

RESOLUTION 2018 - 14

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD
GRANTING PRELIMINARY AND FINAL SITE PLAN AND MINOR SUBDIVISION
PLAN APPROVAL TO THE APPLICANT, HIA OWNERSHIP, LLC FOR
601 HOLLYDELL DRIVE
BLOCK 52, LOT 1.19
APPLICATION #2008**

WHEREAS, the Applicant/Owner, HIA Ownership, LLC, whose mailing address is 601 Hollydell Drive, Sewell, New Jersey 08080 is seeking preliminary and final site plan and minor subdivision approval to expand an existing recreational skating rink, which originally received approvals under Resolution 91-24 and 91-25; and

WHEREAS, the proposed improvements include a 7,260 square foot building addition, six (6) locker rooms, Zamboni storage room, a third, reduced size ice rink and relocated snack bar, potentially with a full-service bar; and

WHEREAS, the subject property is located at 601 Hollydell Drive also known as Block 52, Lot 1.19 in the CI – Commercial Industrial 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), which variance(s) were properly noticed in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12:

1. Section 285-134.D – Front yard setback;
2. Section 285-134.E – Side yard setback;
3. Section 285-134.F – Rear yard setback;
4. Section 285-134.H – Lot coverage;
5. Section 285-196.G – Parking stall size;
6. Section 285-196.I – Number of parking spaces; and

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

1. Land Development Checklist – Submission information;
2. Section 220-21 – Parking in front yard;
3. Section 220-36.F(1) – Drive aisle width; and

WHEREAS, in support of the application, the Applicant submitted a Preliminary and Final Site Plan and minor subdivision plan submission received February 22, 2018, consisting of the following:

Sheet	Title	Date	Latest Revision Date
1 of 6	Cover Sheet	01-22-18	02-22-18
2 of 6	Surrounding Features Plan	01-22-18	02-22-18
3 of 6	Existing Condition and Demolition Plan	01-22-18	02-22-18
4 of 6	Site, Grading and Utility Plan	01-22-18	02-22-18
5 of 6	Soil Erosion and Sediment Control Notes and Details Plan	01-22-18	02-22-18
6 of 6	Construction Details	01-22-18	02-22-18
1 of 1	ALTA/NSPS Land Title Survey	09-01-17	09-25-17

Sheets 1 of 6 through 6 of 6 were prepared, signed and sealed by Erik R. Littlehales, P.E., Consulting Engineer Services, 645 Berlin-Cross Keys Road, Suite 1, Sicklerville, New Jersey 08081, (856) 228-2200.

Sheet 1 of 1 was prepared, signed and sealed by Adam R. Grant, P.L.S., Consulting Engineer Services.

Environmental Impact Worksheet, Hollydell Ice Arena Expansion, Block 52, Lot 1.19, Washington Township, Gloucester County, New Jersey, prepared by Michael C. Dupras, MS, of CES, dated 2/23/18.

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 February 26, 2018; and
2. Michael Angelastro, Ph.D., P.E., PTOE, Board Engineer, submitted a report dated March 12, 2018; and
3. Richard E. Fini, PE, PP, CME, Planning Board Environmental Engineer, submitted a report dated March 5, 2018; and
4. Washington Township Environmental Commission review letter dated March 20, 2018; and
5. Letter dated March 19, 2018 from HollyDELL Schools signed by Gracanne Ryan, Executive Director/Superintendent.

WHEREAS, the Applicant was represented by Emily Givens, Esquire, at the April 3, 2018 hearing on this matter; and

WHEREAS, based upon the above, the Board, at the April 3, 2018 hearing date, finds as follows:

1. Emily Givens, Esquire stated she is representing the Applicant/Owner, HIA Ownership, LLC. for preliminary and final site plan approval with a minor subdivision/lot line adjustment.
2. Ms. Givens stated the application is for the property known as Hollydell Ice Arena located at 601 Hollydell Drive, also known as Block 52, Lot 1.19 and located in the Commercial Industrial Zone.
3. Ms. Givens stated the Hollydell Ice Arena has been in operation since 1991. Her client, James Mackey, acquired the property last year and is now prepared to make various interior changes and minor building additions to the complex and site.
4. Ms. Givens stated the Applicant is proposing a number of interior renovations including but not limited to an additional ice rink (i.e., 3rd ice rink), snack bar, first floor and second floor. Applicant has applied for a liquor license previously owned by Ruby Tuesday for this property. Applicant is proposing a second cross access parking agreement with the HollyDELL School. The Applicant currently has one agreement with the adjacent Owner (HollyDELL School) and will formalize a second agreement as well as a lot line adjustment with HollyDELL School to provide the Applicant with a five (5) foot side yard setback.
5. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, first addressed completeness of the application. Mr. Petrongolo stated there are some outstanding items; however, he had no objection to the request by the Applicant for waivers of various items except as to items 9, 13, 14, 41, 47 and 58. Mr. Petrongolo stated all other items have been or will be provided to the Board or be waived. As such, the application can be deemed complete.
6. Erik Littlehales, P.E., Applicant's Professional Engineer, testified about the application. Mr. Littlehales stated the property is located at 601 Hollydell Drive

