Area - (204' x 1 sf per 5 lf)	40.8 SF max.	I (90 SF)	Non-Conforming
Height	15'	15'	Conforming
Setback	25'	>25'	Conforming

I = Information Required

RCD Zoning District - Proposed Block 2114 Lot 5 & 6 (Lots 5-6) Retail Aquarium				
STANDARD	REQUIRED	EXISTING	PROPOSED	STATUS
Use		-	Retail (Aquarium)	Conforming
Lot Size	3 acres	1.25 acres	1.25 acres	Non-Conforming
Lot Width	300 feet	322'	322'	Conforming
Minimum Front Yard Black Horse Pike	80 feet	19 feet	19 feet	ENC
Minimum Rear Yard	50 feet	>50 feet	36.72'	Non-Conforming
Minimum Side Yard	25 feet	40.80'/182'	40.80'/182'	Conforming
Maximum Building Height	45 feet	24.5'	24.5'	Conforming
Maximum Impervious Coverage	70%	16.7%	26.2%	Conforming
Minimum Gross Floor Area	5,000 sf	<5,000 sf	1 (3,487 sf)	Non-Conforming
Parking (Retail) 1 sp./200 gfa (3,487sf)	17 sp.	I	17 sp.	Conforming
Accessible Parking	1 sp.	-	2 sp.	Conforming
Parking Setback				
Front	20 feet	I	15'	Non-Conforming
Rear	10 feet	I	5'	Non-Conforming
Side	10 feet	I	>10'	Conforming

ENC = Existing Non-conforming

I = Information Required

RCD Zoning District - Signage Proposed Block 2114 Lot 5 & 6 (Lots 5-6) Retail Aquarium			
STANDARD	REQUIRED	PROPOSED	STATUS
Directional Signage			
Entry / Exit Sign		None Indicated -	
Total Area of Directional Signage	I	I	I
Building Mounted Signage			
Number - 1	1	I	I
Area - 2sf/1 lf bldg. or 250 sf(60')	120 SF	I	I
Vertical Dimension	5'	I	I
Projection	15"	I	I
Freestanding Signage - Black Horse Pike (322 lf)		None Indicated -	
Number	1	I	I
Area - (322lf x 1 sf per 5 lf)	64.4	I	I
Height	15'	I	I
Setback	25'	I	I

I = Information Required

All other aspects of zoning must comply at the time of the issuance of building permits.

VARIANCES: The following variances were previously granted:

Block 2112 Lots 3-6 & 4-5* - Office Addition

- | | | |
|----|--------|---------------------|
| 1. | §225-7 | Side yard Setback |
| 2. | §225-7 | Impervious Coverage |

Proposed Block 2112 Lot 3.01 - Bank

- | | | |
|----|--------|--------------------------|
| 3. | §225-7 | Lot Size |
| 4. | §225-7 | Lot Width |
| 5. | §225-7 | Minimum Gross Floor Area |

Proposed Block 2114 Lot 5 & 6 (Lots 5-6) - Retail Aquarium

- | | | |
|-----|--------|------------------------------|
| 6. | §225-7 | Lot Size |
| 7. | §225-7 | Rear Yard Setback |
| 8. | §225-7 | Minimum Gross Floor Area |
| 9. | §225-7 | Parking Setback - Front Yard |
| 10. | §225-7 | Parking Setback - Rear Yard |

Compliant plans must be provided or additional variances may be required. Insufficient information has been provided for comprehensive review.

