

A meeting of the Township of Hamilton Planning Board was held on the above date with Chairman Gordon Dahl presiding. Members present were Jack Carson, William Christman, Wayne Choyce, Nelson Gaskill, John Kurtz, Charles Pritchard and David Wigglesworth. Also present were Kevin Dixon, Engineer Consultant; Charles Endicott, representing Vincent Polistina, Planner Consultant; Steven Mazur, Traffic Engineer Consultant; and John Rosenberger, Solicitor.

Compliance with the Open Public Meetings Law was acknowledged.

Approval of Minutes – Mr. Christman moved, seconded by Mr. Pritchard, to approve the minutes of the meeting of March 6, 2009, as published. SAID MOTION CARRIED WITH EIGHT MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Atlantic County Institute of Technology (Informal Presentation) – Keith Davis, Attorney; Dr. Philip Guenther, Superintendent; Drew Dingler, Architect; and Charles Endicott, P.E., were present.

Mr. Davis stated that representatives of the Atlantic County Institute of Technology were present to apprise the Board of the School’s expansion plan and to entertain comments.

Mr. Pritchard recused himself due to his association with the School.

Pointing to various exhibits, Mr. Dingler described the Atlantic County Institute of Technology’s proposal, which involved eighty five thousand square feet of new construction to three separate facilities, and extensive renovations within existing structures.

Mr. Guenther advised as to the purpose of the proposal and the goals of the School.

Board members asked questions to which responses were provided.

Magic Sports and Health Complex, LLC (Continued Site Plan Hearing) - Christopher Baylinson, Attorney; David Scheidegg, P.E.; Randall Scheule, P.P.; James Taylor, VP of Turner Technology; Robert Zohler, Sports Lighting Consultant; Norman Dotti, Acoustical Engineer Consultant; John Meloy; Architect; David Horner, Traffic Engineer; David Hersh; and Ronald Nametko were present.

Mr. Taylor described the proposed security plan and the layered security approach.

Mr. Horner described how bus traffic circulation would be accommodated. He stated there would be no long-term bus parking areas on site, as buses would be dropping children off and exiting the site, to return only when it is time to collect the children for their return trip.

In response to Board members’ questions, Mr. Horner stated that approximately thirty percent of teams would not be bused; that the buses would return for the children within about a week; and that about thirty percent of children would be delivered by passenger van and five percent by bus.

Mr. Horner advised that a waiver from strict compliance with the requirements for loading zones was being requested, and he expressed the opinion that the use is different from the uses the standards were intended to address. Pointing to an exhibit, he indicated where the proposed loading zones would be located and described the type of anticipated truck traffic. It was Mr. Scheidegg’s opinion that the twelve proposed loading zones would accommodate the project’s needs.

In response to Board members’ questions, Mr. Horner stated that deliveries would be relatively infrequent and that each entity would have the ability to schedule them.

Pointing to exhibits, Mr. Scheidegg described how the present, revised proposal differed in size and function from the proposal originally submitted for approval. He noted that impervious coverage had been reduced, but pointed out that the original plan had met the requirement.

Mr. Scheidegg described the proposed Enhanced Buffer System and pointed out that it is not a requirement in all areas. He advised that there are existing, mature trees in a certain area where the EBS is proposed, and noted that mature trees would be removed and replaced with smaller trees if the EBS is constructed. Mr. Baylinson added that the Applicant proposes to preserve as much of the existing, dense buffer as possible and would work with the Board's consultants to meet the objective of the Enhanced Buffer System.

Mr. Dixon commented that it would be preferable to retain a mature buffer, depending on the quality, and he stated that he has requested that the Applicant mark the line so he can visit the site and evaluate the issue.

In response to Board members' questions, Mr. Scheidegg described the fence that is proposed to be part of the EBS and the buffer distance between Mays Landing/Somers Point Road and the proposed buildings.

Mr. Scheidegg described the proposed phasing plan. He stated that Phase One would consist of the ball fields, Magic Village, stadium, maintenance building, main parking area, internal roadway system and associated storm water management system, with the fields and Magic Village being Phase 1a and the stadium seating being Phase 1b; that Phase Two would be the hotel water park; and that Phase Three would be the Vine Building and associated improvements.

Mr. Baylinson stated that the Applicant would be asking the Board to grant final approval for Phase One, in addition to preliminary approval for all of the phases.

Mr. Dahl expressed concern with regard to pedestrian circulation, and Scheidegg assured him that all of the pedestrian walkways would be in place.

Mr. Christman questioned whether Phase One would be able to operate effectively without the hotel, as there would be no place for people to stay.

Mr. Baylinson advised that the players would be housed in the Magic Village, and parents and any spectators would have the option of accommodations wherever they choose. He stated that the proposed hotel would become an option when it is constructed.

In response to Mr. Christman's concern with regard to the Applicant clear-cutting the Phase Two area and then Phase Two never gets constructed, Mr. Scheidegg stated that the site would not be cleared for the hotel/water park until the Applicant is ready to construct it.

Mr. Baylinson stated that Phase One is a stand-alone facility, and the hotel is an amenity that is not necessary for the site to operate.

Mr. Christman stated that he had not heard anyone state at the last hearing that the hotel would not be built initially, and he commented that he would rather see the hotel constructed as part of Phase One.

