

RESOLUTION 2019-18

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD
GRANTING A WAIVER OF SITE PLAN AND BULK VARIANCES FOR THE
APPLICANT,
BRIXMOR CROSS KEYS COMMONS, LLC
BLOCK 115.01, LOT 23
3501 ROUTE 42
APPLICATION #2033**

WHEREAS, the Applicant/Owner, Brixmor Cross Keys Commons, LLC c/o Brixmor Property Group, Inc., whose mailing address is One Fayette Street, Suite 150, Conshohocken, Pennsylvania 19428, is requesting waiver of site plan and bulk variances for the installation of three new interior directional way-finding signs, replacement and relocation of an existing shopping center sign located along Tuckahoe Road, expansion of sidewalk adjacent to the existing building to create a seating area, installation of six new illuminated signs on the façade of the existing building, installation of two new crosswalks with ADA ramps and the removal of four existing parking spaces; and

WHEREAS, the property is located within the Washington Square Recoupment area with underlying zoning of HC (Highway Commercial) Zone of the Township of Washington; 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 requires the following waivers:

1. Land Development Checklist – Submission Information

WHEREAS, the Applicant requires the following variances:

1. Section 285-230.B.(4) Freestanding sign height

2. Section 285.231.B Freestanding sign of area
3. Section 285.230A.(1) Façade sign
4. Section 285-231.J Number of road frontage signs
5. Section 285-225.B.(7) Directional signs

WHEREAS, in support of the application, the Applicant submitted a Waiver of Site Plan submission received July 22, 2019, consisting of the following:

Sheet	Title	Date	Latest Revision Date
CO.1	Cover Sheet	07-16-19	---
CO.2	Site Plan	07-16-19	---
1 of 1	Signage Rendering	07-19-16	---

Sheets CO.1 and CO.2 were prepared, signed and sealed by Alan R. Carpenter, P.E., CPH, 550 N Main Street, Suite 6, Attetboro, Massachusetts 02703 (508) 659-7020.

The signage rendering was prepared by CPH; 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, RLA, PP, Board Planner, submitted a report dated August 6, 2019; and

WHEREAS, the Applicant was represented by Richard Goldstein, Esquire, at the September 3, 2019 hearing on this matter; and

WHEREAS, based upon the above, the Board, at the September 3, 2019 hearing 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. Richard Goldstein, Esquire, Applicant's attorney, stated that the property is an irregularly shaped lot with an existing shopping center. He stated the proposal is to add signage for the existing lot without changing the footprint or drainage.
3. Mr. Goldstein stated the proposal was to replace the sign fronting Tuckahoe Road, add three interior directional signs, add a seating area, and remove four parking spaces.
4. Alan Carpenter, the Applicant's engineer, stated that he has an extensive commercial development background and has worked on approximately thirty shopping centers as an engineer. Mr. Richards offered Mr. Carpenter as an expert.
5. Mr. Carpenter stated the site is approximately 26.7 acres wrapped around a Walmart and the total commercial development made up approximately 60 acres.
6. Mr. Richards offered an overall site plan prepared by Mr. Carpenter as Exhibit A-1, a depiction of directional signs prepared by Mr. Carpenter as Exhibit A-2, and a depiction of six decorative logos to be placed on facades prepared by Mr. Carpenter as Exhibit A-3.
7. Mr. Carpenter stated that the Applicant proposes to add one directional sign at an entrance to the shopping center at Tuckahoe Road. He stated that this sign would be 99.66 square feet.
8. Mr. Carpenter stated that the Applicant proposes to replace three 64 square foot interior monument signs within the property with new 99.66 square foot directional signs,

9. Mr. Carpenter stated that Applicant proposes to display six 36 square foot emblems on six locations around the building, which will replace three existing circular windows.
10. Mr. Carpenter stated that the benefits of the signage will outweigh the detriment.
11. Mr. D'Ariano asked if the directional sign would be placed by Blackhorse Pike and expressed concern about placing a sign unsafely close to that street.
12. Mr. Carpenter stated the sign would be at the Tuckahoe Rd. entrance and not along the Blackhorse Pike.
13. Mr. Sparacio asked if the Emblems would be lit.
14. Mr. Carpenter stated the Emblems would be lit.
15. Mr. Petrongolo asked if the signs would also be lit.
16. Mr. Carpenter stated the signs would be lit.
17. Mr. Petrongolo asked if the signs and emblems would be internally lit.
18. Mr. Carpenter stated the signs and emblems would be internally lit.
19. Mr. Petrongolo stated that the Applicant had requested a variance under Section 285-231B, requiring signs located in the Highway Commercial District to conform to Section 285-230, except that freestanding signs in the HC zone shall be permitted up to 50 square feet in area on each side as the applicant is proposing one freestanding sign which is 99.66 square feet.
20. Mr. Petrongolo stated that the Applicant had requested a variance under Section 285-231.J, which states businesses shall be permitted one freestanding sign for each road frontage on the project, while the applicant is proposing removal of an

existing sign and replacement with a new sign along the road frontage where there are currently eight existing freestanding signs.

