

RESOLUTION 2017 - 14

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD  
GRANTING MINOR SITE PLAN APPROVAL TO CONSTRUCT A TRASH  
ENCLOSURE ASSOCIATED WITH AN EXISTING CONVENIENCE STORE TO  
THE APPLICANT, WAWA, INC.  
BLOCK 194.12, LOT 7.01  
388 EGG HARBOR ROAD  
APPLICATION #1996**

**WHEREAS**, the Applicant, WaWa, Inc. whose mailing address is 260 West Baltimore Pike, WaWa, Pennsylvania 19063 is seeking minor site plan approval to construct a trash enclosure associated with an existing convenience store on property located at 388 Egg Harbor Road, Washington Township ; and

**WHEREAS**, the subject property is located at 388 Egg Harbor Road also known as Block 194.12, Lot 7.01 in the Highway Commercial (HC) Zone; and

**WHEREAS**, public notice of the hearing was provided in accordance with the requirements of Municipal Land Use Law, N.J.S.A. 40:55D-12; and

**WHEREAS**, the Applicant is requesting the following variance(s) and waivers, which variances and waivers were properly noticed in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12:

1. Per section 285.103.D – lot coverage
2. Per Section 285-188.B – accessory structure location
3. Per Section 285.215B – fence location and height; and

**WHEREAS**, in support of the application, the Applicant submitted a Minor Site Plan submission received March 16, 2017, consisting of the following:

Sheet	Title	Date	Latest Revision Date
1 of 7	Cover Sheet	2/16/17	-
2 of 7	Aerial Map	2/16/17	-
3 of 7	Demolition Plan	2/16/17	-
4 of 7	Site Plan	2/16/17	-
5 of 7	Grading and Utility Plan	2/16/17	-
6 of 7	Construction Details	2/16/17	-
7 of 7	Vehicle Circulation Plan	2/6/17	-

The plans were prepared and signed by Mark A. Whitaker, P.E., Dynamic Engineering, 1904 Main Street, Lake Como, New Jersey 07719, (732) 974-0198; and

**WHEREAS**, the Planning Board made its decision in this matter based on the documentation set forth above, the testimony of the Applicant and the Applicant's

Professionals and the Board's Professionals made at the time of the hearing on the application and on each of the following:

1. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, submitted a report dated March 22, 2017; and

**WHEREAS**, the Applicant was represented by Timothy M. Prime, Esquire, at the June 8, 2017 hearing on this matter; and

**WHEREAS**, based upon the above, the Board, at the June 8, 2017 hearing date, finds as follows:

1. Timothy M. Prime, Esquire stated he is here tonight representing the Applicant for Minor Site Plan approval to allow the Applicant to construct an outside trash enclosure on the property located at 388 Egg Harbor Road on which a WaWa convenience store is located.
2. Mr. Prime stated the Applicant is remodeling the store and trash from the store is currently taken out in totes and picked up by trucks.
3. Mr. Prime stated the Applicant is seeking to construct a trash enclosure to include a recycling compactor and the Applicant will be requesting a variance to allow for an 8 foot high fence where a 6 foot high fence is permitted.
4. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, stated the Applicant will be seeking waivers of contours and exterior lighting. Mr. Petrongolo stated he had no objection to the waivers and the application could be deemed complete.
5. Matthew Sharo, P.E., from Dynamic Engineering Consultants, PC, the Applicant's Engineer, testified about the site. Mr. Sharo referred to a Plan/Aerial View of the Property dated June 8, 2017. Mr. Sharo testified the site is surrounded by commercial uses and currently the trash is placed in totes which are placed outside the exit of the store and picked up daily by trucks. Mr. Sharo testified the trash enclosure to be constructed will include a trash compactor and recyclable containers and will reduce the trash pickup to half of what it is now. Mr. Sharo testified the trash pickup currently takes 20-30 minutes whereas with the new enclosure to be constructed, trash pickup will take 5-10 minutes.
6. Mr. Sharo referred to a site rendering of the property dated June 8, 2017. Mr. Sharo testified the proposed trash enclosure would be located in the southeast corner of the property. Mr. Sharo testified this is the proper location because of truck access. Mr. Sharo testified there is no specific rear yard as the site has two frontages.
7. Mr. Sharo testified the enclosure will be secured with a reinforced vinyl coated fence constructed of PVC material. Mr. Sharo testified PVC material is used because it is built to last. Mr. Sharo testified there will be two auto closing gates which will be locked at all times.

