

**RESOLUTION  
TOWNSHIP OF PEQUANNOCK  
PLANNING BOARD  
IN THE MATTER OF  
GALLAGHER & ASSOCIATES INSURANCE AGENCY, INC.  
DECIDED ON JULY 1, 2013  
MEMORIALIZED ON AUGUST 19, 2013  
APPLICATION FOR SIGN APPROVAL**

**WHEREAS**, Gallagher & Associates Insurance Agency, Inc. (hereinafter “Applicant” or “Gallagher”) has filed an application with the Township of Pequannock Planning Board (hereinafter “Planning Board” or “Board”) for sign approval for property known as Block 1411, Lot 9, on the Tax and Assessment Map of the Township of Pequannock (hereinafter “Township”), which premises are located at 608 Newark Pompton Turnpike, Pompton Plains, New Jersey, and located in the C-1 Community Business District (hereinafter “C-1 Zone”);

**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 July 1, 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 1411, Lot 9, on the Tax and Assessment Map of the Township of Pequannock and located at 608 Newark Pompton Turnpike, Pompton Plains, New Jersey. The subject site is located in the C-1 Zone.

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

1. Completed Sign Application, signed and dated June 12, 2013.
2. Proposed Sign Plan, prepared by SpeedPro, dated June 12, 2013 and ANK Creative Group, dated June 12, 2013.

Testifying on behalf of the Applicant was Daniel Gallagher (hereinafter "Gallagher"), a representative of Gallagher Insurance. The subject site is an existing storefront commercial building which is presently vacant. The Applicant proposes to remove the existing awning sign and attached wall sign and to install a new awning sign and attached wall sign. In accordance with Section 153.06(B)(1)(c), the total sign area for an attached sign shall not exceed twenty-four (24) square feet. Here, the Applicant proposes a building attached sign twelve (12) feet by one (1) foot, four (4) inches, for a total of sixteen (16) square feet which thereby conforms to the Ordinance requirements. However, the Applicant does require design waiver relief from Section 153.06(B)(1)(c) relative to the sign area on the awning. The Ordinance permits a maximum sign area on an awning of twenty-four (24) square feet whereas, in this instance, the Applicant proposes an awning sign ten (10) feet by three (3) feet, five (5) inches, for a total of thirty-five (35) square feet. As a result, a design waiver is required from this Section of the Ordinance. Gallagher testified that the new awning will be the same size as the previous awning.

The meeting was opened up 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 the foregoing findings of fact.

Gallagher is the Applicant for premises known and designated as Block 1411, Lot 9, on the Tax and Assessment Map of the Township of Pequannock and located at 608 Newark Pompton Turnpike, Pompton Plains, New Jersey, which site is located in the C-1 Zone.

The nature of the application is to permit the Applicant to remove the existing awning sign and attached wall sign and to install a new awning sign and wall sign. The Applicant intends to install a building attached sign twelve (12) feet by one (1) foot, four (4) inches, for a total of sixteen (16) square feet. Section 153.06(B)(1)(c) permits an attached sign to have a total sign area of twenty-four (24) square feet. As a result, no waiver relief is required in connection with the proposed installation of the building attached sign. However, pursuant to Section 153.06(B)(1)(c), an awning sign is permitted, however, the total sign area may not exceed twenty-four (24) square feet. In this instance, the Applicant proposes an awning sign ten (10) feet by three (3) feet, five (5) inches, for a total of thirty-five (35) square feet. Thus, waiver relief from this regulation is required. In all other respects, the Applicant complies with the Sign Ordinance of the Township of Pequannock.

The Board determines that it is appropriate to grant the design waiver requested in connection with this application. The Board notes that the size of the awning is substantially similar, if not identical to the awning that is being replaced. The Board is also satisfied that the proposed awning sign will not negatively impact adjacent property owners, but rather will enhance the physical appearance of the building.

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 regard to the request for sign approval. The Board determines that it is appropriate

to grant the application for signage as proposed by the Applicant inclusive of the granting of waiver relief.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Pequannock that the application of Gallagher & Associates Insurance Agency, Inc., for premises commonly known as Block 1411, Lot 9, on the Tax and Assessment Map of the Township of Pequannock and located at 608 Newark Pompton Turnpike, Pompton Plains, New Jersey, in the C-1 Zone requesting sign approval as determined as follows:

- A. Approval is hereby granted to enable the Applicant to install an awning sign ten (10) feet by three (3) feet, five (5) inches, for a total of thirty-five (35) square feet, and to install a building attached sign twelve (12) feet by one (1) foot, four (4) inches, for a total of sixteen (16) square feet in accordance with the Sign Plan submitted to the Board.
- B. Waiver relief is granted from the Sign Ordinance of the Township of Pequannock, Section 153.06(B)(1)(c) to permit an awning sign not to exceed thirty-five (35) square feet where the maximum sign area for an awning sign is twenty-four (24) square feet.

**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 July 1, 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 July 1, 2013.

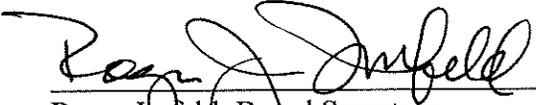
5. All terms and conditions of the Board's prior approvals remain in full force and effect except as satisfied or amended and not in conflict with this approval.

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 July 1, 2013, and memorialized herein pursuant to N.J.S.A. 40:55D-10(g) on August 19, 2013.

  
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Roger Imfeld, Board Secretary

IN FAVOR: *Fit AMANT, Imfeld, Kapotes, Vanderhoff, Driess, Krause, Altis*

AGAINST:

ABSTAINED:

BOARD MEMBERS ELIGIBLE TO VOTE:

650650\_1 PEQ-362E Gallagher Resolution Granting Sign Approval