REVIEW COMMENTS FOR VARIANCES:

Block 2112 Lots 3-6 & 4-5* - Office Addition

- 1) In accordance with §225-7, the minimum side yard setback requirement for the RCD Regional Commercial Development zoning district is 25 feet. The applicant has requested a variance for a 0 feet setback to the new addition. The addition is proposed to be located on Lots 3 & 6 as well as Lots 4 & 5 in Block 2112. **These lots should be consolidated so that no variance is required.**
- 2) In accordance with §225-7, the maximum impervious coverage requirement for the RCD Regional Commercial Development zoning district is 70%. The applicant has requested a variance for 72.3%. The addition is proposed to be located on Lots 3 & 6 as well as Lots 4 & 5 in Block 2112. **These lots should be consolidated so that no variance is required.**

Proposed Block 2112 Lot 3.01 - Bank

- 3) In accordance with §225-7, the minimum lot size requirement for the RCD Regional Commercial Development zoning district is 3 acres. The proposed lot size for Lots 3.01 is 1.5 acres whereas the minimum lot size required is 3 acres. The Applicant has requested a variance. **This variance was granted.**

- 4) In accordance with §225-7, the minimum lot width requirement for the RCD Regional Commercial Development zoning district is 300 feet. The proposed lot width for Lots 3.01 is 204 feet. The Applicant has requested a variance. **This variance was granted.**
- 5) In accordance with §225-7, the minimum gross floor area requirement for the RCD Regional Commercial Development zoning district is 5,000 square feet. The proposed gross floor area is 4,851 square feet. A variance is required. **Gross floor area (4700 sf vs. 4851 sf) discrepancies indicated on the architectural and site plans must be addressed. Revised compliance plans are required.**

Proposed Block 2114 Lot 5 & 6 (Lots 5-6) - Retail Aquarium

- 6) In accordance with §225-7, the minimum lot size requirement for the RCD Regional Commercial Development zoning district is 3 acres. The proposed lot size for the building addition on Lots 5 & 6 is 1.25 acres whereas the minimum lot size required is 3 acres. A variance is required. **Lots 5 & 6 should be consolidated with Lots 2, 7-10 to create a more conforming lot size of approx. 2.86 acres. Revised compliance plans are required.**
- 7) In accordance with §225-7, the minimum rear yard setback requirement for the RCD Regional Commercial Development zoning district is 50 feet. The applicant has requested a variance for a 36.72 feet setback to the new addition. **Lots 5 & 6 should be consolidated with Lots 2, 7-10 so that no variance is required. Revised compliance plans are required.**
- 8) In accordance with §225-7, the minimum gross floor area requirement for the RCD Regional Commercial Development zoning district is 5,000 square feet. The proposed gross floor area is 3,487 square feet. A variance is required. **Additional gross floor area information indicated on the architectural plans must be provided to confirm the area proposed.**
- 9) In accordance with §225-7, the minimum front yard setback permitted for parking is 20 feet. The Applicant is proposing to construct new parking with a 15 feet front setback where 20 feet is required. A variance is required.
- 10) In accordance with §225-7, the minimum rear yard setback permitted for parking is 10 feet. The Applicant is proposing to construct new parking with a 5 feet rear setback where 10 feet is required. A variance is required. **Lots 5 & 6 should be consolidated with Lots 2, 7-10 so that no variance is required. This variance was granted. Revised compliance plans are required.**

DESIGN WAIVERS: The following design waiver was granted:

1. §94-14.B. Environmental Impact Statement

COMPLIANCE REVIEW COMMENTS:

- 1) The zoning schedules indicated on the site plan shall be revised consistent with this report and any approvals. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 2) Architectural designs of all proposed buildings are required for review. Second floor plans must be provided of the "Dubell Building Addition". Square footage and use is required for review. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 3) A note on Sheet 2 of 11 indicates "Block 2114 Consolidated Lots 2 & 5-10" and indicates the lot area is 2.86 acres. Applicant indicates that the lots have not been consolidated to date. This note was removed. Consolidation of these lots creating a more conforming lot size should be discussed. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 4) All parking setbacks for all uses must be dimensioned and indicated in the zoning tables. Variances are required and should be indicated. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 5) Building areas on site plans and architectural plans are not consistent and must be revised to be consistent. All parking calculations should be revised accordingly. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 6) Site plan sheet 4 of 11 indicated "Proposed Addition 27,322 SF." Architectural plans indicate 78,672 square feet three story addition. Existing office total area should be indicated on the site plan. Site plan and parking calculations should be revised accordingly. **The plans have been revised and are acceptable.**
- 7) Electric Vehicle charging spaces (compliance with EVSE & Make Ready Parking ordinance) must be addressed. **This must be satisfactorily addressed and detailed in the zoning schedule. Revised compliance plans are required.**
- 8) Accessible spaces (existing and proposed) for office campus must be labeled. **This must be satisfactorily addressed and detailed in the zoning schedule. Revised compliance plans are required.**
- 9) Detailed site plan information of Block 2114, Lots 5-6 have been omitted from Site Plan Sheet 4 of 11. A detailed site plan is required. **The plans have been revised and are acceptable.**

- 10) Locations of all existing and proposed signs must be provided on the site plan. A signage zoning table should also be provided. **This must be satisfactorily addressed. Revised compliance plans are required.**
- 11) In accordance with §94-22A(12), a maintenance plan for all plant material must be provided on the landscaping plan. **This must be satisfactorily addressed. Revised landscaping plans must be provided.**
- 12) In accordance with §225-55E, there shall be a minimum of ten (10) feet between the building and the parking area. There shall be a minimum of four feet for sidewalk and five feet for landscaping. The plans should be revised to comply for all buildings. **This must be satisfactorily addressed. Revised landscaping plans must be provided.**
- 13) In accordance with §94-22.D., in all parking lots a minimum of 5% of the interior parking area shall be landscaped with plantings, and a minimum of one shade tree for every 10 parking spaces shall be installed. Plantings required within the parking lot are exclusive of other planting requirements, such as for street trees and/or buffer plantings. **This must be satisfactorily addressed. Revised landscaping plans must be provided.**
- 14) In accordance with §94-22C(2), landscape plantings within front, side and rear yard buffers shall be continuous, with an average width as prescribed in §94-8 of this chapter. Plantings shall consist of a combination of evergreen trees, shade trees, ornamental trees and shrub massings. Insufficient landscaping has been provided for the bank, "Dubell building" site and front yard area of the office parking expansion. Each site (bank, office addition, retail aquarium) shall be required to comply with the landscaping requirements. Revised landscaping plans are required. **This must be satisfactorily addressed. Revised landscaping plans must be provided.**
- 15) The Applicant should provide the street address on the stone base of the proposed freestanding signs for each use. The maximum vertical dimension of the street address number should not exceed 12 inches. The address will not be computed in the proposed sign area computation. **This must be satisfactorily addressed. Details of all signs must be provided.**
- 16) The Applicant must provide signage details on the plans. Locations of all freestanding and building mounted signage design is required for review. Proposed signage design information must be indicated on the plan and zoning table and shown on architectural elevations. Dimensions and area calculations and locations are required for all signs. Variances may be required. PA cannot evaluate compliance with the information provided. **This must be satisfactorily addressed. Details of all signs must be provided.**

- 17) The Applicant shall obtain approval from Egg Harbor Township Municipal Utilities Authority. Evidence of approval is required. **This must be satisfactorily addressed.**
- 18) This approval is subject to the Applicant paying all applicable fees, including any fee due and owing to the municipality's affordable housing trust fund. **This condition remains valid.**
- 19) Any required approval should be conditioned on compliance with all other necessary State, County and local approvals. **This condition remains valid.**
- 20) PA will provide a comprehensive review upon receipt of all outstanding checklist items. **This condition remains valid.**
- 21) The Applicant shall provide an item-by-item response to the comments in this review memorandum when submitting revised engineering plans. **This must be satisfactorily addressed.**

GENERAL REVIEW COMMENTS:

- 1) Site Plan Sheet 9 of 17 indicates a septic system is proposed for the "Aquarium" building. The proposed septic field is located and conflicts with the proposed drainage basin. N.J.A.C. 7:9A-4.3 requires a 50' minimum separation. The proposed basin is also located in the required side yard and has no perimeter access as required. No basin landscaping has been provided. It has been recommended that consolidation of lots is provided. PA does not support relief from these requirements. The plans should be revised to comply.
- 2) A landscaping plan was presented to the Board as an exhibit. This plan detailed the campus landscaping improvements. This plan should be provided for review.
- 3) In accordance with §94-22.E., where fences are required, the perimeter of the basin shall be planted in a naturalistic manner with a combination of evergreen trees, shade trees and shrub massings. The Applicant is not providing sufficient landscaping around the basin perimeter. The chart below details the landscaping required along the basin perimeter.

89A-22-E. Landscaping Requirements - Stormwater Management Basins								
Section	Shade Trees 80 trees/1,000 LF		Evergreen Trees 40 trees/1,000 LF		Ornamental Trees 10 trees/1,000 LF		Shrubs 50 shrubs/1,000 LF	
	Required	Provided	Required	Provided	Required	Provided	Required	Provided
Basin #WQ1 Perimeter (500 LF)	40	0	20	0	5	0	25	0
Basin #WQ7 Perimeter (700 LF)	56	0	28	0	7	0	35	0
Basin #WQ8 Perimeter (295 LF)	24	0	12	x	3	0	15	x
Total Deficient Landscaping	120 Shade Trees		60 Evergreen Trees		15 Ornamental Trees		75 Shrubs	

No fencing is indicated where required and no landscaping plans have been provided. A revised landscaping plan is required.

- 4) Accessible spaces must be provided (2% of total) in accordance with the Code. This must be addressed for the office campus.
- 5) All signage must comply with the Code or variances will be required. PA cannot comprehensively evaluate compliance and the applicant has not requested any signage variances.
- 6) PA will provide a comprehensive review upon receipt of all outstanding checklist and compliance items.
- 7) The Applicant shall provide an item-by-item response to the comments in this review memorandum when submitting revised engineering plans.

Should there be any questions regarding the contents of this report, please feel free to contact this office.

TOWNSHIP OF EGG HARBOR
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
REFERRAL AND REQUEST FOR RECOMMENDATIONS

TO: ☐ Mott Watkins Assoc. ☐ Doran Engineering ☐ Polistina & Assoc.
 ☐ Timothy Maquire., Esquire ☐ John A. Ridgeway, Esquire ☐ Remington & Vernick
 ☐ Environmental Consultant ☐ Tax Assessor ☐ Paul W. Hodson, Mayor
 ☐ Construction Official ☐ Zoning Official ☐ Land Use Administrator
 ☐ Environmental Commission ☐ Marc Friedman, Twp. Attorney ☐ Fire Official
 ☐ Traffic Consultant ☐ Donna L. Markulic, Twp. Administrator

☐ New Application	☐ Variance	☐ Administrative Review
☐ Revision	☐ Subdivision	☐ Minor
☐ Additional Information	☐ Site Plan	☐ Preliminary
☐ Other _____		☐ Final

DATE PLANS PREPARED 12/28/22 Rec. 12/30/22 APPLICATION # SPPF 08-22/R1

PREPARED BY Dixon Assoc. Engineering APPLICANT SS Prop CO LLC/Spencer Gifts

BLOCK(S) 2112/2114 LOT(S) 3-6/5-6

LOCATION _____

ACCOUNT # _____ ESCROW AMOUNT _____

The Planning and/or Zoning Board has received the attached Application for consideration. The Board would appreciate your comments prior to the date listed below.

Forty Five (45) day review period ends _____

COMMENTS: The Egg Harbor Township Fire Department does not have any comment regarding this project provided it is constructed in accordance with the plan submitted. All Fire Hydrant installation fees shall be paid for by the Developer and also any hydrant rental fees until the street is accepted by the Township.

