

FLORENCE TOWNSHIP PLANNING BOARD

RESOLUTION NO. P.B.-2024-10

Application PB#2024-03

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF EVERLASTING STRENGTH MINISTRIES
FOR BLOCK 162, LOT 5
HC HIGHWAY COMMERCIAL ZONING DISTRICT
MINOR SITE PLAN
APPROVAL
(SIGNAGE)**

Decided:

August 27, 2024

Resolution Memorialized:

October 22, 2024

WHEREAS, Everlasting Strength Ministries, Inc., also known as Breakthrough Worship Center, made application to the Florence Township Planning Board for minor site plan approval to authorize proposed replacement of an existing externally illuminated freestanding sign a 62 sq. ft. freestanding sign which includes a 30 sq. ft. internally illuminated cabinet sign identifying the site as the “Breakthrough Worship Center” with text and graphics, and a 32 sq. ft. LED lighted “Electronic Reader Board” changeable copy sign at a property located at 2071 Route 130 and known as Lot 5 of Block 162;

WHEREAS, the applicant is represented by Richard Hoff, Esquire of the firm Bisgaier Hoff;

WHEREAS, the applicant is the owner of the subject property;

WHEREAS, upon a finding that proper hearing notices had been mailed and published, and that its jurisdiction was therefore proper, the Board opened a hearing on the application at its August 27, 2024 regular meeting;

WHEREAS, the Board granted several submission waivers and found the application administratively complete upon the recommendation of Board Engineer Dougherty;

WHEREAS, the applicant's sign vendor, Michael Sonlin of Effective Sign Works, was sworn and offered his testimony in support of the application, along with the arguments and representations of counsel;

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

Findings of fact:

1. The applicant is the owner of the subject property, located at 2071 Route 130 and known as Lot 5 of Block 162, and the applicant therefore has standing to bring this application before the Board.
2. Application has been made for minor site plan approval to authorize proposed replacement of an existing externally illuminated freestanding sign a 62 sq. ft. freestanding sign which includes a 30 sq. ft. internally illuminated static cabinet sign identifying the site as the "Breakthrough Worship Center" with text and graphics, and a 32 sq. ft. LED lighted "Electronic Reader Board" changeable copy sign with up to three lines of copy.
3. The applicant has submitted proof of service of notice and proof of publication, and the Board has jurisdiction to hear this application.
4. The applicant has submitted the following documents in support of its application:
 - a. Cover letter dated July 31, 2024 from the applicant's counsel conveying the application and supporting documents to the Board;
 - b. A scaled survey fragment showing the subject property and the location of the existing sign relative to the front property line and the Route 130 cartway;
 - c. A color exhibit with a photo of the existing sign, a dimensioned image of the proposed sign faces, a third image which places the proposed sign in the location of the existing sign, as well as text setting forth the technical specifications of the proposed new sign;
 - d. A completed Florence Township Land Development Application;
 - e. A completed Minor Site Plan Application Checklist;

- f. A Tax Collector's Certification that no taxes are due on the subject property;
 - g. Township of Florence Certified List of Property Owners within 200';
 - h. Application and Escrow Fees in accord with ordinance requirements;
 - i. An executed Escrow Agreement.
- 5. The Board's Engineer, Hugh J. Dougherty, P.E., C.M.E. of Pennoni Associates, Inc., Consulting Engineers, did not submit a review letter but offered testimony in the course of the public hearing.
- 6. The Board's Planner, Michelle Taylor, PP, AICP of Taylor Design Group, submitted a review letter dated August 16, 2024 commenting upon the application which is hereby incorporated into the record.
- 7. The existing sign stands 20 feet tall above grade and is only set back 1 foot from the front property line where a setback of 10 ft. is required. The proposed sign will have a total height of 14 ft. and its base will similarly be set back only 1 foot from the front property line. An existing "roof" over the current sign will be eliminated which will effectively cause the top of the new sign structure to be 3 feet farther from the cartway than the top of the current sign. Placement of the sign in a conforming location would interfere with vehicle circulation between the Route 130 driveway entrance to the site and the rest of the onsite parking area.
- 8. The sign is proposed to be used only for use by the applicant and will not have any third-party advertising or commercial use.
- 9. The 0 ft. candle lighting level at the property line standard of Township ordinances cannot be met by the proposed sign, but the sign is designed to focus its output, not broadcast it.
- 10. The applicant's representatives agreed that an ambient light sensor will be provided and operational such that sign illumination will be maximum of 0.3 foot candles above ambient light, the sign will automatically dim at night and emit no more than 5000 nits in daylight and 250 nits at night; sign copy changes will not be more frequent than every 60 seconds, and blinking flashing, flickering, oscillating, rotating or scrolling is not permitted. In addition, the

illuminated signs will be turned off after 10pm and reenergized not earlier than 5am.

