

RESOLUTION 2019 - 14

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD
GRANTING APPROVAL FOR SITE PLAN WAIVER AND SIGN VARIANCES
TO THE APPLICANT, AT HOME STORES, LLC
BLOCK 19, LOT 8 (5700 ROUTE 42)
APPLICATION #2027**

WHEREAS, the Applicant, At Home Stores, LLC, whose mailing address is 1600 E. Plano Parkway, Plano, Texas 75074, has filed an Application to the Township Planning Board for property owned by Turnersville UE LLC whose mailing address is 210 Route 4 East, Paramus, NJ 07652 requesting a waiver of site plan and sign variances for property located at 5700 Route 42, Washington Township, New Jersey and known as Block 196, Lot 8, on the Washington Township Tax Maps; and

WHEREAS, the subject property is located in the Shopping Center (“SC”) Zone; and

WHEREAS, no site improvements are proposed by the Applicant; and

WHEREAS, the Applicant seeks a site plan waiver to allow a retail use in an existing retail building, previously used for retail sales. Also, one (1) freestanding sign and three (3) façade signs are proposed along with minor changes to the parking area and facade; and

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

Variations: Section 199-4.B – Site Plan Waiver

Waivers: Land Development Checklist – Submission Information; and

WHEREAS, in support of the application, the Applicant submitted a waiver of site plan/minor site plan submission received at the Planning Office on January 18, 2019, consisting of the following:

Sheet	Title	Date	Latest Revision Date
AS1.1	Site Plan	---	---

Sheet AS1.1 was prepared by Callaway Architecture, 1207 Hampshire Lane, Richardson, Texas 75080, (214) 368-2525; and

WHEREAS, the Applicant was represented by Robert Mintz, Esquire at the April 2, 2019 hearing on this matter; 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, LLA, R.L.A., P.P., Board Planner, submitted a report dated January 25, 2019; and

WHEREAS, based upon the above, the Planning Board, at the April 2, 2019 meeting date, finds as follows:

1. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, stated there are no completeness issues on this application since the request is for a waiver of site plan.
2. Robert Mintz, Esquire, Applicant's attorney, stated the subject property is the existing "Dump" furniture store located at 5700 Route 42. The property is located in the SC Zone.

3. The Applicant, At Home Stores, LLC, is a home décor store that stocks over 50,000 items with approximately 180 current stores and continuing to grow in the United States.
4. Mr. Mintz stated the Applicant is requesting site plan waiver. There will be no building changes. There will be some façade enhancement and some parking lot changes. The application is subject to Fire Marshal review.
5. Mr. Mintz stated the Applicant is also requesting a variance for signage. As to the existing free standing pole signage, the Applicant will only be changing the media content to reflect the new store. The Applicant does, however, propose to install three (3) new façade signs.
6. Andrew Moon, Applicant's Development Manager, testified that the Applicant, At Home Stores, LLC, is a home décor super store. The store generally employs between 15-35 employees with an average of 25 employees per store. The store does carry a considerable amount of décor items for homes from rugs to pillows to furniture. Mr. Moon stated the normal store business hours for operation are generally Monday through Saturday from 9:00 a.m. to 9:00 p.m. and Sunday from 10:00 a.m. to 9:00 p.m.
7. Mr. Moon stated his company is excited and looking forward to moving into Washington Township.
8. Mr. Mintz stated as to the proposed façade enhancements, the Applicant needs to meet its corporate identity look but is not changing the footprint of the site.
9. Mr. Mintz stated as to installing a sidewalk in front of the property, the Applicant is requesting a waiver of constructing the sidewalk and instead, payment of the cost to the Township. Mr. Mintz stated the trash for the

property will be removed by a private trash hauler. The Applicant does recycle and uses a third party to collect the recyclables from their site.

10. Mr. Mintz stated the Applicant is requesting a waiver from Section 199-4.B, site plan waiver, since there is no change in the footprint of the store, no change to the number of parking spaces or any utility extension.

11. Mr. Petrongolo stated the Applicant is also requesting a sign variance to permit three (3) façade signs where only one (1) façade sign is permitted.

