

FLORENCE TOWNSHIP PLANNING BOARD

RESOLUTION NO. P.B.-2019-10

Application PB#2019-06

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF FOUNTAIN OF LIFE
PRELIMINARY and FINAL MAJOR SITE PLAN
BLOCK 170, LOT 6.01
AGR ZONING DISTRICT
APPROVAL**

Decided: March 26, 2019
Resolution Memorialized: April 23, 2019

WHEREAS, Fountain of Life has made application to the Florence Township Planning Board for preliminary and final major site plan approvals to legalize prior construction without approvals of 27 parking spaces, concrete sidewalk and a playground, and to allow additional proposed development of a 35 stall parking lot, a 5,000 sq. ft. playground, paving of an existing stone driveway to the north of the gymnasium, construction of a sidewalk along the front of the gymnasium, installation of removable bollards and planters at access points to the gymnasium for security purposes, installation of a 15 ft. diameter firepit, construction of curb and paving for 7 parking spaces to the east of the sanctuary building, and construction of additional storm sewer piping, bio retention basins and a detention basin at a 106 acre parcel of land located at 2035 Columbus Road and known on the Official Tax Map of the Township of Florence as Block 170, Lot 6.01;

WHEREAS, pursuant to prior approvals the site has previously been developed with a church sanctuary building, gymnasium playing fields, an accessory solar array and parking, landscape, lighting and stormwater improvements, and the currently proposed development is all associated with continued use of the overall property for religious use;

WHEREAS, the owner the subject property, Burlington Assembly of God, has consented to the making of this application, and the applicant has standing to bring this matter before the Board;

WHEREAS, the applicant is represented by Michael Floyd and Neil O'Brien, Esquires, of the Archer Greiner firm;

WHEREAS, upon a finding that its jurisdiction was proper, the Board granted waivers of certain ordinance checklist submission requirements as specified and recommended in the Board Engineer's letter of March 18, 2019 and his testimony in the course of the hearing, found the application administratively complete, and opened the substantive hearing on the application;

WHEREAS, the applicant's engineer, Jeffrey S. Richter, PE, PP, of Banc 3 Engineering, appeared, was sworn, was accepted as an expert in the field of site and civil engineering by the Board, and offered his testimony in support of the application;

WHEREAS, the applicant's Chief Operating Officer, Robert J. Miller, was sworn and offered his testimony in support of the application;

WHEREAS, the Florence Township Planning Board has made the following findings of fact and conclusions of law:

Findings of fact:

1. Fountain of Life has made application to the Florence Township Planning Board for preliminary and final major site plan approvals to legalize prior construction without approvals of 27 parking spaces, concrete sidewalk and a playground, and to allow additional proposed development of a 35 stall parking lot, a 5,000 sq. ft. playground, paving of an existing stone driveway to the north of the gymnasium, construction of a sidewalk along the front of the gymnasium, installation of removable bollards and planters at access points to the gymnasium for security purposes, installation of a 15 ft. diameter firepit, construction of curb and paving for 7 parking spaces to the east of the sanctuary building, and construction of

additional storm sewer piping, bio retention basins and a detention basin at a 106 acre parcel of land located at 2035 Columbus Road and known on the Official Tax Map of the Township of Florence as Block 170, Lot 6.01.