Mr. Scheule discussed the Industrial Business Park Zone, and how permitted uses within that zone evolved. He expressed the opinion that the Applicant's proposal addresses the purposes of the ordinance provisions, and the ordinance anticipates these types of development. He described the uses within the proposed facility.

Mr. Scheule testified that the project would comply with all of the bulk requirements of the Ordinance, but variances would be needed for number of free-standing signs, length of building and parking for the Vine building.

Mr. Scheule advised that there are essentially two sites and the Applicant is proposing a total of four signs, two signs for each site, when only one free-standing sign is permitted. He

stated that there are no residential uses impacted by the proposed signs and there would be traffic conflict at the intersection if the variance is not granted. Mr. Scheule expressed the opinion that the variance could be granted without substantial detriment to the zoning plan and zoning ordinance, and noted that the signs would comply in all other respects to Ordinance requirements. Mr. Scheule pointed out that the site is one hundred thirty six acres, and could result in 10,000 square feet of signs if the site is developed to maximum yield.

With regard to the variance request from the building length restriction, Mr. Scheule expressed the opinion that the intent of the Ordinance requirement had been satisfied through building design and an abundance of landscaping, thereby, promoting a desirable visual environment. He noted that the proposal does not comply with the requirement for an actual berm, and that the variance request applies to five of the buildings. Mr. Scheule stated that he felt the requirement was intended to address other types of Business Park uses.

With regard to the variance request for number of parking spaces, Mr. Scheule testified that the proposal is designed to take advantage of shared parking, and the activities can be coordinated to manage parking in a comprehensive manner. He expressed the opinion that a comprehensively planned development would be much better than single site development. According to Mr. Scheule, the purposes of the Municipal Land Use Law would be advanced and granting the variance would substantially outweigh any detriment.

Mr. Scheule further addressed the parking variance issue by pointing out that the majority of the teams would arrive by bus or van, which would reduce the parking demand; that there would be multiple uses of the facility by individuals at the site; that there are unique conditions that are associated with the development; that impervious surface would be reduced; that the amount of green space and landscaping would be increased; that the conservation of open space would be increased; and that there would be more efficient use of land.

Mr. Dixon reviewed his report, noting that the report had been updated to reflect supplemental information provided by the Applicant in response to his previous comments.

In response to a question about the phasing plan, Mr. Dixon advised that each phase would have to be completely independent of future phases, in recognition of the possibility that future phases may never be developed. He made suggestions regarding bonding, improvement construction and the approval time period, and stated he would evaluate it in more detail.

Board members asked questions with regard to the buildings, employee parking and activities within the building, to which Mr. Dixon responded.

Mr. Mazur reviewed the traffic aspect of Mr. Dixon's report.

Mr. Dahl questioned whether there would be enough money collected to make the off tract improvements prior to the opening of the facility. Mr. Mazur advised that the traffic study projected a ten-year build-out, and he noted that other funds would have to be committed to get the improvements completed. He advised of some improvements to the intersection of Babcock Road and Route 40 that the State would be undertaking, with the likelihood of completion before construction of the project commences.

Mr. Mazur stated that the Ordinance requires 2,200 parking spaces for the main site, and 2,400 are being proposed, and that strict compliance with ordinance parking provisions for the vine building, due to indoor recreation facilities, would require 2,500 to 2,600, with 956 spaces being proposed.

Mr. Mazur asked for additional testimony with regard to use of the fields and bus traffic, and Mr. Nametko described how the site would operate.

Mr. Christman expressed concern with regard to the adequacy of the proposed parking, and Mr. Choyce asked Mr. Mazur what number of parking spaces he would recommend for the vine building.

Mr. Mazur responded that he felt 1,200 spaces would be sufficient, but it would depend on use, overflow on the other site and whether it could function together.

In response to Mr. Choyce's question whether it would have any impact on the phasing of the project, Mr. Mazur stated that the phasing plan would need to be studied to determine whether each phase would have enough parking to accommodate its function.

Mr. Horner referred to the numbers Mr. Mazur provided to draw his conclusions and explained why he felt the proposed parking would be sufficient.

Mr. Dahl commented that parking is a key issue that would need to be resolved, and he requested that more information be provided.

Mr. Dahl announced that the hearing would be continued on May 7, 2009, with no further notice being provided, and he commented that postponing continuation until that date will allow more time for submission of additional information to further clarify certain issues. Mr. Dahl stated that the Board would begin on that date with Mr. Dixon's landscape report.

Mr. Carson expressed the desire for the supplemental information to be provided, including a phasing plan, within enough time for the Board's consultants to get their reports to members in a timely manner.

Public Comment – Mr. Dahl opened the meeting to public comment.

Joseph Ritchie stated that he resided on Fairway Drive and he expressed concern with regard to existing conditions at the intersection of McKee Avenue and the Black Horse Pike and traffic generated through Canal's Liquors. Mr. Ritchie expressed the desire for the intersection to be improved to relieve the congestion.

Mr. Dahl advised that the State had jurisdiction over the intersection, and Mr. Pritchard advised that the State has a plan for an improvement to be done at some point in the future.

Mr. Gaskill moved, seconded by Mr. Pritchard, to close the public portion of the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Adjournment – Mr. Choyce moved, seconded by Mr. Kurtz, to adjourn the meeting. SAID MOTION CARRIED WITH ALL MEMBERS VOTING "AYE", NO "NAY", NO "ABSTAIN".

Respectfully submitted,

Nancy Rainbow,
Planning Board Administrator