

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF FRANKLIN
GRANTING PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL FOR
BLOCK 2201, LOT 72, A/K/A 3052 DELSEA DRIVE WITHIN THE TOWNSHIP OF
FRANKLIN, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the Applicant, The Bunker Fitness Center, LLC, c/o Nicholas Bennett, submitted an application which pertains to property located at 3052 Delsea Drive, designated as Block 2201, Lot 72, on the Tax Maps of the Township of Franklin, for preliminary and final site plan approval for the construction of a 6,000 SF fitness center and parking lot on the currently vacant and cleared site.

WHEREAS, after a public hearing held on December 17, 2024, the following initial findings of facts were made to wit:

1. The Applicant proposed to build a 6,000 SF fitness center and parking lot on the cleared and vacant site on the corner of Delsea Drive and Woodland Avenue, more specifically, 3052 Delsea Drive.
2. The owners of the property are Steven G. Corda and James B. Alspach, Sr., both residents of Franklinville, NJ.
3. The property is in the HC Highway Commercial Zoning District. Business and commercial uses are permitted principal uses in the HC district.
4. The application was considered complete as per the CME Associates November 26, 2024, review letter which recommended granting submission waivers for certain required items not provided.
5. The Applicant has requested variances from the Franklin Township land development code for the following relief:
 - a. 253-93.C – A loading/unloading space is required for all commercial properties. No loading space is proposed.
 - b. 253-184.1C(5) – Freestanding signs are required to be setback a minimum of 10 feet from any ROW, where a sign is proposed to be 4 feet from the Delsea Drive ROW. This is an existing condition.
6. Although raised as a possible variance in CME’s report, section 253-101.C, which provides that in RA districts there must be a 100 foot rear yard buffer where adjacent to qualified farms, it was determined upon further review by the Township Planner, Applicant’s attorney and the Planning Board Solicitor that section 253-101.C of the Township Code does not technically apply to this property as the adjacent farm is also within the HC district property rather than the RA district.
7. The Applicant has requested relief from the following design standards¹ of the Township Code:

¹ It should be noted that the Applicant testified at the Hearing that they were not seeking all of the variances initially requested and amended those being sought to those enumerated herein within the Resolution.

- a. 253-50.A (2), Sidewalks: All site developments and major subdivisions shall have sidewalks. Per Applicant, a partial waiver is requested for Woodland, but Applicant will provide for Delsea.
 - b. 253-50.A(3), Street Frontage: All site developments are required to have curbing along the street frontage, where curbing is proposed only along a portion of Delsea Drive, and no curbing is proposed along Woodland Avenue.
 - c. 253-50A(19)(a), Parking lot: Parking lots shall be a minimum of 15 feet from any property line in any size zone district, where 10 feet is proposed between the parking lot and Delsea Drive.
 - d. 253.50A(25)(a), Waste Container: All site development plans are required to include an area for refuse containers, where no dumpster area is proposed.
 - e. 253-103.M(1), Buffer Screen: A buffer screen of 50 feet in width is required between any commercial development in the HC district and an adjacent residential use. No buffer is provided along the property line with the adjacent resident to the northeast.
 - f. 253-138.H(4), Prefabricated metal panels are prohibited as exterior building material, where the proposed building will be composed entirely of corrugated metal siding.
 - g. 253-138.H(5), Dominant exterior materials may not include aluminum siding. The proposed building will be composed entirely of corrugated material siding.
8. The Applicant represented that the taxes on the subject property are current.
9. The Applicant was represented by Tara Vargo, Esq.
10. In support of the application, Mrs. Vargo introduced the testimony of the following people:
- a. William P. Gilmore, P.E., C.M.E.; and
 - b. Nicholas Bennett, individually, and as representative for The Bunker Fitness Center, LLC.
11. A complete list of the plans and documents submitted by the Applicant in support of its application is specified on page 11 of the review letter dated November 26, 2024, issued by Christopher Dochney, P.P., Planning Board Planner, and Edward F. D'Armiento, PE, CFM, of CME Associates, the Planning Board Engineer.
12. The Applicant marked the following exhibits in evidence at the public hearing in this matter:
- A1: Proposed Site Plan for The Bunker, Sheet 4 of 11, Block 2201, Lot 72, as prepared by William P. Gilmore, dated 11/08/2024.
13. Christopher Dochney, P.P., AICP, of CME Associates, the Planning Board Planner, submitted a comprehensive review letter dated November 26, 2024, which supplemented his initial review. Additionally, Edward F. D'Armiento, P.E., of CME Associates, the Planning Board Engineer, submitted his comments within the same review letters as

indicated herewith. Said letters are on file with the Planning Board Secretary and are incorporated by reference herein.

