

**RESOLUTION
TOWNSHIP OF PEQUANNOCK
PLANNING BOARD
IN THE MATTER OF GNC
DECIDED ON FEBRUARY 4, 2013
MEMORIALIZED ON FEBRUARY 25, 2013
APPLICATION FOR SIGN APPROVAL**

WHEREAS, GNC ("hereinafter "Applicant" or "GNC") has filed an application with the Township of Pequannock Planning Board (hereinafter "Planning Board" or "Board"), for sign approval for property known as Block 2007, Lot 1, on the Tax and Assessment Map of the Township of Pequannock (hereinafter "Township"), which premises are located at 500 Route 23, Pompton Plains, New Jersey, and located in the C-3 Highway Commercial Zone District (hereinafter "C-3 Zone"); and

WHEREAS, the applicant has applied to the Pequannock Township Planning Board for approval pursuant to the Code of the Township of Pequannock, Chapter 153, Signs, which authorizes the Planning Board to review and approve all sign applications within the Township; and

WHEREAS, a public hearing was held on February 4, 2013, after the Planning Board determined it had jurisdiction; and

WHEREAS, the Applicant was not represented by legal counsel.

NOW, THEREFORE, the Planning Board makes the following findings of fact, based on evidence presented at its public hearing, at which time a record was made.

The within application is for premises known and designated as Block 2007, Lot 1, on the Tax and Assessment Map of the Township of Pequannock and located at 500 Route 23, Pompton Plains, New Jersey. The subject site is located in the C-3 Zone District.

The following documents were submitted in connection with this application for development:

1. Completed sign application, signed and dated November 1, 2012.
2. Sign detail, consisting of one sheet, dated October 15, 2012.

Testifying on behalf of the Applicant was Brian Travers, a representative of Butler Sign Company (hereinafter "Travers"). The Applicant seeks approval to install an internally LED lighted sign. The proposed sign is attached to the façade of the building. The proposed attached sign is 3.5 feet in height by 13.25 feet in length for a total sign area of 46.375 square feet. It was represented that the proposed sign complies with all requirements for signage in the C-3 Zone.

The meeting was opened to the public and there were no members of the public present expressing an interest in this application.

NOW, THEREFORE, the Planning Board makes the following conclusions of law, based on foregoing findings of fact.

GNC is the Applicant for premises known and designated as Block 2007, Lot 1, on the Tax and Assessment Map of the Township of Pequannock and located at 500 Route 23, Pompton Plains, New Jersey, which site is located in the C-3 Zone.

The nature of the application is to permit the Applicant to install one (1) new attached sign to a new business at the strip shopping center at this location. The new business site is an interior storefront, located centrally within the strip shopping center. The Applicant proposes to install an attached business sign 3.5 feet in height by 13.25 feet in length for a total sign area of 46.375 square feet. Section 153.06(B)(2)(c)(2) permits attached signs with a total permitted area of 50 square feet based on the existing 624 square foot front façade. As a result, the proposed attached sign is in conformance with

the Ordinance requirements and, thus, no waiver relief is required in connection with this application. In addition, the proposed sign will be internally LED lighted.

Upon consideration of the plans, testimony and Application, the Board determines that the Applicant has provided sufficient information so as to enable the Board to render an informed decision with regards to the request for sign approval. The Board determines that it is appropriate to grant the application as proposed by the Applicant because the application is in full compliance with the sign ordinance requirements for signage in the C-3 Zone and as a result, no waiver relief is required in connection with this application.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Pequannock, that the Application of GNC for premises commonly known as Block 2007, Lot 1, on the Tax and Assessment Map of the Township of Pequannock, and located at 500 Route 23, Pompton Plains, New Jersey, in the C-3 Zone District, requesting sign approvals, is determined as follows:

- A. Approval is hereby granted to enable the Applicant to install a building attached business sign 3.5 feet in height by 13.25 feet in length for a total sign area of 46.375 square feet. The proposed sign will be internally LED lighted.

IT IS FURTHER RESOLVED that the above land use relief is granted subject to the following terms and conditions:

1. The Applicant shall comply with all appropriate terms and conditions of the Township of Pequannock Code Chapter 153 – Signs.
2. The Applicant represents that all of its representations and stipulations made by it or on its behalf to the Township of Pequannock are true and accurate and

acknowledges that the Planning Board specifically relied upon said stipulations in the Board's granting of approval. If said representations and stipulations are false, this Approval is subject to revocation.

3. This Approval is granted strictly in accordance with any recommendations set forth on the record by the Planning Board at the time of the public hearing on February 4, 2013.
4. The granting of this application is subject to and conditioned upon the Applicant complying with all terms and conditions set forth in the Board Planner's review report dated February 4, 2013.
5. The granting of this application is subject to and conditioned upon the Applicant installing signage in accordance with the sign plan submitted and approved by the Planning Board.
6. Payment of all fees, costs and escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
7. Certificate that taxes are paid current to date of approval.
8. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of

Pequannock, County of Morris, State of New Jersey
or any other jurisdiction.

The undersigned secretary certifies the within Resolution was adopted by this Planning Board on February 4, 2013, and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on February 25, 2013.



Roger Imfeld, Board Secretary

In Favor:

Against:

Abstained:

Board Members Eligible to Vote:

597313_1 PEQ-355E GNC Resolution Granting Sign Approval