and the Applicant has filed for preliminary and final site plan approval with a minor subdivision. The building is located on a 3.5 acre lot. The existing site is 154,000 square feet with two (2) ice rinks, a MAA gym and a Web Fitness. The existing on-site parking lot has 105 parking spaces. In addition to the on-site parking, the Applicant has use of Lot 1.09 from the adjacent Owner which has thirty nine (39) parking spaces in the front and seventeen (17) spaces in the rear, which parking spaces are not striped but used by buses. Also, Lot 1.18 has fifty three (53) additional parking spaces. There is also parking on Hollydell Drive which provides an additional twenty two (22) on street parking spaces for a combined total of 219 parking spaces. Also, the Applicant is proposing three (3) additions to the existing building.

7. Mr. Littlehales marked as Exhibit A-1 the Site Plan rendering. He stated the West side interior building addition will include six (6) locker rooms for use, for example, by Rowan University and teams who use the facility on a full time basis. The second addition to the North side of the building interior is to include additional locker room/coaches room. The third addition will be a storage room for the Zamboni machine. The Applicant does not propose any modifications to the existing parking on site. As to loading for the building, there are no loading zones but loading is generally done during off hours, late morning, and early afternoon. Peak usage of the facility is between 4:00 p.m. into the late evening hours. There are two (2) locations for loading, one location is in the back of the building and one location is at the front door which provides access to the elevator. Also, a second floor is proposed in the new addition for a future full service bar. As to the exterior improvements to the building, the Applicant proposes to replace existing lighting

with LED lighting and will submit a lighting plan to the Board Professionals for review and approval.

8. Mr. Littehales stated the Applicant does require variances. Currently on the West side of the property, a 20 foot side yard setback is required. Applicant proposes a 5 foot setback from an existing zero ("0") setback once the minor subdivision has been approved. As to lot coverage, 50% maximum is permitted, the site is currently at 52% and the Applicant proposes 54.6%. As to landscaping and plantings, Applicant is to work with Board Professionals. On the East side of the property where the Zamboni garage will be located, there will be two (2) equipment pads installed but the equipment will be located in the front yard which will require a variance but to be located within a screened wall.
9. Richard E. Fini, PE, PP, CME, Planning Board Environmental Engineer, stated the Township Tree Ordinance does not apply to this application and therefore, a waiver of same is okay.
10. Ronald Faul, Applicant's Professional Architect, testified about the application. The facility currently has two (2) ice skating surfaces within a one story building. The entrance to the building will remain the same. The addition will include a second story that would be 20 foot wide and the length of the building to be used for new locker rooms. The other addition will be for the Zamboni machine and an adjacent location for equipment to be placed on pads but to be screened by walls. Mr. Faul also stated the new roof will match the existing building.
11. Board Chairman Frattali asked about the Zamboni addition.
12. Mr. Faul stated the Zamboni addition (i.e. garage to park) will be attached to the building and accessed by a garage door from outside of the building and next to the garage there will be an outside dehumidifier system and compressors for cooling

the ice but these will be enclosed within a block wall approximately eight (8) feet in height.