2. The owner the subject property, Burlington Assembly of God, has consented to the making of this application, and the applicant has standing to bring this matter before the Board.
3. The subject property lies in the Township of Florence AGR Zone District in which use of the parcel for religious purposes including church services, a school and recreational activities is permitted as-of-right. Therefore, jurisdiction to hear the application is proper in the Planning Board.
4. The applicant has submitted proper proofs of service of notice and proof of publication of notice of the major site plan hearing, and the Board has jurisdiction to hear this application.
5. The applicant has submitted the following documents in support of its application:
 - a. A completed Township of Florence Land Development Application;
 - b. A completed Township of Florence Major Site Plan Application Checklist of Submission Requirements;
 - c. Township of Florence Tax Collector's Certifications that no taxes were due on the subject properties at the time of the application;
 - d. Site Plan drawings comprised of 8 sheets prepared by Jeffrey S. Richter, PE, PP, of Banc 3 Engineering, dated 02/19/19;
 - e. Stormwater Management Report prepared by Banc 3 Engineering Engineers, LLC and dated February 25, 2019;
 - f. Township of Florence Land Use Escrow Agreement;
 - g. Certified List of Property Owners within 200' of the subject parcels;
 - h. Application and escrow fees as required by ordinance;
 - i. Ownership disclosure as required by statute;
 - j. An aerial view of the subject property (State photography dated post 2010), introduced and entered into evidence in the course of the March 26, 2019 hearing as Exhibit A-1";

- k. A color rendering of the submitted Overall Plan Sheet, introduced and entered into evidence in the course of the March 26, 2019 hearing as Exhibit "A-2";
- l. A color rendering of the submitted Grading Plan sheet, introduced and entered into evidence in the course of the March 26, 2019 hearing as Exhibit "A-3";
6. The Board's Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, submitted a review letter dated March 18, 2019 commenting upon the application, which is hereby incorporated into the record.
7. The Board's Planner, Barbara Fegley, PP, of Environmental Resolutions, Inc., Engineers, Planners, Surveyors, Scientists, submitted a review letter commenting upon the application dated March 18, 2019, which is hereby incorporated into the record.
8. The Township Fire Official, Brian T. Richardson, submitted a review letter commenting upon the application dated March 21, 2019, which is hereby incorporated into the record.
9. Approval of the proposed development would require design exceptions from the requirement that curbing be provided along the edges of the new parking areas and driveway to be paved. In each case, providing curbs would be difficult in light of the grading of the site, and sheet flow of water from parking and driveway areas toward the stormwater management features of the site would be impeded by curbs. The applicant will provide concrete bumper blocks to delineate parking spaces and limit travel onto grass areas.
10. A design exception is also required to allow the applicant to construct the driveway behind the gymnasium over the existing stone base instead of the base course section prescribed by ordinance.
11. Upon compliance with the conditions of this approval, the overall site will continue to meet applicable stormwater standards.
12. The applicant's representatives agreed to comply with all of the plan detail and design comments of the Board Planner's and Engineer's letters of March 18, 2019.

13. The Board finds the testimony of the applicant's experts and representative credible and probative.

14. No public comment was offered on the proposed development.

Conclusions of Law:

The Board finds that the proposed design waiver for curbing along the edges of the proposed parking areas and driveway should be approved because it makes practical sense to allow a pattern of stormwater management that suits the contours of this site and the proposed stormwater system. Similarly, a design exception for the driveway base for the driveway to be paved is appropriate in light of the proposed level of traffic.

Except for the referenced design exceptions, the proposed major site plan (upon fulfillment of the conditions of approval) will fully comply with the standards of the applicable Township Ordinances.

The applicant has complied with the substantive standards, application requirements and procedures of the Board for approval of the requested development. Therefore, the proposed preliminary and final major site plan should be approved, subject to appropriate conditions as set forth below.

NOW, THEREFORE, BE IT RESOLVED by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of Fountain of Life seeking preliminary and final major site plan approvals to legalize prior construction without approvals of 27 parking spaces, concrete sidewalk and a playground, and to allow additional proposed development of a 35 stall parking lot, a 5,000 sq. ft. playground, paving of an existing stone driveway to the north of the gymnasium, construction of a sidewalk along the front of the gymnasium, installation of removable bollards and planters at access points to the gymnasium for security purposes, installation of a 15 ft. diameter firepit, construction of curb and paving for 7 parking spaces to the east of the sanctuary building, and construction of additional storm sewer piping, bio retention basins and a detention basin at a 106 acre parcel of land located at 2035 Columbus Road and known on the Official Tax Map of the Township

of Florence as Block 170, Lot 6.0, be, and hereby is, approved, subject to the following conditions subsequent which do not toll the running of the time for appeal:

1. All conditions of prior approvals not expressly waived or modified by this Resolution shall remain in full force and affect as though set forth at length herein.
2. Provision of concrete bumper blocks at all newly approved parking spaces where there is no curb.
3. The stormwater management design shall balance the new runoff from areas in the watershed of the existing basin with redirection of flows into the new stormwater system such that there is no net increase of flow to the existing basin.
4. Compliance with all of the plan detail and design comments of the Board Planner's and Engineer's letters of March 18, 2019.
5. Compliance by the applicant with affordable housing obligations, if any, in accord with Township ordinances and State statutes in effect at the time of issuance of a Certificate of Occupancy.
6. All taxes and escrow fees for professional review must be paid current and in full.
7. Any additional development on the subject property or any substantial modification to any development pursuant to, or inconsistent with, this approval and the drawings and exhibits presented by the applicant in support of the application or testimony leading to this approval shall require revised approval of this Board.
8. Compliance with all federal, state, county and local laws, rules, regulations and any other governmental approvals which may be required in implementation of this development, including but not limited to: Burlington County Planning Board and Burlington County Soil Conservation District. Copies of all applications, permits and certifications related to such approvals shall be filed with this Board. The applicant shall pursue with good faith and due diligence any and all such additional approvals as may be required and shall provide the Board with copies of all reports and approvals for same, including copies of any and all applications filed.
9. If another governmental agency grants a substantial waiver or variance of a regulation, affecting this approval or the conditions attached to it, then this Board shall have the right to review that issue as it relates to this approval and these conditions and modify or amend the same.

10. The form of any permits, deeds, easements, vacations, dedications or other documents related to this proposed development shall be reviewed by the Board Attorney and Board Engineer for consistency with this approval and filed with the appropriate authority. Proof of recording with the County Clerk shall be filed with this Board.
11. The applicant shall post a performance guarantee (to the extent permitted by current statutes) in an amount accepted by the Township Council after recommendation by the Municipal Engineer and in a form approved by the Township Solicitor.

BE IT FURTHER RESOLVED, that a brief notice of these decisions be published in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. In the event that the applicant does not implement this approval within two years of the date hereof (or such other extended date as may be provided by statute or Board action), this approval shall be void, unless, for good cause shown, the applicant seeks extension thereof.

**MOTION TO GRANT PRELIMINARY and FINAL
MAJOR SITE PLAN APPROVAL:**

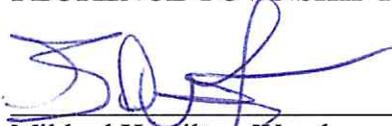
Moved by : Vice Chair Garganio
Seconded by : Mr. Pagano
In Favor : Vice Chair Garganio, Mr. Pagano, Mr. Mattson, Mr. Morris,
Councilman Lovenduski, Mayor Wilkie, Chair Hamilton-Wood
Opposed : None
Abstained : None
Absent : Mr. Montgomery, Mr. McCue

MOTION TO ADOPT RESOLUTION:

Moved by : Mr. Pagano
Seconded by : Mr. Morris
In Favor : Mr. Pagano, Mr. Morris, Councilman Lovenduski,
Mayor Wilkie, Vice Chair Garganio
Opposed : None
Abstained : Mr. McCue, Mr. Montgomery
Absent: Chair Hamilton-Wood

FLORENCE TOWNSHIP PLANNING BOARD

Dated: 4/23/19



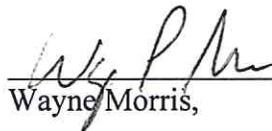
~~Mildred Hamilton-Wood~~, Vice Chair

Bruce Garganio

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Planning Board held on April 23, 2019 and memorializes a decision taken by the Board on March 26, 2019.

Dated: 4/23/19



Wayne Morris,

Secretary