14. The Planning Board considered the testimony of Robert Sanchez, P.P, substitute Planning Board Planner, and Edward F. D'Armiento, P.E., CFM, CME, the Planning Board Engineer. Both testified with regard to and consistent with their respective review letters.
15. Public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12.

WHEREAS, Tara Vargo, Esq. attorney for the Applicant, The Bunker Fitness Center, LLC, c/o Nicholas Bennett, introduced the application and represented to the Board that there would be two (2) main witnesses. Finally, Mrs. Vargo and the applicant's engineer represented that the Applicant will comply with all of the comments and conditions contained in the most review letter prepared by CME Associates, dated November 26, 2024.

WHEREAS, the Applicant's first witness, William P. Gilmore, PE, was sworn in and testified. He was qualified and accepted as an expert in engineering by the Board. Mr. Gilmore gave testimony as to the application and addressed the positive and negative criteria in connection to the several variances which were requested by Applicant. Mr. Gilmore testified that the variances would not have a substantial detrimental impact on the public good and that it would not impair the intent and purpose of the zoning plan. Further, the benefits of allowing the variances would outweigh any detrimental impact as the fitness facility is a beneficial and attractive use in the township for its community members.

WHEREAS, the Applicants and their professional addressed the issues raised by the Township Planner including requested variances, landscaping and lighting concerns, grading, drainage and utilities along with general information about the proposed fitness club.

WHEREAS, Applicant testified that he will be operating The Bunker Fitness Center, LLC, and that the core business which now exists in Clayton, NJ will be closed, and the Franklin Township location will take its place and be the main facility. This is a specialty gym tailored mostly to body building. There are expected to be 30-40 members of the gym and only 2 (two) employees expected. The design of the building was discussed and the Applicant testified that the metal building's overall aesthetic agreed with its proposed use. There is no real waste that is anticipated on site and a cleaning company will be coming on site regularly to clean and take any trash off site. Discussion was had regarding ingress/egress on site, and it was requested by the Board, and agreed upon by Applicant, that there would be no exit between the hours 6:00 p.m. through 6:00 a.m., on to Woodland Avenue. A sign shall be posted on site and at the entrance specifying entrance only between the proposed hours. The board and Applicant discussed a screening of additional trees to screen off the land from the adjacent residential property with additional landscaping and trees to be provided and planted along the entrance/exit of Woodland Avenue and Applicant will the Board professionals in this regard to add additional screening and trees along the 50 feet buffer separating the properties. If the landscaping and tress cannot meet the required setbacks for their septic then a fence will be installed in its place.

WHEREAS, the Board Planner, Chris Dochney, P.P. AICP, was not present at the hearing; however, substitute CME engineer, Robert Sanchez, appeared and testified for Board Planner and consistent with CME's review letter.

WHEREAS, the Board Engineer, Edward F. D'Armiento, PE, CFM, CME, testified consistent with his review letter. The Engineer noted that the plans have been revised by Applicant to address most, if not all, of the concerns raised in his review letter. The Engineer addressed several of the comments raised in the review letter and the issues were addressed with the Applicant further testifying that they would comply with all items raised in the review letter.

WHEREAS, the development plans have been reviewed by the Planning Board Professionals (whose findings and reports are incorporated herein and made a part hereof) and have been found to be in compliance with the Development Regulations of the Township, except as noted previously where variances or waivers were requested,

WHEREAS, there were no questions or inquiries made by residents and members of the public at the public hearing on this application other than a general comment made by resident, Jason Brandt, regarding the 100-foot buffer and the consistency in its application noting that here it should not apply as the property is in highway commercial and not residential.

