

**VOORHEES TOWNSHIP ZONING BOARD MINUTES****OCTOBER 8<sup>TH</sup>, 2020**

The Chairman called the meeting via zoom to order and stated it was being held in compliance with the “Open Public Meeting Act” and had been duly noticed and published as required by law.

**ROLL CALL**

Present: Mr. Cohen, Mr. Willard, Mr. Leoncio, Mr. Cupersmith, Mr. Senges, Mr. Pannu.

Absent: Mr. Weil, Mr. Daddario.

Also, present: Chris Norman, Board Solicitor, Bennett Matlack, CME, Christopher Dochney, CME, Stella R. Sytnik, Zoning Board Secretary.

**MINUTES FOR APPROVAL**

Mr. Willard motioned to approve the Minutes from the September 24th Zoning Board meeting; seconded by Mr. Cupersmith, none (0) against; Mr. Cohen abstained, Mr. Pannu abstained.

**RESOLUTIONS FOR APPROVAL**

None

**NEW BUSINESS****ADUCAT OUTDOOR, LLC**

298 Kresson Gibbsboro Road  
Block 228, Lot 2.02

Mr. Norman summarized the Application stating the Applicant was seeking (d ) variance relief per Ordinance as follows:

**150.15(E)(8)(f)** A variance is requested to allow for the conversion of an existing static billboard sign to a digital billboard sign. The existing billboard is a non-conforming condition that was approved by a previous use variance.

**150.15(E)(8)(f)2** A variance is being requested to allow for a billboard that does not have lighting directed onto the billboard. This variance is for the proposed conversion from a static sign to a digital sign.

**150.15(E)(8)(f)5** A variance is being requested to allow for lot area of 0.15 acres where a minimum of 0.5 acres is required. This is an existing non-conforming condition.

**150.15(E)(8)(f)6** A variance is being requested to allow for a lot frontage of 50 feet where 100 feet is required. This is an existing non-conforming condition.

**150.15(E)(8)(f)7** A variance is being requested to allow for a billboard sign to be located less than 500 feet from a residential district. This is an existing non-conforming condition.

**150.15(E)(8)(f)11** A variance is being requested to allow for a billboard sign to be less than 500 feet from another billboard sign. This is an existing non-conforming condition.

**150.15(E)(8)(f)13** A variance is being requested to allow for a billboard sign to be located more than 5,000 feet from the northerly township boundary. This is an existing non-conforming condition.

**150.15(E)(8)(f)16** A variance is being requested to allow for a side yard setback of 15 feet where 20 feet is required. This is an existing non-conforming condition where the minimum provided side yard is being increased from 14.25 feet to 15 feet; and all other variances, waivers and/or other relief as may be deemed necessary by the Board and/or its professionals. Note that the front edge of the proposed sign will have a side yard setback of 21' and complies with the side yard setback requirement.

Mr. Senges invited the Applicant and his professionals.

The Applicant and the following professionals joined the meeting:

Wesley Aducat – Aducat Outdoor Advertising, Applicant

Daniel B. Markind - Flaster Greenberg PCM, Attorney

Richard Clemson – James Sassano Associates, Inc., Engineer

David Shropshire – Shropshire Associates LLC, Traffic Engineer

Tiffany CuvIELLO Morrissey – Tiffany A. CuvIELLO PP, LLC, Planner

Mr. Norman advised the Applicant there are only six (6) members of the Board present and as such, they do not have a full Board of seven (7) members whereas five (5) affirmative votes

needed for (d) variance application. He asked the Applicant whether they wanted to proceed anyway.

The Applicant answered affirmative.

Mr. Norman advised they are doing it at their own risk.

The Applicant confirmed they understand the risk and thanked the Board for hearing the case.

Mr. Norman swore in the Applicant and the professionals and asked the Applicant to begin his testimony.

Mr. Markind introduced himself and thanked the Board. He introduced his assistant and Mr. Aducat, both being next to him, in a safe distant capacity room. He referenced zoning permit denial which they received to convert static sign into digital. Mr. Markind mentioned that many townships in the area have revised their ordinances to make it consistent with current demand. They have not heard it from Voorhees. By means of this application they are asking for interpretation of the Ordinance. Regarding the second item on the zoning permit denial, there are in front of the Board for the site plan approval. Not sure it is even relevant, but they will address it regardless.

Mr. Markind introduced other professionals who were previously sworn in by Mr. Norman.

They will be addressing the individual items presented by CME Engineer's report issued on August 18, 2020, so the Board will get complete and full understanding of what is being proposed.

Mr. Markind asked Mr. Clemson to show the screen with their presentation and explained to the Board they will be sharing various exhibits on the screen during his client and their professionals' presentations. He then turned the presentation over to his client, Wesley Aducat.

Mr. Aducat residing at 298 Kresson Gibbsboro Road in Voorhees introduced himself. He advised they are proposing to update the existing billboard on Rt.73 which is static and externally illuminated into an LED digital billboard. They propose to replace it with a new billboard.

