

RESOLUTION 2018 - 12

**A RESOLUTION OF THE WASHINGTON TOWNSHIP PLANNING BOARD
GRANTING SIGNAGE APPROVAL TO THE APPLICANT,
KABIN, LLC, BLOCK 193, LOT 6.03
431 EGG HARBOR ROAD
APPLICATION #2006**

WHEREAS, the Applicant, Kabin, LLC whose mailing address is 491 Egg Harbor Road, Sewell, New Jersey 08080 has submitted an Application requesting signage approval for property located at 431 Egg Harbor Road, Sewell, New Jersey 08080; and

WHEREAS, the subject property is located in the Residence District B Zone; and

WHEREAS, the Applicant had previously received preliminary and final site plan approval under Resolution 2012-10 and amended final site plan approval under Resolution 2014-16; and

WHEREAS, the Applicant now seeks approval to construct a freestanding sign, which is both taller and larger in size than permitted by ordinance; 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 variances were properly noticed in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12; and

Section 285-228.A – Area of freestanding sign
Section 285-228.E – Height of freestanding sign; and

WHEREAS, the Applicant is not requesting any waiver(s); and

WHEREAS, in support of the application, the Applicant submitted a signage submission received on January 10, 2018 consisting of the following:

Sheet	Title	Date	Latest Revision Date
SK-5	Sign Detail	01-05-18	---
SP-1	Site Plan	04-10-14	10-2716

The plans were prepared, signed and sealed by Charles J. Chelotti, P.E., Engineering Design Studio, LLC, 201 Market Street, Camden, New Jersey 08102, (856) 203-7447; 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 January 29, 2018; and

WHEREAS, the Applicant was represented by Kathie L. Renner, Esquire, at the February 6, 2018 hearing on this matter; and

WHEREAS, based upon the above, the Board, at the February 6, 2018 hearing date, finds as follows:

1. Kathie L. Renner, Esquire stated that she is representing the Applicant tonight for the sign variances.
2. Joseph M. Petrongolo, L.L.A., R.L.A., P.P., Board Planner, stated the application is actually an amendment or continuation of the previously approved application and the Applicant is now seeking approval for free standing signage. Otherwise, the application had received completeness when approved.
3. Kathie L. Renner, Esquire stated the Applicant is seeking two variances tonight. By way of summary, the property is located at 431 Egg Harbor Road and is a brand new professional office built by the Applicant. The first variance is for the overall size of the sign wherein the Applicant is proposing a 15 square foot sign where a 2 square foot sign is permitted in the B zone for this type of use. The second variance is for the height of the sign at 6.5 feet where 5 feet is permitted.
4. Kathie L. Renner, Esquire identified the Applicant's Exhibits submitted for this application to the Board.

5. Charles Chelotti, PE, Applicant's Professional Engineer, testified about the proposed sign. First, he stated the Applicant has been through a lengthy process with the County Planning Board over the entire approved project which resulted in other requirements for development of the site. Presently, the County standards do not allow for placement of the sign as close to the roadway as does Township Ordinance.
6. Mr. Chelotti testified about what the sign would look like when installed at the proposed location. Basically, the sign would be located 30 feet back from the curb. As such, the permitted two (2) square foot sign by Township Ordinance would be almost impossible to see when passing by the site. The Applicant has concerns over someone inadvertently pulling into the property by mistaking it to be a house rather than a professional office. The Applicant has a strong belief that a larger sign is very important for safety and visibility.
7. Mr. Chelotti testified the variance for the height of the sign is needed due to the deep sloping nature of the site and the way the hill on the lot is graded. If the sign was at the lower point of the lot, then the sign would never be seen from vehicles travelling on Egg Harbor Road from Greentree Road. The Applicant is trying to avoid any confusion as to identification of the office.
8. Ms. Renner stated the Applicant is requesting a 1 ½ foot height difference from what is permitted.
9. Mr. Petrongolo stated based upon his measurements from the drawings, we are at 5.4 inches on the one side of the sign.
10. Mr. Chelotti stated the Applicant proposes to have the sign on a stone base and the lettering would be focused on getting the name as high up on the sign as possible so a person would see the name first when approaching the site.

11. Ms. Renner asked the Applicant's engineer to address the proposed sign in relation to other signage in the immediate area.
12. Mr. Chelotti stated there is similar signage in the area with some smaller; whereas, the Acme signage up the street is much larger. The Applicant has spent a lot of time with their designer regarding the final sign design. The stone to be used on the sign will match the building.
13. Board Member Centrone asked if the current free standing plywood sign at the property is similar in size to what is being proposed tonight.
14. Lorina Riggs-Kadar, Co-Owner/Applicant testified she put the plywood sign in place so she could get an idea as to how the sign would look but it is only an example at this point.
15. Ms. Kadar stated she had the plywood sign scaled to what the proposed sign would look like so she could have an actual sign to compare versus something on paper. She had someone create the sign which is not a bright neon sign but lit from within the sign.
16. Board Member Sparacio asked what was the overall height of the sign.
17. Mr. Petrongolo stated the sign height is 6.6 feet from the downhill side of the property and 5.4 feet from the uphill side of the property.
18. Mr. Petrongolo stated the Applicant could drop the base 6 inches on the one side. The property is located in the B zone; whereas, the Acme is located in the Neighborhood Commercial zone.
19. Mr. Petrongolo stated there is a pocket of residential properties in this zone. He stated signage and sign heights have been an issue in Washington Township and those issues are being currently looked at by the Planning Board.