NOW, THEREFORE, based upon the foregoing findings of facts and conclusions of law, including all of the testimony and evidence presented at the public hearing, BE IT RESOLVED by the Planning Board of the Township of Franklin that the Application by The Bunker Fitness Center, LLC, c/o Nicholas Bennett, for Preliminary and Final Major Site Plan with associated variances for the construction of a 6,000 SF fitness center and parking lot is hereby GRANTED by a vote of eight (8) in favor and none (0) opposed, for the reasons set forth on the record in this matter and subject to the following terms and conditions:

1. The Applicant *shall be bound by all agreements and/or representations made by or on behalf of the Applicant as set forth at the hearing in this matter* and the Applicant shall be bound by all exhibits introduced, all representations made and all testimony given on its behalf before the Planning Board, except as otherwise noted on the record.
2. The Applicant shall satisfy all outstanding fees and escrows.
3. The Applicant shall provide all Planning Board professionals with an electronic copy of the files with each submission.
4. The Applicant shall obtain any other applicable governmental approvals which the Applicant may be required to obtain from any local, county, state, or federal governmental agency or body, which shall include but not be limited to:
 - a. Gloucester County Planning Board
 - b. Gloucester County Soil Conservation District
 - c. Gloucester County Health Department
 - d. Township of Franklin Fire Marshal
 - e. Township of Franklin Police Department
 - f. Gloucester County Utilities Authority
 - g. Franklin Township Tax AssessorEvidence of these approvals must be submitted to the Planning Board Secretary, Planning

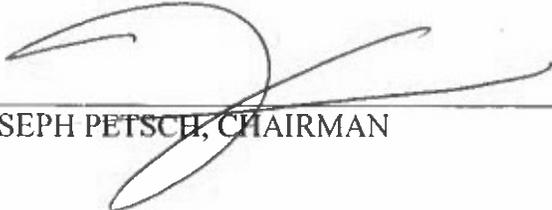
- Board Planner, Planning Board Engineer, and Planning Board Attorney prior to the issuance of any permits.
5. Applicant to submit updated Site Plan drawings including the one utilized as A1 at the December 17, 2024, meeting.
 6. The Applicant shall address all issues and comments raised in the review letters as prepared by the Board's professional planner and engineer and Applicant agrees to comply with all recommendations.
 7. Applicant shall limit the use of the entrance/exit at Woodland Avenue by posting signage indicating that there can be no exit onto Woodland Avenue between the hours of 6 pm through 6 am.
 8. Applicant shall add trees and other such approved landscaping to screen the property from the adjacent residential property at the entrance of Woodland Avenue; however, if landscaping or trees are unable to be utilized due to setback requirements then a fence will be utilized instead.
 9. All conditions of approval must be satisfied by the Applicant prior to any permits.
 10. The failure of the Applicant to comply with any of the conditions contained in this Resolution will permit the Planning Board, at its sole option, to rescind the approvals being granted by this Resolution and/or to advise the Townships to revoke any permits which have been issued to the Applicant.

BE IT FURTHER RESOLVED that Notice of Decision of this Resolution will be published by the Planning Board Secretary within ten (10) days of the date of the adoption of this Resolution in the South Jersey Times or the Sentinel of Gloucester County, which are designated as the official newspapers of publication of the Township of Franklin Planning Board.

ROLL CALL VOTE
THOSE IN FAVOR: 8
THOSE OPPOSED: 0
THOSE ABSTAINING: 0

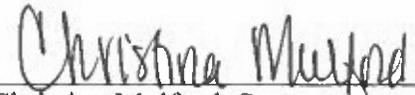
Adopted at a regular meeting of the Planning Board of the Township of Franklin held on December 17, 2024.

TOWNSHIP OF FRANKLIN PLANNING BOARD



JOSEPH PETSCH, CHAIRMAN

ATTEST:

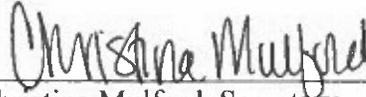


Christina Mulford, Secretary

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorialization resolution, as adopted by the Planning Board of the Township of Franklin in accordance with its decision at a regular meeting held on January 21, 2025.

DATED: January 21, 2025



Christina Mulford, Secretary
TOWNSHIP OF FRANKLIN PLANNING BOARD