Mr. Aducat shared with the Board a picture of the current billboard referencing the first slide of his presentation. He stated the sign was approved in 1982. They are proposing to replace the multi poled structure with a single pole on the bottom. Referencing the second slide, Mr. Aducat showed rendering of the new proposed billboard. He mentioned they are doing this partly to increase the existing front yard setback from 6.5 ft to 20 ft which will better meet the Ordinance. He stated the LED billboard runs 64 seconds loop, all images are static, each ad runs every eight (8) seconds. They plan to reserve a space for the Township, and he will be working with Lt. Sheets from VTPD to provide public service messages as the Township deem necessary including any County and/or Township weather or health related announcements. They will also work with Economic Development Officer do they can put up any messages at no cost to the town. All messages can be posted from his phone or laptop. They are working with a lot of other local clients who use billboards on Rt.73, such as Samaritan, Virtua, Brandywine, Auto Lenders. Those clients are interested because they could provide updates and change messages in a very efficient manner. Virtua, e. g. can put up any messages related to Covid-19 and their new birthing center.

Mr. Senges asked how specifically the public service messaging aspect would work.

Mr. Aducat explained they would reserve one spot for any public message. One of the 8 spots will be dedicated to the Township. They will have something generic at all times, but if the Township wants something specific, for example Amber alert, they will update the spot. They will reserve it for the Township whenever the officials need it.

As part of his testimony, Mr. Markind shared the precedent, a slightly different ENJ Equities case from 2016. The case was asking for a digital sign, the Supreme Court overruled the township denial. Mr. Markind quoted four (4) sentences from that case to summarize his point about advantages of the digital board serving not just commercial but also public interests, as well as

rapid response and ability to broadcast urgent messages to all and particularly special needs and cost effectiveness.

Mr. Markind mentioned he brought it up because it is particularly valuable in these times of Covid-19 pandemic, when the public service significance is being expanded, quarantine regulations and school regulations change daily, bussing regulations change hour by hour. Having a virtual sign such as this would allow the public to see the message in a way that a static sign would never allow. He emphasized the public benefit due to flexibility of a digital sign, along with obvious commercial purpose.

Mr. Markind turned it over to Mr. Clemson, the client's Engineer.

Mr. Clemson residing at 41 South Rt. 73, Hammonton, NJ, introduced himself and shared his credentials.

Mr. Norman confirmed that Mr. Clemson had previously testified in front of the Planning board, most recently last month. Mr. Clemson confirmed he had testified in front of both Zoning and Planning Boards before.

Mr. Senges accepted Mr. Clemson's credentials on behalf of the Board.

Mr. Clemson started with overall site description. He shared an exhibit, a fairly zoomed in aerial image, to describe the location of the sign. The property is on 127 Rt. 73 state owned highway, south bound side of the road with Valero gas station on the north side and Cedar Shopping Center on the opposite side of Rt. 73. The property is owned by the Applicant. The sole use of the property is the existing billboard sign. There are no other structures. The old sign was constructed in 1982 and has two (2) sign faces that are back to back and parallel to each other. The lot is in the major business zoning district with intact 1.5 acres area and fifty (50) ft roadway frontage. He provided topographic details.

The Applicant is requesting a use variance, bulk variances and minor site approval to convert by means of relocation and replacement the existing double-sided static into a digital double-sided billboard sign. It will continue to be the sole use of the property. Importantly, they propose an eight (8) ft wide bituminous path. They have berming and landscaping, ten (10) ft strip between the bituminous pathway and Rt. 73.

Mr. Clemson pointed out that all of these improvements were designed in accordance with Rt. 73 design standards. They fit in quite a few landscaping in a very condensed area of only fifty (50) ft long frontage. They will plant two (2) shade trees, three (3) evergreen trees, two (2) ornamental trees, sixteen (16) shrubs, and a flower bed with eighty (80) perennials plantings.

Mr. Senges asked if irrigation will be provided.

Mr. Clemson confirmed the irrigation will be provided, they agreed to that.

Mr. Clemson stated the Applicant is seeking the use variance for conversion from static into digital. The proposed sign will be the same dimensions as the existing, such as sixteen (16) ft high, sixty (60) ft long, forty-seven (47) ft overall height. So, dimensions will be unchanged from before to after. The only thing that will be changing is that the billboard will be supported by a single five (5) diameter steel column instead of five (5) steel eye beams. They are proposing much cleaner support structure by means of a single column as opposed to the current older style/method of supporting billboard signs. One of the advantages of such improvement is that they can meet Rt. 73 design standards requirements. If they had left all of them unattractive, they would have had trouble to offer such requirements.

Mr. Clemson further testified that the proposed structure is being moved further away from Rt. 73, twenty (20) ft away from the right of way.

Mr. Clemson pointed out they will have a V-shape for the sign instead of two parallel panels. It means that at the front edge of the sign, the two panels will be coming together very closely, almost touching, and at the rear edge of the sign, the two blades are being separated by ten (10)

feet. It angles the two (2) side blades towards Rt. 73, and it helps to focus attention of the drivers to the sign and minimizes impact on the adjacent properties.

