

D. Wallace
F.Y.I.

PLANNING BOARD OF THE TOWNSHIP OF WILLINGBORO

RESOLUTION NO. 8 - 2006

WHEREAS, 240/242 FRANKLIN ASSOCIATES, LLC & COLONIAL COURT APARTMENTS, of 459 Route 38, West, Maple Shade, New Jersey 08052, hereinafter called the "Applicant", has filed an Application for Development (Preliminary and Final Major Amendment to Existing Site Plan Approval) with the Planning Board of the Township of Willingboro which application proposes renovation, refurbishment and redevelopment of the existing, long vacant, Village Mall shopping center located at 4340 Route 130, North; and

WHEREAS, the development is to be known as the "Grand Marketplace;" and

WHEREAS, the subject property is an irregularly shaped 28.8073 acre site located on the southeasterly side of Route 130 with frontage of 1,036.98 ft. along U.S. Highway 130 and 578.94 ft. along Sunset Road. It is shown as Page 102, Block 3, Lot 7.01 of the official Tax Map.; and

WHEREAS, the area is zoned B-1 Primary Business District. It is encompassed within the overlay Redevelopment Plan dated April, 1998 adopted by Ord. 1998-04 as amended in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7, et. seq.; and

WHEREAS, the proposed indoor retail shops are permitted in the subject zone wherein "shopping centers, stores, shops, markets where goods are sold or personal services are rendered" are permitted uses. These proposed uses (including any restaurants, i.e. food service establishments) are permitted by Ord. 20-6.6.a.1; and

WHEREAS, "Auction Markets" are expressly prohibited in all zoning districts. (Section 20-5.6.O.1): and

WHEREAS, upon extensive review by Township of Willingboro's elected officials and

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discussions with its professional consultants, the Applicant and the Township of Willingboro have agreed to settle litigation which settlement terms incorporated in Consent Order dated April 20, 2006 (Superior Court of New Jersey, Law Division, Docket L-00581-06) included *inter alia* the requirement for the within Site Plan application before the Willingboro Township Planning Board; and

WHEREAS, the Applicant has requested no variances or design waivers from ordinance requirements; and

WHEREAS, the Applicant has requested waivers from providing the following check list (Ord 19-17.3) requirements:

- Item 13, Location of existing buildings, structures, etc., 200 feet from site.
- Item 17, Location of easements, rights-of-way, and roadways 200 feet from site.
- Item 37, Traffic Analysis.

WHEREAS, the Applicant has submitted evidence that notice of said Application for Development and the public hearing thereon has been given pursuant to applicable statutory provisions and requirements of the Willingboro Township Zoning Ordinance; and

WHEREAS, public hearings on said Application for Development were conducted on June 19, 2006, September 11, 2006 and at a Special Meeting on September 25, 2006 in the Municipal Complex of said Township, which meetings were open to the public and at which the Applicant and all other interested parties were given an opportunity to be heard; and

WHEREAS, the Planning Board has considered:

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(1) All plans with revisions thereof and amendments and supplements thereto, which have been submitted by the Applicant prepared by Joseph G. Marra, Architect, Landscape Architect and Planner of 22 Howard Boulevard, Suite 203, Mt. Arlington, New Jersey 07856 designated "Festival Market Place, 4340 Route 130 North, Willingboro, New Jersey," as follows:

| <u>Drawing No.</u> | | <u>Last Revision Date</u> |
|--------------------|------------------------------------|---------------------------|
| SP-1.0 | Existing Site Layout | 01/08/06 |
| SP-1.1 | Proposed Building Floor Plan | 01/08/06 |
| SP-1.2 | Proposed Front Building Elevations | 01/08/06 |
| SP-1.3 | Proposed Rear Building Elevations | 01/08/06 |
| SP-1.4 | Proposed Elevations | 01/08/06 |
| SP-1.5 | Existing Site Lighting Plan | 01/08/06 |
| SP-1.6 | Existing Sign Plan | 01/08/06 |

Also, Prepared by ABR Consultants, LLC of 129 North Broadway, Suite 308, Camden, NJ 08102, Project Name: Grand Market Place; Site Location 4340 Route 130, Willingboro, New Jersey 08046. All plans, with exception of Sheet No. 2, i.e. 1 of 9 and 3 through 9 of 9 are signed by Joseph J. Raday, P.E. under date of September 20, 2006.

| <u>Drawing No.</u> | | <u>Last Revision Date</u> |
|--------------------|---|---------------------------|
| C-1 | Title Sheet | |
| C-2 | Existing Conditions / Survey Plan Prepared by Roy E. Gerould, P.L.S. of 23 Oakland Avenue, Oaklyn, NJ 08107 Issued August 1, 2006. | |
| C-3 | Site Plan | |
| C-4 | Landscape Plan | |
| C-5 | Lighting Plan | |