20. Mr. Petrongolo stated the Township Ordinance permits a two square foot sign for this type of business in this particular zone. There are other size signs permitted in the Township up to and including 50 square feet in other zones. Here, the Applicant proposes a 15 square foot sign with the requested heights as noted by the Applicant.
21. Ms. Renner stated while it would have been better to come in with a 5 foot high sign, unfortunately, due to the slope on the lot, the Applicant needs to mitigate site conditions. If more acceptable to the Board, the Applicant can make the sign at a 5 foot maximum height on the one side and then only exceed the sign height on the other side.
22. Board Member Sparacio asked what if we were to cut down the size of the sign.
23. Ms. Renner stated we're looking at an additional 1.6 inches on the sloping side and 5.4 inches on the other side. The Applicant could change the one side to a 5 foot height and thereby only ask for one variance for the one side of the sign.
24. Ms. Renner stated the Applicant could drop the sign height by 4 inches on the one side to 5 feet but a variance is still needed for the other side of the property due to the slope.
25. Mr. Petrongolo stated a variance would still be needed for the sign.
26. Mr. Petrongolo stated the Applicant is willing to drop the sign by 4 inches on the one side to a conforming height of 5 feet.
27. Mr. Petrongolo submitted a report dated January 29, 2018. He stated the Applicant is here tonight requesting two variances for a free standing sign. All prior approved landscaping and approvals will still need to be met by the Applicant. Applicant needs a variance since a 15 square foot free standing sign

is being proposed where 2 square foot sign is permitted. However, the proposed size of the sign would not be a detriment to the zone. The Township does allow larger signs based on the type of business in this area.

28. Mr. Petrongolo stated the square footage of the sign is not objectionable but rather the height of the sign is the issue.

29. Board Member Sparacio likewise stated the overall size of the sign is okay but the height is the issue.

30. Mr. Petrongolo stated the Applicant is before the Board tonight for a variance to allow for a 6.5 foot sign height where a 5 foot height is permitted per Section 285-288.E and a variance from Section 285-228.A for a 15 square foot sign where a 2 square foot sign is permitted. Otherwise, no other changes from the previously approved application are being requested by the Applicant.

31. Board Member D'Ariano asked what sign height are we approving tonight.

32. Mr. Petrongolo stated a conforming 5 foot sign height on the uphill side of the property and a variance for the downhill side of the sign at a height of 6.2 feet and a variance for a 15 square foot sign.

33. Board Member Centrone stated the sign will only be visible coming from Greentree Road and not as visible when coming from Ganttown Road.

34. Board Member D'Orazio questioned about the Applicant going to the County and the County saying they wanted a 30 foot setback.

35. Mr. Chelotti stated after the Applicant received approval from the Township Planning Board, the Applicant had been going back and forth with the County over the plan. The County measured the setback distance from a recent land taking and the clear zone due to the steepness of the property and the parties thereby agreed to the 30 foot setback although Township Ordinance has a 10

foot setback. Also, due to the steepness of the lot, the Applicant did need some other County variances; and

WHEREAS, none of the other professionals submitted any reports nor had any comments; and

WHEREAS, the meeting was open to the public and no one commented on the application; and

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

1. The subject property is located in the Residence District B zone.
2. The Applicant is requesting signage approval with variances.
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. It was the finding of the Planning Board that the variances 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 were required given the existing site conditions and similar signage in the immediate area.

NOW, THEREFORE, BE IT RESOLVED by the Washington Township Planning Board that the application for Signage Approval, with variances filed by the Applicant, Kabin, 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 except as noted on the record.
4. The Applicant is hereby granted the following variance(s):
 - a. A 15 square foot area of freestanding signage;
 - b. A 6.2 square foot sign height on the downhill side of the property and a 5 foot permitted sign height on the uphill side of the property.
5. Applicant is required to obtain any and all necessary Township permits for the installation of the free standing sign.
6. The Applicant is required to comply with all other prior approvals for this project.
7. 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.
8. The Applicant shall contact the Planning Board Office to settle any outstanding review and escrow accounts prior to the issuance of any building permits.
9. The Applicant must submit a certification that all taxes on the property have been paid to date.

10. 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. Any other 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 Applicant 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 February 6, 2018 and is hereby adopted at the meeting held on February 20, 2018.

WASHINGTON TOWNSHIP
PLANNING BOARD


ALBERT FRATTALI, Chairperson

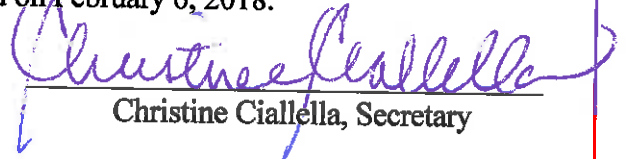
ATTEST:


Christine Ciallella, Secretary

ROLL CALL VOTE

J. Gattinelli, Mayor	YES	NO	ABSENT	ABSTAIN
E. D'Orazio	YES	NO	ABSENT	ABSTAIN
J. Perry	YES	NO	ABSENT	ABSTAIN
A. Frattali	YES	NO	ABSENT	ABSTAIN
M. D'Ariano	YES	NO	ABSENT	ABSTAIN
T. McPoyle	YES	NO	ABSENT	ABSTAIN
T. Sparacio	YES	NO	ABSENT	ABSTAIN
M. Martin	YES	NO	ABSENT	ABSTAIN
N. 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 February 20, 2018, memorializing the action taken by the Board on February 6, 2018.


Christine Ciallella, Secretary

Date: 2/20/18