12. Tiffany CuvIELLO, P.P., Applicant's Professional Planner, testified about the Application and the need for the sign variance. She stated the former "Dump" store had an existing 530 square foot façade sign at 10 feet high by 53 feet wide. The Applicant proposes one (1) main "At Home" front façade sign at 230.6 square feet. A second façade sign on the front of the building would say "The Home Décor Superstore" at 98.20 square feet and a third sign on the façade side of the building would say "At Home" at 92 square feet for a total of 420.72 square feet of building façade signage.

13. Mr. CuvIELLO stated the Applicant is actually proposing less façade signage than the existing signage at the Dump property. The proposed signage is appropriate. The building is set back at a great distance from the Black Horse Pike thereby requiring the needed additional visibility to the public on a very large building. The existing signage is at 2% of coverage whereas the proposed signage is less than 2% of coverage.

14. Mr. CuvIELLO stated the purpose of a C-2 variance is advanced here by the added visibility to the public, which benefits outweigh any detriment from the required 40 square foot small and illegible façade sign per Township Ordinance. There is no detriment to the neighborhood. The building is set

back at a great distance. There are two (2) existing pad site businesses located in front of the building along the Black Horse Pike which are not impacted by the proposed signage. On balance, the benefits outweigh any possible detriment.

15. Mr. Mintz stated the large front façade sign would be seven (7) feet tall at a length of 33 feet. The current large front façade sign is ten (10) feet tall at a length of 53 feet. That is, the Dump front façade sign is 530 square feet whereas the new front façade sign would be at a reduced size of 230 square feet.

16. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, submitted a report dated January 25, 2019. Mr. Petrongolo stated the Applicant is requesting a waiver of site plan per Section 199-B4. Specifically, the Applicant must show an existing building, no new construction, no extension of the on-tract parking requirements, no change in the existing drainage, no off-site improvements and no additional utility connections. Here, the Applicant is proposing just some interior improvements and some façade improvements. No additional doors to be added to the building, some repainting of the parking lot and addressing ADA parking. Mr. Petrongolo stated a waiver of site plan would be appropriate for this application.

17. Mr. Petrongolo stated the Applicant does require a variance for the proposed signage. However, no variance is required for the free standing pole sign since the Applicant is only reskinning the existing pole sign and is not changing the square footage. As to the three (3) façade signs, Township Ordinance permits one (1) façade sign at 40 square feet at a height of three (3) feet. The Applicant is proposing a total of three (3) façade signs. In this case,

the Board should look at the size of the building. Mr. Petrongolo stated the proposed signage is appropriate given the particular building size and setback from the Black Horse Pike and by adding two (2) more façade signs, the total square footage is still less than the previous signage and therefore, the impact is minimal.

18. Mr. Petrongolo stated he calculated the total signage for the three (3) façade signs based upon the one front façade sign (The Home Décor Superstore) at 98.20 square feet, one front façade sign (“At Home”) at 230.60 square feet and the one side façade sign (‘At Home’) at 92 square feet for a total of 420.80 square feet . Although the Applicant is proposing three façade (3) signs, the impact from the three (3) façade signs is minor. There is no impact upon the neighborhood.
19. Mr. Petrongolo stated he had no objection to the sidewalk waiver request based upon a cash contribution in lieu of construction of the sidewalk along the road frontage.
20. Board Member Dennis stated since the Applicant will not be putting in sidewalks on the road frontage, the site has very little landscaping and asked if the Applicant could spruce the site up.
21. Mr. Petrongolo stated if this was a site plan application, then the Board would have that ability to require same but since it is not a site plan, the Board cannot ask for it.
22. Board Member President Frattali asked what location are we talking about.
23. Mr. Mintz stated the Applicant is willing to work with the Board professionals to address landscaping at the entrance around the free standing pole sign.