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- C-6 Pavement Rehab Plan
- C-7 Auto-Turn Plan
- C-8 Detail Sheet
- C-9 Signage Plan

Also, prepared by Damiano Long, LLC. 129 N. Broadway, Suite 200, Camden, NJ 08102:

- STR - 1 Existing Striping Plan
Prepared by Joseph J. Raday, P.E. 12/1/05
- D-1 Handicapped Details
Prepared by Joseph J. Raday, P.E. 12/1/05

(2) Reports from its consultants, including report dated May 10, 2006 by Uri Hugo Taenzer, Esq., Planning Board Solicitor and Reports dated June 5, 2006, September 11, 2006 and September 25, 2006 by K. Wendell Bibbs, P.E., C.M.E., Township Engineer and George R. Stevenson, Jr., P.P., AICP, Willingboro Township Planner. All of the said reports from the Planning Board's consultants were read at the meetings and are a part of the Planning Board minutes pertaining to this application.

(3) All testimony and discussions between applicant, professional consultants, and other interested parties and members of the Board relating to this application.

(4) Planning Board minutes relating to this application.

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the Township of Willingboro that with respect to the said Application for Development (Preliminary and Final Major Amendment to Site Plan Approval) it find as follows:

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1. All property owners within 200 feet of the subject premises and public utilities were given timely, written notice of the Application and the scheduled hearing thereon; timely notice of said application was published in the Burlington County Times newspaper; and public hearings were held as scheduled, in accordance with the laws of the State of New Jersey and the Ordinances of the Township of Willingboro.

2. The site which the applicant proposes to develop is located in the B-1 Primary Business District and is encompassed within the overlay Redevelopment Plan dated April, 1998 adopted by Ord. 1998-04 and amended in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7, et. seq.;

3. No variances or design waivers have been requested by the applicant and any reduction in parking spaces available due to reconfiguration of the parking area to accommodate landscaping and additional islands will have an insignificant impact inasmuch as the site provides more than adequate parking facilities for the proposed uses.

4. The waivers requested from the following check list (Ord 19-17.3) requirements may be granted inasmuch as the Planning Board is intimately familiar with the site and is satisfied that compelling the developer to obtain said items will serve no useful purpose, to wit:

- Item 13, Location of existing buildings, structures, etc., 200 feet from site.
- Item 17, Location of easements, rights-of-way, and roadways 200 feet from site.
- Item 37, Traffic Analysis.

5. The original pole signs, to the extent that same are still on site, have been abandoned when the subject shopping center was closed for many years and by virtue of elimination of the facades, leaving only the pylons. Current Willingboro Township Redevelopment Ordinance requires monument signage along Route 130 in lieu of pole signs. The Planning Board intends to enforce the current exclusive monument signage requirement in order to create a more attractive, harmonious, modern and, uncluttered appearance for the revitalized highway commercial area of the Township.

BE IT FURTHER RESOLVED that pursuant to the foregoing findings of fact,
PRELIMINARY APPROVAL for the Application for Development aforesaid be and the same

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is hereby granted under and subject to the following conditions:

1. In accordance with Burlington County statutes, Willingboro Township has included a recyclables Ordinance in its Master Plan. Accordingly, the Township has instituted a program for a materials identification inventory and quantity recording requirement for all commercial/industrial uses. Ms. Denise Rose, Township Manager shall be contacted regarding the procedures.

2 Under New Jersey Council of Affordable Housing Round Three Substantive Rules, one (1) affordable housing unit is to be provided for every 25 jobs created. The Applicant has agreed to participate in the process, as required by Willingboro Township Council or order of any court having jurisdiction.

3. The existing stormwater basin shall be cleaned and restored as necessary in compliance with the new Stormwater Management regulations and as recommended by the Township Engineer. The applicant shall execute the standard Detention Basin Access and Maintenance Agreement to include all surface water conveyancing facilities which shall also constitute a recordable easement.

4. The applicant shall revise the plans to the satisfaction of the Township Engineer with respect to the following issues raised in the Planning Board Engineer's letter report of September 25, 2006:

A. Parking and Circulation

2. Widths shall be provided for all drive isles.

3. a. All asphalt Pavement Rehabilitated in accordance with the Pavement Rehab Plan shall be slurry coated to match in color and texture the existing surrounding slurry coated surfaces.

5/6. The plan shall provide the aisle width for the van-accessible spaces.

18. Parking arrangements requiring backing movements into the drive aisle adjacent to the building shall be eliminated.

20/21. A stop sign shall be placed on the east side of the southern most access aisle for the benefit of traffic turning north or south or going straight eastward from this access aisle.

