WHEREAS, application has been made to the Hawthorne Planning Board by **Hawthorne Gospel Church** for amended site plan approval, variances and waivers for property commonly known as 2000 Route 208 North and also known as Block 289.01, Lots 3, 4, 5 and 6 on the Borough Tax Map, located in the R-1 Residential Zone; and

WHEREAS, the applicant has submitted to the Board satisfactory proof of publication and service of notices of the application as required by law; and

WHEREAS, the Planning Board conducted a public hearing on said application on August 16, 2016 at which time the applicant offered expert and lay testimony in support of the application, the Board had the benefit of reports submitted by the Board engineer and the Board opened the hearing for comment by the public; and

WHEREAS, the applicant was represented by Darryl W. Siss, Esq.; and

WHEREAS, the Board, during the course of the public hearing, admitted into evidence and considered the following exhibits:

Exhibit A-1 Letter of No Interest dated August 3, 2016 from State of New Jersey Department of Transportation

Exhibit A-2 2015 Attendance Log

Exhibit A-3 Average Worship Service Attendance 2000-2015

Exhibit A-4 Engineering Plans prepared by LAN Associates, consisting of 8 pages, all with initial date of February 17, 2016, with a final Revision date of July 29, 2016, identified as follows:

T.01-Title Sheet
SP.11 Existing Conditions/Demolition Plan
SP.21 Amended Site Plan
SP.31 Grading Plan
SP.41 Utility Plan
SP.51 Landscape and Lighting Plan
SC.01 Soil Erosion and Sediment Control Plan
CD.01 Construction Detail

Exhibit A-5 Architectural Plans prepared by LAN Associates Consisting

of 4 pages, all with initial date of February 17, 2016, with a final revision date of July 29, 2016, identified as follows:

A2.01 Proposed First Floor Plan
A2.02 Proposed Second Floor Plan
A2.03 Proposed Roof Plan
A.3.01 Building Elevations

Exhibit A-6 Colored rendering of architectural plan identified as A3.01.

Exhibit A-7 Plan prepared by LAN Associates dated August 15, 2016 identified as SK.01 Sketch Plan

WHEREAS, the Board heard testimony from Pastor David Andersen. He testified that he is in charge of the project on behalf of the applicant. He stated that the subject property comprises twenty-two acres on which are located seven buildings. Four church services are conducted each Sunday. He stated that the proposed addition is required to address the following needs: improved handicapped accessibility including an elevator, additional restroom facilities, additional pre-school classrooms and an improved social area for the time between services based on the inadequacy of the present sanctuary foyer. He presented Exhibits A-2 and A-3 containing compilations of attendance figures for church services and indicated that average attendance has not increased over several years. He also stated that the applicant does not anticipate any increased parking requirement as a result of the proposed addition. He confirmed the applicant's agreement to install buffer plantings and take any required measures to mitigate runoff on the adjoining property. He noted that three parking attendants monitor the parking lot during Sunday services.

WHEREAS, the Board heard testimony from Kenneth H. Karle, the applicant's engineer/architect/planner. He testified that he is licensed as a professional engineer, planner and registered architect. Based on his past appearances before the Board, he was offered and accepted as an expert witness. He is the president of LAN Associates which prepared the plans

listed as Exhibits A-4, A-5 and A-6. Using Exhibit A-6, a rendering of the proposed addition, he described the new tower element with the entrance at the lower level. The parking lot will provide compliant barrier-free parking. An elevator will be added as well as a new set of barrier-free restrooms. The addition will solve the existing restroom problem and create a barrier-free entrance. The sanctuary foyer/lobby will be moved to the addition and new classrooms will be added. The retaining walls shown on the plans are necessary based on the topography of the site and changes to the parking area will eliminate slopes. With regard to parking spaces, Mr. Karle testified that the number of spaces proposed exceeds the requirements of the parking ordinance. Although the size of the spaces (9' x 18') does not comply with the requirement in the borough ordinance (10' x 20') and requires a variance, Mr. Karle testified that in his opinion, the size of the proposed spaces is reasonable and generally accepted as adequate. He stated that some new lighting is proposed and there will be a slight decrease in impervious coverage. No steep slopes are proposed to be disturbed and no significant soil movement will take place. A variance is necessary from the requirement of providing a steep slope analysis.

WHEREAS, the Board engineer submitted written reports dated May 9, 2016 and August 9, 2016.