13. Mr. Petrongolo submitted a report dated February 26, 2018. Mr. Petrongolo testified he had a phone conference with the Applicant's Engineer, Architect and Attorney. Mr. Petrongolo stated the Applicant has basically agreed to comply with his letter. Mr. Petrongolo stated there are variances required which include lot coverage, front, side and rear yard setbacks, parking stall size and the number of parking spaces. Mr. Petrongolo stated he had no objection to the requested variances since the impact is minor to the site.
14. Mr. Petrongolo stated the Applicant needs a variance for side yard setback. The Township requires a 20 foot side yard. The Applicant, as part of this application, is obtaining additional land from the adjacent owner and will then be providing a 5 foot setback where a zero setback currently exists to offset the variance impact on the existing side yard. Mr. Petrongolo stated the Board needs to look at this project as one complete complex. The improvements proposed will have no visible impact on adjacent neighbors and does meet the zoning plan. The Applicant is to enter into a second agreement with the adjacent owner (i.e., HollyDELL School) for parking.
15. Mr. Petrongolo addressed parking at the site. He stated there is parking onsite. The Applicant will have a second agreement with the adjacent owner (i.e., Holly DELL School) for additional parking and Township Ordinance allows and encourages shared parking arrangements; therefore, he had no objection to the parking proposed for this application.
16. Mr. Petrongolo stated there are no specific loading zones but since this is an existing business, there are no known negative experiences or knowledge of any

problems with how loading is done. Therefore, he had no objection to the current loading locations used for this site.

17. As to the size of the parking spaces, the Applicant proposes 9 x 18 foot parking spaces where 10 x 18 is required. A variance is required and Mr. Petrongolo had no objection.
18. Mr. Petrongolo stated as to the planting design, the Applicant should provide additional shade trees on the islands and has agreed to do same and to work with his office.
19. Mr. Petrongolo stated as to lighting, the Applicant has agreed to revise the existing lighting to include LED and to submit said revised lighting plan to Mr. Petrongolo, which lighting will have less of an impact on the site.
20. Mr. Petrongolo addressed the trash enclosure which is located on the adjacent site.
21. Mr. Petrongolo addressed the signage and stated the Applicant is not proposing any new signage.
22. Mr. Petrongolo stated the Applicant should acknowledge that in the event the project generates any Affordable Housing Obligation, the Applicant will be required to meet same.
23. Ms. Givens acknowledged the Applicant understood and would meet any Affordable Housing Obligation, if any.
24. Mr. Petrongolo stated the Applicant needs a variance for the equipment building walls to be located in the front yard. Also, Township Ordinance does not allow for equipment to be enclosed. However, Mr. Petrongolo had no objection to the proposed enclosed wall design for the equipment.
25. Otherwise, Mr. Petrongolo had no objection to a waiver of the remaining sections in his reports.

26. Richard E. Fini, PE, PP, CME, Planning Board Environmental Engineer, submitted a report dated March 5, 2018. Mr. Fini testified the Environmental Impact Worksheet submitted by the Applicant indicates there have been no past instances. The tree removal ordinance does not apply to this application. The Applicant's request for a waiver of the Environmental Impact Statement is appropriate. Mr. Fini stated this is an active business site and the request for a waiver of the Phase 1 Environmental Assessment is appropriate. Mr. Fini stated he does recommend Best Management Practices which includes a parking lot operation and maintenance plan and a pesticide management plan be provided for this site. Mr. Fini asked about any soil removal from the site and the need to submit cut and fill quantities to see if a Soil Removal Permit is needed.
27. Erik Littlehales, P.E., stated there are areas where the additions will be built that will have top soil removed.
28. Mr. Fini stated if soil is removed, then there is a need for the soil removal to be approved by the Planning Board and if so, some testing of the soil may be needed and the Applicant should work on a soil removal plan.
29. Mr. Littlehales stated the Applicant may have a location on site to use the top soil.
30. Mr. Fini stated it would be best if any soil be reused on site.
31. Mr. Fini addressed recycling and stated there is no trash enclosure on this site. He asked about recycling at the site and reporting of recycling to the Township.
32. Mr. Littlehales stated the trash enclosure used by the Applicant is located at the HollyDELL School. There is a trash agreement, which is a shared agreement by both facilities.

33. Mr. Fini stated he would request the Applicant provide information on how recycling is handled and to let the Township know and/or have the Township recycling coordinator follow up regarding recycling by both businesses.

34. Michael Angelastro, Ph.D., P.E., PTOE, Board Engineer, submitted a report dated March 12, 2018. Mr. Angelastro testified he did speak with the Applicant. The Applicant has agreed to his report. Also, he is okay with the parking currently provided for this site; and

WHEREAS, the April 3, 2018 meeting was open to the public and the following individuals from the public commented on the application:

1. Vicki Binetti, Chairperson of the Washington Township Environmental Commission, stated the Commission submitted a letter dated March 20, 2018. She addressed a few items to the Board by stating the Commission had no objection to the waiver of the Environmental Impact Statement or the Phase 1 Environmental Assessment. She stated the Commission believed there is one (1) tree on the site where Township Ordinance may apply and which tree is approximately 19 ½ inches but not easily seen on the site.
2. Mr. Fini stated he did not see such a tree on this site.
3. Mr. Petrongolo stated the Applicant will be providing four (4) trees and five (5) shrubs as well as adding additional trees to the site; and

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

1. The subject property is located in the CI - Commercial Zone.
2. The Applicant is requesting Preliminary and Final Site Plan and Minor Subdivision Approval to expand an existing recreational skating rink, to include a 7,260 square foot building additions, six (6) locker rooms,

Zamboni storage room, a third, reduced size ice rink and relocated snack bar, potentially with a full-service bar.