21. Mr. Petrongolo stated that the Applicant had requested a variance under Section 285-225.B.(7), which states directional signs shall not exceed 2 square feet, while the applicant is proposing directional signs that are 99.66 square feet.
22. Mr. Petrongolo stated that the Applicant had requested a variance under Section 285-230.A.(1), which states each tenant is allowed one façade sign not to exceed three feet in height and the length may vary based on the store frontage width, and that in addition there shall be at least six feet between each sign. The applicant is proposing six illuminated façade signs on the front of the existing building, which will be 36 square feet each.
23. Mr. Petrongolo stated that the Applicant had requested a variance under Section 285-230.B.(4), which states all freestanding signs shall be ground-based monument signs not to exceed six feet in height and shall not be raised in the air on poles. The applicant is proposing one freestanding sign which is 8.25 ft high.
24. Mr. Petrongolo stated due to the safety features, the benefits of the Applicant's proposal outweigh the detriments and the proposed improvements will improve safety.
25. Mr. Petrongolo stated the elimination of four parking spaces will have minimal effect.
26. Mr. D'Ariano asked if the parking spaces were being removed in order to comply with the A.D.A.

27. Mr. Petronogolo stated they were being moved to comply with the A.D.A. and to create seating space.

WHEREAS, the meeting was open to the public and there were no comments from the public on this application; and

WHEREAS, based upon the above factual findings, the Planning Board has come to the following conclusions:

1. The subject property is located within the Washington Square Redevelopment area with underlying zoning of HC (Highway Commercial) Zone of the Township of Washington.
2. The Applicant is requesting waiver of site plan and bulk variances for the installation of three new interior directional way-finding signs, replacement and relocation of an existing shopping center sign located along Tuckahoe Road, expansion of sidewalk adjacent to the existing building to create a seating area, installation of six new illuminated signs on the façade of the existing building, installation of two new crosswalks with ADA ramps and the removal of four existing parking spaces.
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 waivers

were required given the existing site conditions and based upon the property's present use as a commercial shopping center.

NOW, THEREFORE, BE IT RESOLVED, on the 3rd day of September, 2019, by the Washington Township Planning Board that the application by the Applicant, Brixmor Cross Keys Commons, LLC c/o Brixmor Property Group, Inc. for Waiver of Site Plan and bulk variances approval with variances and waivers on property known as Block 115.01, Lot 23 on the Washington Township Tax Maps, be and is hereby **GRANTED**, pursuant to the plan submitted and 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 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 unless otherwise noted on the record.
4. The Applicant is granted waiver of site plan.
5. The Applicant is granted the waivers as identified on the record and/or agreed to by the Applicant and/or contained in this Resolution.
6. Applicant is granted the following waivers:

- A. Current title report (including protective covenants and deed restrictions affecting the property).
 - B. Deeds and legal descriptions (right-of-way dedication; sight triangles; lot consolidation; easements).
 - C. Submission of a current outbounds survey plan signed, sealed and certified by a NJ licensed Land Surveyor.
7. The Applicant shall be responsible to satisfy any Affordable Housing Obligation generated by this project.
8. The Waiver of Site Plan is subject to review and approval of the following authorized review agencies, if required, and 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. Washington Township Environmental Commission
 - d. Washington Township Municipal Utilities Authority
 - e. Washington Township Fire Marshall
 - f. Any other outside agency approvals that may be deemed necessary.
9. The Applicant is granted the following variances as identified on the record and/or agreed to by the Applicant and/or as contained in this Resolution:
- a. Section 285-230.B.(4) Freestanding sign height
 - b. Section 285.231.B Freestanding sign of area
 - c. Section 285.230.A(1) Façade sign
 - d. Section 285-231.J Number of road frontage signs
 - e. Section 285-225.B.(7) Directional signs
10. 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.

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

12. 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's decision 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 September 3, 2019 and is hereby adopted at the meeting held on September 3, 2019.

WASHINGTON TOWNSHIP
PLANNING BOARD


ALBERT FRATTALI, Chairperson

ATTEST:

CHRISTINE CIALLELLA, Secretary

ROLL CALL VOTE

J. Gattinelli, Mayor	YES	NO	ABSENT	✓	ABSTAIN
A. Frattali, Chair	YES /	NO	ABSENT		ABSTAIN
T. McPoyle, V. Chair	YES /	NO	ABSENT		ABSTAIN
E. D'Orazio, II	YES	NO	ABSENT	✓	ABSTAIN
J. Perry, III	YES /	NO	ABSENT		ABSTAIN
M. D'Ariano, IV	YES /	NO	ABSENT		ABSTAIN
E. Metz, Jr., IV	YES	NO	ABSENT	✓	ABSTAIN
T. Sparacio, IV	YES	NO	ABSENT		ABSTAIN /
J. Bidinger, IV	YES	NO	ABSENT	✓	ABSTAIN

B. Dennis (Alt #1) YES NO ABSENT ABSTAIN
R. Centrone (Alt #2) YES NO ABSENT 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 September 3, 2019 memorializing the action taken by the Board on September 3, 2019.


CHRISTINE CIALLELLA, Secretary