WHEREAS, the Board opened the hearing for comment by the public at which time Lloyd Sarakin, Vice President of Barrister Farms Condominium Association testified that the association has no objection to the applicant's proposal based upon the applicant's agreement to provide buffer plantings along the boundary between the two properties.

WHEREAS, the Board, after considering the testimony and exhibits introduced at the public hearings, the arguments of counsel and the report and comments of the Board engineer, does hereby make the following findings of fact and conclusions of law:

1. The subject property is owned by the applicant and is located in the R-1 Zone. The site is currently utilized as a church and school and is developed with a church building as well as several other structures, a pool, recreation fields, a playground and parking lot. A portion of the property is located in the Township of Wyckoff, but the Wyckoff Planning Board has not required formal review of the application.
2. The applicant proposes to construct a two-story addition of approximately 15,545 square feet to the church building together with a concrete terrace and improvements to the church entrance and parking lot.
3. The existing uses as a church and school as well as the proposed additions are permitted in the R-1 Zone.
4. The purpose of the proposed addition is to consolidate different church programs and activities in one building as well as to provide improved handicapped accessibility, additional restroom facilities, increased and centralized preschool classrooms and enlargement of the social area utilized between the four church services held each Sunday. The addition is not designed or expected to increase the intensity of the present use of the premises or require any additional parking.
5. Approval of the application requires the granting of the following variances:

   Parking space size - 10 feet x 20 feet required, 9 feet x 18 feet proposed (existing condition)

   Steep slope analysis - Applicant requests variance from requirement to provide analysis

Retaining wall height - Maximum height allowed 6 feet, 13.88 feet proposed

With regard to the parking space size, the number of spaces provided exceeds the number required under the ordinance and has been an existing condition for some time. Although the proposed size does not satisfy the ordinance requirement, it is generally accepted as reasonable and adequate especially since the parking lot is most heavily used for Sunday church services.

With regard to the steep slope analysis, since no steep slopes are proposed to be disturbed, the analysis is not necessary for the Board's determination.

With regard to the retaining walls, the proposed height is required based on the topography of the site and will eliminate slopes in the parking area.

6. The Board finds, based on the review of the proposed plans and the report of the Board engineer, as well as the testimony of the applicant's expert, that the planning benefits of the applicant's proposal, under N.J.S.A. 40:55D-70(c)(2) outweigh any substantial detriment from the granting of the required variances. The Board also notes that the applicant's use includes a school and as such, meets the definition of "inherently beneficial use" under N.J.S.A. 55D-4.

7. The applicant also requested waivers from some of the checklist requirements in the applicable ordinance as listed in the report of the Board

engineer. Based on the opinion of the Board engineer as expressed at the hearing, the Board grants the waiver requests.

8. The Board finds that the required variances can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zoning ordinance and zone plan. The Board further finds that approval of the proposed site plan can be granted without significant negative impact upon public health, safety and general welfare.

WHEREAS, at its meeting on August 16, 2016, the Board approved a motion granting the application subject to the preparation of a memorializing resolution:

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Hawthorne, that the application of the **Hawthorne Gospel Church** for amended site plan approval, variances and waivers be and hereby is granted subject to the following terms and conditions:

1. Conformance with the plans submitted by the applicant and admitted as exhibits and more specifically described above.
2. The applicant shall be bound by all exhibits introduced, all representations made and all testimony given before the Board at the hearings held on this application.
3. The applicant shall be responsible for obtaining any other approvals or permits from any other governmental agencies as required by law, specifically including but not limited to the Hudson-Essex-Passaic Soil Conservation District, and the applicant shall comply with any requirements or conditions of such approvals or permits. In the event that review of the applicant's plans by any other governmental agencies requires changes which

affect the terms and conditions of the Board's approval, the Planning Board retains jurisdiction to review the plans in light of the required changes.

4. Submission of copies of the surveys used to prepare the site plan.
5. Submission of a performance guaranty for the soil movement required for the project.
6. The Board reserves the right to require modifications and/or changes in the site lighting for a period of six months after installation.
7. The applicant shall post all fees and deposits as required by the Borough Code including any deficiencies in any escrow account prior to issuance of a building permit and prior to the issuance of a certificate of occupancy.

The undersigned, Chairman of the Planning Board of the Borough of Hawthorne, hereby certifies that the above is a true copy of a resolution adopted by said Board on the 20th day of September, 2016.

WALTER GARNER, III, Chairman