11. Approval of the proposed development would require grant of a front yard setback variance, a variance to allow an electronically changeable copy sign, as they are not specifically permitted by ordinance, and a variance to allow an exceedance of the 0 ft. candle lighting limit at the property line.
12. No public comment was offered on the application.

Conclusions of Law:

The Board finds that the proposed front yard setback and lighting level variances may be granted pursuant to N.J.S.A 40:55D-70(c)1 because the lawfully existing development makes it unworkable to relocate the proposed sign to a conforming location, and the purpose of the sign would be defeated if it were limited conforming lighting levels at the property line due to its proximity to the property line. The requested variance to allow an electronic changeable copy sign may be granted pursuant to N.J.S.A 40:55D-70(c)2 because allowing such a sign in this particular location in support of this use is a better zoning alternative than hewing to the ordinance. In light of the reduction in height and encroachment of the proposed new sign as compared to the existing sign, and the careful limitations of the sign agreed by the applicant's representatives, the Board perceives any detriment to the public good or impairment of the zone plan to be insubstantial.

The Board further finds that the proposed development, upon compliance with the conditions set forth below, is otherwise consistent with the applicable standards of Township ordinances. The applicant has complied with the Board's procedures for seeking the requested relief.

Therefore, the requested minor site plan approval should be approved.

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 Everlasting Strength Ministries, Inc., also known as Breakthrough Worship Center, seeking minor site plan approval to authorize proposed replacement of an existing externally illuminated freestanding sign a 62 sq. ft. freestanding sign which includes a 30 sq. ft. internally illuminated static cabinet sign identifying the site as the “Breakthrough Worship Center” with text and graphics, and a 32 sq. ft. LED lighted “Electronic Reader Board” changeable copy sign with up to three lines of copy, be and hereby is, **GRANTED**, subject to the following conditions:

1. The signs shall be used only by the applicant and shall not have any third-party advertising or commercial use.
2. An ambient light sensor shall be provided and be operational so that sign illumination will be maximum of 0.3 foot candles above ambient light.
3. The signs will automatically dim at night and emit no more than 5000 nits in daylight and 250 nits at night.
4. Sign copy changes shall not be more frequent than every 60 seconds, and blinking flashing, flickering, oscillating, rotating or scrolling is not permitted.
5. The signs’ illumination shall be turned off after 10pm and reenergized not earlier than 5am.
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: Florence Township Construction Department. 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.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees.

MOTION TO APPROVE APPLICATION:

Moved by : Mr. Gabriele,
Seconded by : Ms. Taylor
In Favor: Ms. Taylor, Mr. Gabriele, Mr. Kehr, Councilman Fratinardo,
Mr. Isaacson, Mr. Mattson, Mayor Marter, Chairman Pagano
Opposed : None
Abstained : None
Absent : None

MOTION TO ADOPT RESOLUTION:

Moved by : Mr. Isaacson
Seconded by : Mr. Kehr
In Favor : Isaacson, Kehr, Fratinardo, Gabriele, Marter, Mattson, Pagano
Opposed : None
Abstained : None

FLORENCE TOWNSHIP PLANNING BOARD

Dated: 10/22/2024

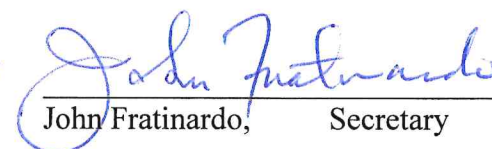


John Pagano, Chairman

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Planning Board held on October 22, 2024 and memorializes a decision taken by the Board on August 27, 2024.

Dated: Oct 22, 2024



John Fratinardo, Secretary