B. Stormwater Management Plan

1. & 5. The applicant shall provide the Township Engineer with a copy of the video and a

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written report and indicate any proposed corrective action on the plan. The applicant shall replace depressed inlet by November 1.

D. Planting Design

7. Environmental Commission input as to more appropriate plant varieties, where reasonable and not more costly, shall be given due consideration and may be utilized in lieu of those presently proposed in coordination with the Township Engineer. **In accordance with the applicant's agreement, newly installed landscape material shall, during the dry and during the initial growing season, be watered with sufficient frequency so as to minimize destruction.**

E. Lighting

5. The applicant shall propose to the satisfaction of the Township Engineer a lighting plan which will provide for security lighting, whereby a portion of the fixtures will be extinguished after hours of operation.

F. Signage

1. No pole or pylon signage shall be permitted (See finding of fact No. 5) except temporarily (not after June 1, 2007) upon existing pole signs pending approval by the Planning Board with the advice and consent of the Township Planner of no more than four (4) monument signs. Design submissions for the proposed monument signs shall be provided to the Planning Board no later than during the month of December, 2006 for consideration at the January, 2007 Public Hearing. The applicant shall consult with the Township Code enforcement officer and/or Township Manager regarding the proposed interim pole signage so as to satisfy the Township's concern as to avoidance of overly grandiloquent temporary signage.

6. The Plans shall be revised to include appropriate blocks to signify approval by official bodies as well as acceptance by owner and applicant.

BE IT FURTHER RESOLVED that the Planning Board hereby approves of the following schedule (i.e. phasing plan) for completion of the outstanding items:

- a. Complete striping of the parking lot by October 1, 2006 and pavement patching and seal coat of areas shown on the plan by October 15, 2006.
- b. Complete new monument signs (subject to approval per item F 1. above) by June 1, 2007.

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- c. Install planted parking lot islands by June 1, 2007.
- d. Complete installation of proposed additional site lighting by June 1, 2007. (Lighting to be installed by PSE&G shall be ordered ASAP).
- e. Complete installation all other landscaping by June 1, 2007.
- f. Complete new pavement areas by June 1, 2007.

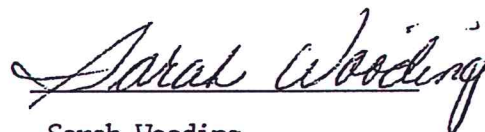
BE IT FURTHER RESOLVED that a bond, in form satisfactory to the Township Attorney, in such amount as shall be calculated by the Township Engineer for the completion of the above mentioned items in accordance with the said schedule shall be provided by the Applicant to the Township of Willingboro no later than November 25, 2006.

BE IT FURTHER RESOLVED that, subject to any issues over which the Planning Board lacks jurisdiction, a Temporary Certificate of Occupancy may be issued following release by the Superior Court of New Jersey of any Scarce Resource restraints. Any extensions required for such Temporary C.O.'s will expire no later than July 1, 2007. The Applicant shall file its plans and application for FINAL SITE PLAN APPROVAL in sufficient time prior to the expiration of the Temporary CO for consideration at Public Hearing(s) of the Planning Board prior thereto, it being understood that said Temporary C.O. may be revoked by the Township of Willingboro in the event the Applicant shall fail to comply with its hereinabove imposed scheduled obligations.

BE IT FURTHER RESOLVED that any approval shall additionally be conditioned upon the further approval by and compliance with any conditions imposed by the New Jersey Department of Community Affairs, the Burlington County Planning Board, the Burlington County Soil Conservation District (if jurisdiction invoked), the Willingboro Municipal Utilities Authority, and any other agency having jurisdiction.

