

**RESOLUTION NO. 2021-  
PILESGROVE TOWNSHIP PLANNING BOARD  
RESOLUTION MEMORIALIZING THE GRANT  
OF PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL  
SUBJECT TO CERTAIN CONDITIONS, TO  
APPLICATION NO. 2021-005  
AMERICAN LEGION AMBULANCE ASSOCIATION  
(BLOCK 25, LOT 11.01)**

**Approved: March 17, 2021  
Memorialized: August 18, 2021**

**WHEREAS**, an Application was filed by American Legion Ambulance Association (Applicant), whose mailing address is P.O. Box 187, Woodstown, New Jersey 08098, through their attorney, Robert J. Wiltsee, Esquire of Hoffman DiMuzio with an address of 1739 – 1753 Delsea Drive, P.O. Box 285, Franklinville, New Jersey 08322 for preliminary and final major site plan approval for property known as Block 25, Lot 11.01 on the Pilesgrove Township Tax Map and more commonly referred to as 25 Robinson Road, Woodstown, NJ 08098 (Property) being located within the NC - Neighborhood Commercial Zoning District. The improvements being depicted on a certain plan entitled: American Legion Ambulance, Preliminary and Final Major Site Plan prepared by Peterman Maxcy Assoc., LLC whose mailing address is 189 Lakeview Drive, Suite 101, Gibbsboro, New Jersey 08026 dated February 5<sup>th</sup>, 2021, and signed by Brian S. Peterman, Professional Engineer, license #38232 and consisting of (7) sheets; and,

**WHEREAS**, James H. McKelvie, P.E., CME, the Pilesgrove Township Planning Board Engineer (Board Engineer), having reviewed the Application rendered a completeness review letter thereon dated March 15, 2021 (Completeness Engineer's Letter) and having reviewed the application rendered an engineer's report thereon dated April 19, 2021 (Engineers Letter),

**WHEREAS**, Randall Scheule, PP/AICP, The Pilesgrove Township Planning Board Planner having reviewed the application rendered a Planner's Report thereon dated April 19, 2021.

**WHEREAS**, the Application was deemed complete by the Board on March 17, 2021 at the regular scheduled meeting of the Pilesgrove Township Planning Board; and,

**WHEREAS**, notice to the public was required in accordance with the Township Ordinance and the Municipal Land Use Law (MLUL); and

**WHEREAS** notice was provided in accordance with the Township Ordinance and the MLUL.

**WHEREAS**, the Board determined that it had jurisdiction to hear the Application and proceed with a public hearing on the Application on the regular meeting of the Pilesgrove Township Planning Board convened on April 21, 2021; and

**WHEREAS**, no members of the public spoke on the application; and,

**WHEREAS**, the Board heard testimony from Brian S Peterman, Engineer for the Applicant, Robbie Conley, Architect for the Applicant, Joseph Valentine, President and authorized representative of the Applicant, and representations made by Robert J. Wiltsee, Esquire, attorney for Applicant; and

**WHEREAS**, after hearing the above testimony and representation, the Board made the following findings of fact:

1. The property is in a NC - Neighborhood Commercial Zoning District as designated on the Township Zoning Map.
2. The Property currently consists of a two-story frame building which is a former bank building with drive-through, paved parking area and driveways.
3. The Applicant is proposing to remove a portion of the existing drive through structure and construct a proposed 3,000 SF building.
4. The Property is approximately 58,176 square feet in size.
5. The Property is located on the north side of Harding Highway, US Route 40 and Robinson Road, adjacent to the Sunoco service station located at the intersection of Harding Highway, US Route 40 and Kings Highway (CR 620).
6. Access to the site is by an existing driveway intersecting Robinson Road, an existing driveway intersecting Harding Highway, US route 40, through adjacent Lot 12, and an existing driveway intersecting Kings Highway (CR 620), through a cross access easement on adjacent Lot 12.
7. A new septic system is proposed at the rear of the lot.
8. There will be employees of the Applicant on the site twenty-four hours seven days a week.

