

RESOLUTION 2023-10

**TOWNSHIP OF WILLINGBORO PLANNING BOARD RESOLUTION
MEMORIALIZING THE GRANT OF CONDITIONAL USE APPROVAL AND SITE
PLAN WAIVER FOR PROPERTY KNOWN AS 55 JOHN F. KENNEDY WAY, BLOCK
412, LOT 52**

WHEREAS, DIAMOND DOGZ, LLC (hereinafter, the “Applicant”), submitted an application to the Township of Willingboro Planning Board (hereinafter, the “Board”), for conditional use approval and site plan waiver, for the property known as Block 412, Lot 52 on the Official Tax Map of the Township of Willingboro, being commonly known as 55 John F. Kennedy Way (hereinafter, the “Site”), and

WHEREAS, the Board held a public hearing on the application at its regular meeting on Monday, September 11 2023, for which the Applicant provided adequate notice in compliance with N.J.S.A. 40:55D-12; and

WHEREAS, the Applicant was represented by Alan H. Ettenson, Esquire; and

WHEREAS, the Board reviewed and considered the materials submitted by the Applicant, including the application form, survey, legal description and August 7, 2023, filing letter; and

WHEREAS, the Applicant presented sworn testimony from Darold Coleman, Sylvester Paramour and Robert Mason, supplemented by the legal arguments of Applicant’s counsel; and

WHEREAS, Mr. Coleman testified that:

- a. He is an incorporator and member of the Applicant entity.
- b. The Applicant is a not-for-profit social club, incorporated in 2020, whose members are active in a number of community programs and activities in Willingboro, including the Township’s youth sports programs.
- c. The Applicant has been looking for a site to serve as its headquarters and to host its social events and community service, educational and mentoring programs. The subject Site, which formerly housed the Knights of Columbus organization, is well-suited in size, layout and amenities for the Applicant’s needs. Applicant has entered into a purchase agreement with the Site’s owner.
- d. The Applicant expects to utilize the Site principally on weekdays from 4:00 p.m.to 12, and as needed on weekends.
- e. The Applicant would use the Site to host its educational and mentoring programs, community events, and gatherings for its members such as baby showers and similar events.
- f. In response to questions from the Board, Mr. Coleman stated that while the Applicant planned to apply for a “club” liquor license, the Site would not be used as a nightclub or “watering hole”. Witness Robert Mason later reiterated that the Applicant will not be in the bar business, and that the Site will not become a “party place”.

- g. Mr. Coleman noted that the kitchen at the Site will be for the use of members only, and for those attending events at the Site.
- h. The Site's 55 parking spaces will be more than adequate for Applicant's expected parking demand.
- i. In response to questions raised during a discussion of the Site's stormwater management system, Mr. Coleman stated that the system seems to be functioning satisfactorily,

WHEREAS, the Board after due consideration of the testimony and documentary materials described above, makes the following findings of fact:

1. The Site is located in the R-3 Residential Zoning District and is improved with a currently vacant building formerly operated by the Knights of Columbus.
2. The Applicant is organized as a not-for-profit corporation and is a tax-exempt "501c7" social club.
3. Many of the Applicant's members are coaches and officials in Willingboro's youth sports programs, and active in educational and mentoring activities for the Township's youth.
4. Applicant proposes some cosmetic interior changes to the building, including painting and general cleanup and plans to add exterior lighting.
5. The Applicant presented evidence to address each of the conditions applicable to conditional uses pursuant to Sections 370-17 and 370-81 of the Ordinance.
6. A central component of the Applicant's operation has been sponsoring and supporting charitable and civic causes in Willingboro and working for the betterment of the community. The Applicant indicated that it would continue doing so at the Site.
7. No one spoke during the public comment portion.

NOW THEREFORE, upon consideration of the evidence presented, the Willingboro Township Planning Board finds that the Applicant has satisfied the conditions for the grant of conditional use approval pursuant to Sections 370-17 and 370-81 of the Willingboro Land Use Ordinance. The Board further finds the request for site plan waiver is appropriate as the Applicant proposes only interior changes to the building on the Site and no material changes to the Site's access, circulation, parking or stormwater management. The Board concludes that the application will promote the general welfare of the community through the operation of a facility for the Applicant's not-for-profit social club at a location and in the manner designated by the Township's Zoning Regulations, and accordingly the Board upon motion made by Samantha Whitfield and seconded by Dwayne Harris hereby APPROVES the application of DIAMOND DOGZ, INC. for conditional use approval and site plan waiver, subject to these Conditions:

- A. Applicant will prepare and provide to the Township’s professionals, a written list of the Applicant’s charter members, its proposed hours of operation and a statement of the Applicant’s approved uses.
- B. Applicant shall obtain all other required approvals; and
- C. Applicant shall be bound by all representations made on its behalf at the hearing.
- D. Applicant’s hours of operation will be from 4:00 p.m. to 12:00 a.m. on weekdays, and until 1:00 a.m. on weekends.

Board Member	YES	NO	N.V.	A.B.	MOT	SEC
S. ANDERSON	x					x
K. DAVIS Vice Chair	x					
M. TURNER			x			
S. WHITFIELD	x				x	
D. HARRIS		x				
M. NOCK Chair		x				
K. MACINTOSH			x			
X – Indicates Vote NV – Not Voting AB – Absent MOT – Motion SEC - Second						

Adopted: October 10, 2023



 Chairman

Attest:



 Planning Board Secretary