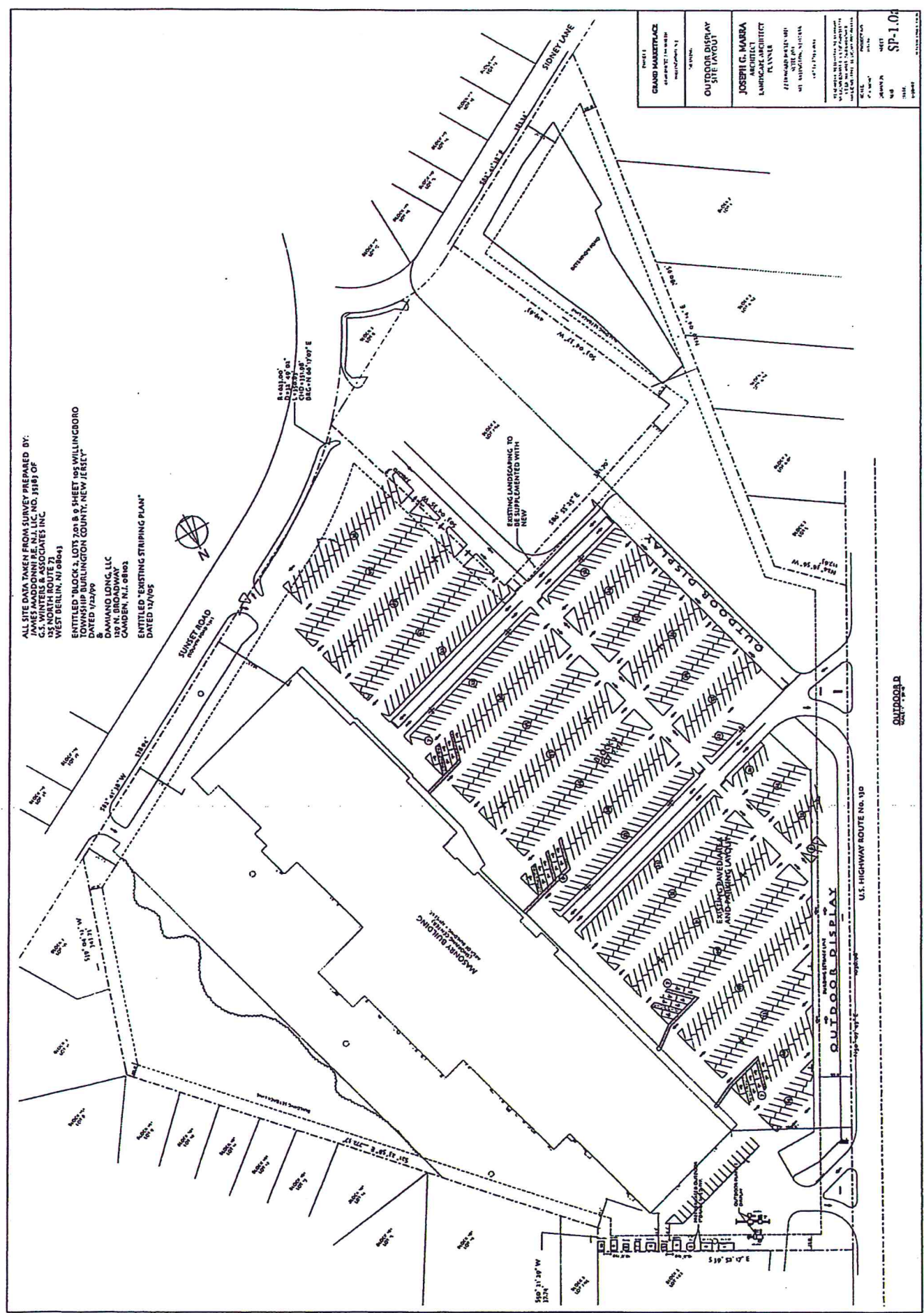
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The foregoing Memorializing Resolution was duly adopted by the Planning Board of the Township of Willingboro at a public meeting on September 25, 2006.



Sarah Wooding
Planning Board Secretary

| | |
|------------|-----------------------------|
| PROJECT | GRAND MARKETPLACE |
| CLIENT | THE CENTER |
| DATE | MARCH 2014 |
| SCALE | AS SHOWN |
| DRAWN BY | JOSEPH G. MAURA |
| CHECKED BY | MAURICIO |
| TITLE | OUTDOOR DISPLAY SITE LAYOUT |
| DATE | 03/17/14 |
| SCALE | AS SHOWN |
| PROJECT | GRAND MARKETPLACE |
| CLIENT | THE CENTER |
| DATE | MARCH 2014 |
| SCALE | AS SHOWN |
| DRAWN BY | JOSEPH G. MAURA |
| CHECKED BY | MAURICIO |
| TITLE | OUTDOOR DISPLAY SITE LAYOUT |
| DATE | 03/17/14 |
| SCALE | AS SHOWN |



ALL SITE DATA TAKEN FROM SURVEY PREPARED BY:
 JAMES MADDONNI P.E., N.J. LIC. NO. 31181 OF
 C.T. WINTERS & ASSOCIATES INC.
 115 WEST 11TH ST.
 WEST GERRITSON, NJ 08041

ENTITLED "BLOCK 3, LOTS 701, 701.8 & SHEET 105 WILLINGBORO
 TOWNSHIP, WILLINGBORO COUNTY, NEW JERSEY"
 DATED 10/27/09
 DAMIANO LONG, LLC
 4000 UNIVERSITY BLVD.
 CAADEN, N.J. 08003

ENTITLED "EXISTING STRIPING PLAN"
 DATED 12/19/05

U.S. HIGHWAY ROUTE NO. 130

OUTDOOR DISPLAY

OUTDOOR DISPLAY