9. A waiver for a loading dock was requested by the Applicant and it was testified that there is no need for the loading dock as the only supplies that will be received by the facility is office supplies.
10. The Applicant is requesting a waiver from a dumpster and dumpster enclosure located on the site as there will be minimal trash which can be handled through typical trash containers.
11. The Applicant testified there will be no hazardous chemicals utilized on the site.
12. The Applicant testified and agreed to close off the access road between the gas station and the concerned property.
13. The Applicant agreed to work with the board professionals to repair as needed the pavement on the site including the rear drive.
14. The Applicant testified and agreed to working with the board professionals on the landscaping and lighting for the concerned property, to the board professionals' satisfaction.
15. The Board Next reviewed the Engineer's Letter and the Planner's Report. The Applicant agreed to comply with all the comments and requirements contained in the letters, subject to the Engineer's and Planner's approval.

**BE IT THEREFORE RESOLVED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2021 by the Pilesgrove Township Planning Board, the preliminary and final major site plan and waivers as requested, as further depicted on the plans submitted is granted and is subject to the following conditions:

1. The Applicant agrees to close off the access road between the gas station and the concerned property.
2. The Applicant agrees to work with the board professionals on any required pavement repairs, including the rear drive, to the board professionals' satisfaction.
3. The Applicant agrees to work with the board professionals on the landscaping, lighting, and architectural concepts for the site, to the board professionals' satisfaction.
4. The board grants waivers of the dumpster and loading dock requirements.
5. All plans shall be modified in accordance with the above requirements, subject to the board professionals review and approval, to their sole satisfaction.

6. Any and all conditions of approval detailed in the Engineer's letter and Planner's report, subject to the Engineer's and Planner's approval

7. Payment of any and all required fees which are due or may become due to the Township within seven (7) days notice thereof, including but not limited to, settlement of any outstanding review escrow accounts.

8. Any and all conditions of approval detailed in the Technical Engineer's letter is subject to the Engineer's approval.

9. Obtaining any and all other approvals for the proposed revisions that may be required by any governmental/regulatory body including, but not limited to, the New Jersey Department of Environmental Protection pursuant to the Freshwater Wetlands Act, the Salem County Planning Board and/or the Salem County Soil Conservation District, New Jersey Department of Transportation, etc. Applicant's engineer shall certify that said approvals have been received.

**BE IT FURTHER RESOLVED**, that in the event the above conditions are not satisfied within two (2) years from the date of the grant of approval, the relief granted herein shall be denied retroactively to said approval date.

**BE IT FINALLY RESOLVED** that the Applicant is hereby placed on notice that:

1. If he or his successors intend or desire to engage in a regulated activity upon the Property as defined in N.J.S.A. 13:9B-3; and, if required, a Freshwater Wetlands Permit or exemption therefrom must be obtained.

2. In the event the development requires the disturbance of more than 5,000 square feet of property, approval of a plan for soil erosion and sediment control may be required from the Salem County Soil Conservation District; and if so, no Certificate of Occupancy will issue until the plan is implemented.

3. Applicant shall comply with all representations made during the course of the hearing and in all filed documents.

4. Applicant shall indemnify and hold the Board harmless from any claim of any kind which may be made as a result of any deficiency in the Application, including any challenges to the notice requirements of the MLUL and Township Ordinance.

5. During construction, Applicant shall correct any condition causing erosion or any other deleterious effect upon the community within three (3) days notice, or any lesser time deemed required, from or by the Township Engineer.

6. Applicant shall be responsible for locating the improvements in accordance with the Ordinance and/or this Resolution. Same may require the retention of a professional land surveyor, engineer, etc. to ensure compliance with the Ordinance. Applicant expressly understands that the Township shall not be responsible for locating the improvements and if same are not in compliance with the Ordinance and/or this Resolution, Applicant shall be obligated to remove said non-conforming improvements and relocate them in accordance with the Zoning Requirements and/or this Resolution.

7. Any additional site improvements or modifications to the approved plan require approval from the Pilesgrove Planning Board.

8. The Applicant shall comply with all Township and MLUL bonding requirements.

**PILESGROVE TOWNSHIP PLANNING BOARD**

**BY:** \_\_\_\_\_

**JEFFREY STRING, Chairperson**

**ATTEST:**

\_\_\_\_\_  
**RITA SHADE, Secretary**

## ACKNOWLEDGMENT

I, \_\_\_\_\_, hereby certify I reviewed the within Resolution, and realize the Board has relied upon my representations as an essential element in granting this approval. I acknowledge I have the absolute right to request the rescission of this approval within 45 days of the adoption of the Resolution, subject to payment of any and all fees associated therewith. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: \_\_\_\_\_

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