



Township of Egg Harbor
3515 Bargaintown Road, Egg Harbor Township, NJ 08234-8321
PLANNING BOARD AGENDA
REGULAR MEETING
TO BE HELD AT THE
EGG HARBOR TOWNSHIP MUNICIPAL BUILDING COURTROOM
Monday, December 19, 2022, 5:00 P.M. (prevailing time)

Final Edition: 12-09-22

Solicitor: John Ridgway, Esq., Ridgway Legal
Engineer: Robert Watkins, P.E., of Mott Watkins Associates
Planner: Craig Hurless, P.P., of Polistina and Associates

A REGULAR MEETING OF THE PLANNING BOARD OF EGG HARBOR TOWNSHIP TO BE HELD ON THE ABOVE DATE AND TIME, AT THE H. ROBERT SWITZER COURTROOM, EGG HARBOR TOWNSHIP, NEW JERSEY.

NEW BUSINESS WILL NOT BE DISCUSSED AFTER 8:30 P.M. AND THE MEETING SHALL ADJOURN AT 9:00 P.M. THE CHAIRMAN RESERVES THE RIGHT TO REVISE THE ORDER OF THE AGENDA AS NEEDED.

Call to Order/Flag Salute/Public Notice/Roll Call:

Manuel E. Aponte, Chairman
Edward Bertino, Patrolman, Community Policing Officer
Charles Eykyn, 2nd Vice-Chairperson
James Galvin
Mayor Paul W. Hodson

Deputy Mayor, Laura Pfrommer
Riaz Rajput
Paul Rosenberg, Vice-Chairperson
Victoria Schiffler

ADMINISTRATIVE MATTER(S):

MOTION / TO ADJOURN TO EXECUTIVE SESSION to discuss administrative/personnel matters pertaining to the Board, falling within the exception of the Sunshine Law. **VOTE:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler

MOTION / TO RECONVENE THE PUBLIC MEETING. **VOTE:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler

PUBLIC HEARING:

1. SD 04-22
SS Prop Co, LLC/Spencer Gifts, LLC
Zone: RCD , 23.64 acres, sewer/water, applicant is
Proposing a 27,322 SF addition to the existing Spencer’s
Gifts headquarters building. The applicant is proposing 4,700 SF
bank with drive-thru lanes for block 2112 lot 3.01. Applicant is proposing the baseball field on lot 3 will be
utilized for parking, as well as, seventeen (17) parking spaces behind the existing Dubell Lumber Company for
the new parking lot consisting of 427 spaces. The existing property now features the former Trocki Hebrew
School and Ocean Aquarium of which both buildings will be demolished and all associated pavement will be
removed. CAFRA

Minor Subdivision
2112/3-6 and 2114/ 5 & 6
6814, 6820, 6826, 6832, 6834
Black Horse Pike
Waiver of Time - No

Motion / to grant conditional minor subdivision approval. **Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler,

2. SPPF 09-22
Garden Organics, LLC
Zone: M-1, 23.45 acre site, water/septic, applicant is seeking
preliminary/final major site plan approval for the construction of
a 67,525 sq. ft. cannabis cultivation and manufacturing facility on the site (Class I, Cultivator, Class II Manufacture). The
site is currently vacant with wetlands and deed restricted buffers. The applicant is also seeking approval for the
construction of 40 parking spaces. CAFRA

Preliminary/Final Major Site Plan
601/3 & 4
401 Westcoat Road
Waiver of Time – Not indicated

Checklist Waiver(s):

- 1. Item # 15: Site characteristics map
- 2. Item #16: Wetlands areas and required transitional areas or buffers
- 3. Item #23: Utilities plan

Design Waiver(s):

- 1. §94-22E: Basin landscaping

Variance Relief:

- 1. §225-12A: **Accessory structure in front yard:** accessory structures are not permitted in the front yard and located to the rear of the front building line of the principal building. The accessory trash enclosure meets the 50' ft. setback requirement but is located forward of the front building line of the proposed principal building.

Motion / open public portion

Motion / close public portion

Motion / to grant requested checklist waiver(s): Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler,

Motion / to grant requested design waiver(s): Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler

Motion / to grant requested variance relief: §225-12A: Accessory structure in front yard: accessory structures are not permitted in the front yard and located to the rear of the front building line of the principal building. The accessory trash enclosure meets the 50' ft. setback requirement but is located forward of the front building line of the proposed principal building. **Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler

Motion / to grant conditional preliminary/final major site plan approval: Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler

MEMORIALIZATION OF RESOLUTION(S):

- 1. **SDF 25/05** **Final Major Subdivision**
SPPF 33-05 **Prel./Final Major Site Plan**
D.R. Horton, Inc., NJ/PA- "Ocean Club" **501/1-7, 10 & 11**
Westcoat Road

Motion / to memorialize resolution granting 180-day extension of time pursuant to N.J.S.A. 40:55D-52e and N.J.S.A. 40:55D-52d, which will expire on June 19, 2023 for applications SDF 25-05 and SPPF 33-05 – D.R Horton, Inc., NJ/PA – "Ocean Club". **Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rosenberg, Schiffler,