8. Mr. Sharo testified the desired color of the enclosure is white because the building has white accents and the white enclosure will accent the site.
9. Mr. Sharo testified the Applicant is requesting an 8 foot high fence to completely screen what will be located inside of the enclosure.
10. Mr. Sharo testified the Applicant will work with the Board's Planner with regard to landscaping.
11. Board Member Dennis asked if all of the fence would be reinforced.
12. Mr. Sharo responded by stating all of the rails and posts will be reinforced and because of the height of the fence, the center rail will be steel reinforced.
13. Board Member Centrone stated trash cans are currently lined up at the site for pickup which makes it dangerous for drivers and customers.
14. Mr. Sharo testified the enclosure would be set back off of the drive isle approximately 5-6 feet. Mr. Sharo testified there will be a state of the art compactor which will be placed gently in the enclosure and will stay in the same position, and therefore trucks will always travel in the same direction and route to pick up the trash. Mr. Sharo testified the main use of the back drive isle is trash pickup and deliveries.
15. Board Chairman Frattali asked if the proposed location was the best place to put the enclosure.
16. Mr. Sharo responded by stating the enclosure will not fit anywhere else on the site and the angle is needed for pick up.
17. Mr. Petrongolo submitted a report dated March 22, 2017. Mr. Petrongolo stated the revised plans submitted by the Applicant addressed all of his comments.
18. Mr. Petrongolo testified that pursuant to Section 285-103.D, a maximum lot coverage of 40% is permitted for corner lots. The Applicant is proposing 70.8% lot coverage where 68.8% exists. The Applicant has requested a variance.
19. Mr. Petrongolo testified that pursuant to Section 285.188.B, accessory structures are not permitted in front yards, whereas the proposed trash enclosure will be 30 feet from the Greentree Road property line. Mr. Petrongolo testified the site is uniquely shaped and retrofitted. The Applicant has requested a variance and Mr. Petrongolo has no objection to same.
20. Mr. Petrongolo testified that pursuant to Section 285-215.B, no fences are permitted in the front yard and the fence height is limited to 6 feet. The Applicant proposes an 8 foot high PVC fence in the front yard. The Applicant has requested a variance.
21. Mr. Petrongolo testified that pursuant to Section 220-19.M(1), trash enclosures should be screened from adjoining properties and public streets in materials compatible with the architectural treatment of the principal structure. The Applicant proposes a PVC enclosure.

22. Mr. Petrongolo testified the enclosure should be made of concrete as PVC is not as structurally sound. Mr. Petrongolo testified that the color of the enclosure should be earth tone to match the building of the existing store.
23. Mr. Prime stated the Applicant will make the proposed trash enclosure match the existing building both color wise and material wise. Mr. Prime stated that the foundation of the structure may have to be shifted due to the location of a storm pipe.
24. Richard E. Fini, P.E., P.P., C.M.E., Board Environmental Engineer, did not submit a report. Mr. Fini stated reports of the quantities of the recyclables from the store need to be submitted to the Township and the fence must be intact to prevent litter.
25. Board Chairman Frattali stated he has no problem with an 8 foot high fence or the color as proposed; however, he believes concrete is the better option for the enclosure.
26. Board Vice Chairman McPoyle stated he shares the same thoughts as the Chairman; and

**WHEREAS**, the June 8, 2017 meeting was open to the public and no one from the public commented on the application; and

**WHEREAS**, the Planning Board of the Township of Washington has made the following findings:

1. The subject property is located in the Highway Commercial Zone (HC).
2. The Applicant is requesting minor site plan approval to construct a trash enclosure associated with an existing convenience store.
3. It was the finding of the Planning Board and Planning Board Professionals that the Applicant had demonstrated both the positive and negative criteria necessary for granting the requested variances and waivers. It was the finding of the Planning Board that the variances and waivers could be granted without substantial detriment to the public good and the intent and purposes of the zone plan and zoning ordinances and that said variances and waivers were required given existing site conditions.