Request to review resubmissions: X Yes No

Applicant attendance required: Yes No

Signed Brian D. Cummings Date 1/17/23
Agency Brian D. Cummings Fire Official/ Egg Harbor Township Fire Department
Discov.Ltr _____

Township of Egg Harbor
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
REQUEST FOR RECOMMENDATIONS FORM

RECEIVED

OCT - 5 2022

PLANNING & ZONING BOARD
TOWNSHIP OF EGG HARBOR

To: ☐ Mott Watkins Associates ☐ Doran Engineering ☐ Polistina & Associates
☐ John A. Ridgway, Esquire ☐ Remington & Vernick ☐ MUA
☐ Environmental Consultant ☐ Tax Assessor ☐ Paul W. Hodson, Mayor
☐ Construction Official ☐ Zoning Official ☐ Land Use Administrator
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☐ Traffic Consultant ☐ Donna L. Markulic, Township Administrator

☒ New Application ☐ Variance ☐ Administrative Review
☐ Revision ☒ Subdivision ☒ Minor
☐ Additional Information ☒ Site Plan ☒ Preliminary
☐ Other _____ ☒ Final

DATE PLANS PREPARED: 9/12/22 REC. 9/16/22 APPLICATION #: SD04-22/SPPF08-22
PREPARED BY: DIXON ASSOC. ENGINEERING APPLICANT: SS PROP CO LLC/SPENCER GIFTS
BLOCK(S): 2112/2114 LOT(S): 3-6/5 & 6

LOCATION: _____

ACCOUNT #: 179-58 ESCROW AMOUNT: \$ 14500

Your comments regarding this application should be submitted to the Division of Planning no later than _____

Forty Five (45) Day Review Period Ends: 10/31/22

COMMENTS:

Landscape inadequate

Request to Review Resubmissions: ____ Yes ____ No Applicant Attendance Require: ____ Yes ____ No

Signed: JV Date: 9/22/22

Agency: _____

To ensure that the Planning Department retains control over all documentation submitted, and that adequate funds available for subsequent billings, no review should occur unless documents are accompanied by our Request Recommendations Form and are stamped by the Planning/Zoning Board Office.

TOWNSHIP OF EGG HARBOR
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
REFERRAL AND REQUEST FOR RECOMMENDATIONS

TO: ☐ Mott Watkins Assoc. ☐ Doran Engineering ☐ Polistina & Assoc.
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DATE PLANS PREPARED 12/28/22 Rec. 12/30/22 APPLICATION # SPPF 08-22/R1

PREPARED BY Dixon Assoc. Engineering APPLICANT SS Prop CO LLC/Spencer Gifts

BLOCK(S) 2112/2114 LOT(S) 3-6/5-6

LOCATION _____

ACCOUNT # _____ ESCROW AMOUNT _____

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COMMENTS: The Egg Harbor Township Fire Department does not have any comment regarding this project provided it is constructed in accordance with the plan submitted. All Fire Hydrant installation fees shall be paid for by the Developer and also any hydrant rental fees until the street is accepted by the Township.

Request to review resubmissions: X Yes No

Applicant attendance required: Yes No

Signed Brian D. Cummings Date 1/12/23
Agency Brian D. Cummings Fire Official/ Egg Harbor Township Fire Department
Discov.Ltr

Township of Egg Harbor
PLANNING BOARD/ZONING BOARD OF ADJUSTMENT
REQUEST FOR RECOMMENDATIONS FORM

RECEIVED

OCT - 5 2022

PLANNING & ZONING BOARD
TOWNSHIP OF EGG HARBOR

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DATE PLANS PREPARED: 9/12/22 REC. 9/16/22 APPLICATION #: SD04-22/SPPF08-22

PREPARED BY: DIXON ASSOC. ENGINEERING APPLICANT: SS PROP CO LLC/SPENCER GIFTS

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