- 2. **SD 01-22 Amended** **Minor Subdivision**
William Gonnely, Jr. **5804/4.01**
William D. Gonnely, Jr. 1105 Old Zion Road

Motion / to memorialize resolution granting requested checklist waiver, requested "c" variance relief §225-7: Front Yard Setback (Lot#4.01)-11.5 ft. (existing) in lieu 25 ft. and amended conditional minor subdivision approval. **Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rosenberg, Schiffler,

- 3. **SPM 03-84/Amendment #1** **Amend. Prel./Final Major Site Plan**
The Factory Sports & Exhibition Center **407/5**
6577 Delilah Road

Motion / to memorialize resolution granting requested checklist waiver, "c" variance relief §225-56: Minimum parking requirements: 218 spaces req. 122 spaces prop., and amended conditional Preliminary and Final Major Site Plan. **Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rosenberg, Schiffler

- 4. **SD 04-22** **Minor Subdivision**
SPPF 08-22 **Prel./Final Major Site plan**
SS Prop. Co., LLC/Spencer Gifts **2112/3-6, 2114/5 & 6**
6826 Black Horse Pike

Motion / to memorialize resolution granting requested checklist waiver(s), design waiver(s). "c" variance relief: Block 2112/Lot(s) 3-6 & 4-5 (Office Addition): §225-7: Side Yard Setback: -0-' ft. prop.; 25' ft. req. Addition is proposed to be located on Lots 3-6 in Block 2112. These lots should be consolidated so that no variance is required, §225-7: Maximum Impervious Coverage: 72.3% prop.; 70% permitted. Addition is proposed to be located on

lots 3-6 in block 2112. **These lots should be consolidated so no variance is required. Proposed Block 2112/Lot 3.01 (Bank) §225-7: Minimum Lot Area (Bank-prop. lot 3.01):** 1.50 acres proposed; 3.0 acres required, **§225-7: Minimum Lot Width (Bank –prop. lot 3.01)** 204 ft. lot width proposed; 300’ ft. required, and **§225-7: Minimum Gross Floor Area:** 4,851 sq. ft. proposed; 5,000 sq. ft. required. **Proposed Block 2114/Lot(s) 5 & 6 (Retail Aquarium): §225-7: Minimum Lot Area:** Lot area for the building addition on lots 5 & 6 is 1.25 acres whereas the minimum lot size requirement is 3 acres. **Lots in 5 & 6 should be consolidated with lots 2, 7-10, to create a more conforming lot size of approximately 2.86 acres, §225-7: Minimum Rear Yard Setback:** 36.72’ ft. proposed; 50’ ft. required. **Lots 5 & 6 should be consolidated with lots 2, 7-10 so that no variance is required, §225-7: Minimum Gross Floor Area:** 3,487 sq. ft. proposed; 5,000 sq. ft. required, **§225-7: Minimum Front Yard Setback (parking):** 15’ ft. proposed; 20’ ft. required **§225-7 Minimum Rear Yard Setback (parking):** 5’ ft. proposed; 10’ ft. required. **Lots 5 & 6 should be consolidated with lots 2, 7-10 so that no variance is required and conditional preliminary major site approval only. Vote:** Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rosenberg, Schiffler

5. “Determination of Need Report”: Block 6101 Lot 8, 2163 Ocean Heights Avenue prepared by Polistina Associates, LLC, June, 2022, pursuant to Resolution No. 194-2022 adopted by the Township Committee on April 6, 2022 directing the Planning Board to conduct a preliminary investigation based upon the New Jersey Local Redevelopment and Housing Law (**N.J.S.A.** 40A- et seq.) (the “Redevelopment Law”) to determine if the aforementioned property qualified as an area in need of redevelopment.

Motion / to memorialize resolution accepting the directive of the Egg Harbor Township Committee to reopen its prior investigatory hearing upon publication and notice to determine whether or not block 6101, lot 8; 2163 Ocean Heights Avenue, qualifies as a non-condemnation “Area in Need of Redevelopment” pursuant to the New Jersey Local Redevelopment and Housing Law, NJSA: 40A:12A-1 et al., and forward said directive to Township Committee. Vote: Aponte, Bertino, Eykyn, Galvin, Hodson Pfrommer, Rosenberg, Schiffler

SECTION I

**A. General public discussion: Motion / to open public portion
Motion / to close public portion**

B. Discussion concerning amending January’s meeting date:

Motion / to reschedule regular and re-organizational meeting from Monday, January 16, 2023 to Monday, January 9, 2023, 5:00 p.m. prevailing time due to the observance of Dr. Martin Luther King, Jr.’s Birthday. Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler.

Motion / to approve minutes of Monday, November 21, 2022. Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rosenberg, Schiffler.

Next regular meeting scheduled for **Monday, January, 2023, 5:00 p.m.,** prevailing time.

Motion / to adjourn at P.M. Vote: Aponte, Bertino, Eykyn, Galvin, Hodson, Pfrommer, Rajput, Rosenberg, Schiffler.

Theresa Wilbert
Land Use Administrator