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 and existing use and consistent with the Township's Master Plan.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Planning Board that the application for Preliminary and Final Site Plan and Minor Subdivision Approval with variances and waivers for the Applicant, HIA Ownership, LLC is hereby **GRANTED** subject to the following terms and conditions:

1. Applicant to provide any remaining submission items to the Township Planner.
2. All of the Agreements and/or representations made by the Applicant as set forth at the hearing in this matter or as contained in this Resolution must be fully satisfied by the Applicant.
3. 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.
4. The Applicant testified that it will comply with all the terms and conditions of the Planning Board Professional review letters except as noted on the record.
5. The Applicant is hereby granted the following variance(s):
 - a. Section 285-134.D – Front yard setback of 47.6 feet on Hollydell Drive and 25.8 feet on E. Holly Avenue where 50 feet is required;
 - b. Section 285-134.E – Side yard setback of 5 feet where 20 feet is required;
 - c. Section 285-134.F – Rear yard setback of 24 feet where 35 feet is required;
 - d. Section 285-134.H – Lot coverage of 54.6% where 50% is permitted;
 - e. Section 285-196.G – Parking stall width size of 8.9 feet to 9.3 feet where 10 feet is required.
 - f. Section 285-196.I – Number of parking spaces of 219 with 105 on site, 92 by way of two (2) cross easements with adjacent owner and with 22 on street spaces.

6. The Applicant is hereby granted the following waiver(s):
 - a. Land Development Checklist – Submission information as agreed except for items, 9, 13, 14, 41, 47 and 58;
 - b. Section 220-21 – Parking in front yard to allow the pre-existing non-conforming condition which was part of a prior approval and, therefore, a waiver is not necessary;
 - c. Section 220-36E(1) – Drive aisle width of less than 25 feet per pre-existing, non-conforming condition of site.

7. This approval is conditioned upon the following:
 - a. Applicant submitting the Minor Subdivision/Lot Line Adjustment Deeds to the Planning Board Professionals for review and approval prior to recording at the County Clerk's Office.
 - b. Applicant submitting the second Shared Parking Agreement between the Applicant and HollyDELL, Inc. for the property operated at the corner of Hollydell Drive and East Holly Avenue (Block 52, Lot 1.18) to the Board Professionals for review and approval prior to recoding at the County Clerk's Office.
 - c. Applicant to submit lighting plan which incorporates LED to Board Professionals for review and approval.
 - d. Applicant to work with Board Planner to finalize landscaping and plantings for this project.
 - e. Applicant to provide Best Management Practices for parking lot operation and maintenance plan and a pesticide management plan to Board.
 - f. Applicant to provide information to Board on how recycling is handled between the two parties.

8. This approval is granted upon the following:
 - a. Applicant is granted a waiver from the Township Tree Ordinance.
 - b. Applicant is approved for use of the existing locations for loading zones.
 - c. Applicant to meet any Affordable Housing Obligations, if any, generated by this project.

9. Twelve (12) copies of the final site plan should be submitted for review, approval and signature.

10. 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. Washington Township Fire Marshall
 - f. Any other outside agency approvals that may be deemed necessary approval of and/or required for this project

11. 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.

12. The Applicant shall contact the Planning Board Office to settle any outstanding review and escrow accounts prior to the issuance of any building permits.

13. The Applicant must submit a certification that all real estate taxes on the property that isn't exempt 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 April 3, 2018 and is hereby adopted at the meeting held on May 3, 2018.

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 checked="" 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 checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
M. D'Ariano, IV	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" type="checkbox"/>	ABSTAIN	<input type="checkbox"/>
E. Metz, Jr., IV	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input 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 type="checkbox"/>	NO	<input type="checkbox"/>	ABSENT	<input checked="" 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 May 3, 2018 memorializing the action taken by the Board on April 3, 2018.

Date: *May 3, 2018*

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