**NOW, THEREFORE, BE IT RESOLVED** by the Washington Township Planning Board that the application for minor site plan approval to construct a trash enclosure associated with an existing convenience store for the Applicant, WaWa, Inc. is hereby **GRANTED** subject to the following terms and conditions:

1. All of the Agreements and/or representations made by the Applicant as set forth at the hearings in this matter or as contained in this Resolution must be fully satisfied by the Applicant.

2. All of the initial findings of fact, conclusions and conditions as set forth in the "Whereas" recital paragraphs of this Resolution as set forth above are hereby incorporated by reference herein as further findings of fact and conditions as applicable.
3. The Applicant has agreed to comply with all the terms and conditions of the Planning Board Professional review letters except as noted on the record.
4. The Applicant is hereby granted the following variance(s):
  - a. Per Section 285-103.D, a variance to allow 70.8% lot coverage where 40% lot coverage is permitted and 68.8% lot coverage exists; and
  - b. Per Section 285.215B, a variance to allow for an 8 foot high fence where a 6 foot high fence is permitted; and
  - c. Per Section 285.188B, a variance to allow for an accessory structure to be located in the front yard as the site has no specific rear yard but rather 2 frontages.
5. The Applicant is granted the following waiver(s):
  - a. Contours and exterior lighting.
6. This approval is granted based on the following conditions:
  - a. The proposed enclosure shall be constructed of concrete; and
  - b. The color of the enclosure shall be beige to accent the existing building; and
  - c. The Applicant shall work with the Board's Planner regarding landscaping.
7. The Plan is subject to review and approval of the following authorized review agencies, if applicable and if not already received, evidence of these approvals must be submitted to the Planning Board office prior to **final** signature:
  - a. Gloucester County Planning Board;
  - b. Gloucester County Soil Conservation District
  - c. Gloucester County Utility Authority
  - d. Washington Township Municipal Utilities Authority
  - e. Any other outside agency approvals that may be deemed necessary approval of and/or required for this project

8. If an inspection escrow, performance bond and/or maintenance bond are required with this application, an estimate of all on/off site improvements (excluding structures) must be reviewed and approved by the Washington Township Engineer. Any required performance Bond and/or inspection escrow and/or maintenance bond must be posted prior to the signing of any plans or deeds. Performance bonds and/or inspection escrows will be posted only for that portion of the Project where construction is about to commence.
9. The Applicant shall contact the Planning Board Office to settle any outstanding review and escrow accounts prior to the issuance of any building permits.
10. The Applicant must submit a certification that all taxes on the property have been paid to date.

**BE IT FINALLY RESOLVED** that the Applicant shall cause a brief notice of this Resolution to be published in the South Jersey Times at the Applicant's expense and to forward a copy thereto to the Board within ten (10) days of the date hereof.

This is a Resolution memorializing the vote taken by the Washington Township Planning Board at the aforesaid meeting held on June 8, 2017 and is hereby adopted at the meeting held on August 1, 2017.

WASHINGTON TOWNSHIP  
PLANNING BOARD

  
ALBERT FRATTALI, Chairperson

ATTEST:

  
CHRISTINE CIALLELLA, Secretary

ROLL CALL VOTE FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL

J. Gattinelli, Mayor	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
A. Frattali, Chair	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
T. McPoyle, V. Chair	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
E. D'Orazio, II	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
Joseph J. Perry, III	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
M. D'Ariano, IV	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input checked="" type="checkbox"/>
M. Martin, IV	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
T. Sparacio, IV	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
J. Bidinger, IV	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
B. Dennis (Alt #1)	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
R. Centrone (Alt #2)	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>

I certify the above to be a true copy of a resolution adopted by the Washington Township Planning Board at a regular meeting held on August 1, 2017 memorializing the action taken by the Board on June 8, 2017.

  
Christine Ciallella, Secretary

Date:

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