24. Richard Fini, P.E., Board Environmental Engineer, stated that he did not submit a report but is requesting that the Applicant have an Operation Maintenance Plan to address the large parking lot, which plan would help to address storm water management. Mr. Fini stated he would be happy to submit a sample plan to the Applicant. He also stated the Applicant should report their recycled quantities to the Township for the Township recycling reporting requirements with the State of New Jersey.

25. Mr. Mintz stated the Applicant is okay with Mr. Fini's suggestion about the Operation Maintenance Plan for the parking lot and his request about reporting of the recycling information to the Township.

26. Board Member Centrone asked about shopping carts and the impact on the parking lot.

27. Mr. Mintz stated the Applicant will collect the carts.

28. Board Member Sparacio asked if the Applicant was doing anything to the outside of the building.

29. Mr. Mintz referred to Exhibit A, marked 2/20/19, showing the building elevation with the new façade and the opposite side of the building.

30. Jasmine Castillo, Applicant's Project Manager, verified to the Board the elevation and look of the building as depicted in Exhibit A; and

WHEREAS, the meeting was opened 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 Shopping Center ("SC") Zone.

2. The Applicant is requesting a waiver of site plan to allow a retail use in an existing retail building and a sign variance.
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 variance(s) and/or waiver(s). It was the finding of the Planning Board that the variance(s) and/or waiver(s) 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 variance (s) and/or waiver(s) were required given the existing commercial building use and site conditions.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Planning Board that the application for a waiver of site plan and sign variance by the Applicant, At Home Store, LLC, is hereby **GRANTED** by the Planning Board, subject to the following terms and conditions:

1. 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.
2. All of the initial findings of fact, conclusions and conditions as set forth in the “Whereas” recital paragraphs of this Resolution and as set forth above are hereby incorporated by reference herein as further findings of fact and conditions as applicable.
3. The Applicant testified that it will comply with all the terms and conditions of the Planning Board Professional review letters as noted on the record.
4. Applicant is granted a waiver of site plan.

5. Applicant's hours of operation to be Monday through Saturday, 9:00 a.m. to 9:00 .m. and Sunday from 10:00 a.m. to 9:00 p.m.
6. Applicant is granted a sign variance for three (3) façade signs as follows:
 - a. One front façade sign ("At Home") at 231 square feet.
 - b. One front façade sign (The Home Décor Superstore) at 98.20 square feet.
 - c. One side facade sign ("At Home") at 92 square feet.
7. Applicant has agreed to a cash contribution to the Township in lieu of installation of a sidewalk along the road frontage. The amount of the cash contribution shall be limited to the net road frontage on Route 42 after crediting the Applicant for the two (2) existing pad lots (i.e., Verizon and Boston Market) along Route 42.
8. Applicant has agreed to voluntarily add landscaping around the existing free standing pole sign in cooperation with the Township Planner.
9. Applicant has agreed to submit an Operation Management Plan for the parking lot.
10. Applicant has agreed to remove trash by private hauler and to report recycling quantities to the Township.
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.

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 taxes on the property have been paid to date.
14. The Plan is subject to review and approval of the following authorized review agencies, if applicable, with evidence of these approvals to 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. New Jersey Department of Environmental Protection
 - f. New Jersey Department of Transportation
 - g. Washington Township Fire Marshall
 - h. Any other outside agency approvals that may be deemed as a necessary approval of and/or required for this project


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 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 2, 2019 and is hereby adopted at the meeting held on May 9, 2019.

WASHINGTON TOWNSHIP PLANNING
BOARD


TERRY McPOYLE, Vice Chairperson

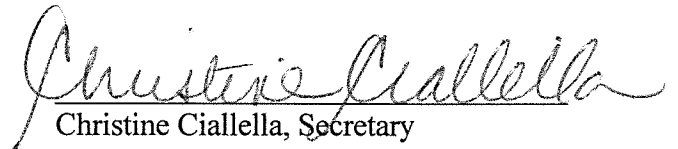
ATTEST:


Christine Ciallella, Secretary

ROLL CALL VOTE

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

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 9, 2019, memorializing the action taken by the Board on April 2, 2019.


Christine Ciallella, Secretary

Date: May 9, 2019