Mr. Clemson summarized the nature of the Applicant's bulk use variance using the exhibits. Key points: lighting to be directed to the sign is required but because they are doing LED, this variance is not even applicable, since there is absolutely no lighting outside, internal not external. They do not believe this variance is even relevant as there are no lights shining on to the billboard. Next variance is an existing lot size to which they propose no changes, leaving intact 1.5 acres requirement. Most of the other bulk variances are existing conditions. To allow lot frontage of 50 ft where 100 ft is required so no changes from their end. A billboard to be located 275 ft from the residential zoning district. He brought up another exhibit, aerial photo to show MB zone of the billboard, center of the Dutchtown road as a boundary line between MB and MDR zone. Their sign is 275 ft where minimum 500 ft is required This is an existing condition, and they have no impact on that. There is a significant wooded buffer, no changes. Next variance to allow 430 ft from another billboard where 500 ft required; again existing condition. The closest sign exists 430 ft away, both signs were built in 1982, both are old signs. He pointed out that the nearest billboard to the north of their property is across from William Feather Drive and in vicinity 2, 745 ft away and this one was built in 1970. Variance to allow 8,150 ft where maximum of 5000 ft was required. It is his understanding it was adopted after the billboard already existed. Lastly, a side setback of 15 ft where 20 ft is required, to which Mr. Clemson pointed out, as a result of relocation of the existing sign, they are centering the sign and pushing it back. The existing setback is 14 ft, it will be about 15 ft once they set it up. Because of the side back variance they have a reason to direct LED lighting toward the roadway and reduce impact on adjacent properties. Thus, the deviation is for the better, and the positive is here they are creating the V shape.

Mr. Clemson concluded the summary of bulk variances and moved on to the sign itself.

Mr. Clemson noted that because it is supported by a steel column, there will be very little disturbance associated with construction, it will be installed without foundation, no excavation, but by drilling a hole and pouring the concrete. It is a very simple process in terms of minimizing construction and disturbance. The structure engineer will submit plans to the Construction Office for approval.

Mr. Clemson further noted that the nearest residential property is on Lot 4, Block 228. They are 285 ft away from that particular home. The billboard will be galvanized grey color, 90-year rust proof life.

In conclusion, Mr. Clemson reconveyed they are going to improve the esthetics by eliminating multiple eye beam columns from 5 to 1, moving it away from the highway to 20 ft from 10 ft back of right of way, providing landscape improvements, and reduction in ambient lighting by converting it from static to digital sign. Mr. Clemson steered away from discussing looping which was addressed earlier by Mr. Aducat. The sign will be manufactured by the Watch Fire Signs who have been in business since 1932 and produced LED outdoor signs since 1996, currently have a total 60,000 LED signs in use. The brightness levels are preset at the factory, designed not to exceed any daytime or nighttime standards established by outdoor signs association. They cannot be brightened in the field. The brightness is automatically adjusted, it communicates with control system. The brighter the day, the brighter the sign will be. The sign will operate at 4% of its daytime potential during the night time operation. Background on LED systems: incandescent light illuminates lights in all directions, LED diode does not do that. It is highly directional, very focused. As a result, if you are standing head on facing the billboard and looking at an LED display, it would be at its brightest level. As you move on an angle away from the center of the sign, the illumination decreased dramatically. LED sign creates a very focused image directed towards the roadway.

Mr. Clemson advised the Board that the location of the existing house, 250 ft away, 65 degree angle to their sign. Based on that location and not considering any reduction of lighting because of wooded area, the light level at the existing house would 0.05 ft candles which is basically unmeasurable amount of light. As a comparison, an incandescent bulb has 100 Watt at a distance of 50 ft away.

Mr. Senges asked if the amount of light produced by the LED is greater or less than what currently exists.

Mr. Clemson answered it would be less.

Mr. Cohen asked in the event if he was standing on the second floor of that house, what would he see, would LED provide better lighting than the existing from the second-floor bedroom.

Mr. Clemson responded one can see through the wooded area, one can see the light source, one can see also light sources from the Cedar Hill. The reason one can see light coming from the billboard sign is that each side of that billboard currently has four (4) 150 Watt light fixtures that are beaming into the billboard. They are bright white color LED. With digital, it will be reduced in many ways, in terms of lighting intensity, one will not get that bright white source because it will be replaced with color and will be much more muted. That is further reduced by the fact that they are putting the V shape on the sign, and even further reduced because the LED are pointing directly perpendicular to the sign. They do not omit light going away from the sign, they are very directional.

Mr. Cohen thanked Mr. Clemson for the explanation and further inquired about the property behind Valero, whether it was residential.

Mr. Clemson consulted with his team and stated that the property is a bank.

Mr. Senges invited Mr. Shropshire, the Traffic Engineer, to testify.

Mr. Shropshire introduced himself. Mr. Senges accepted his credentials as he had presented in front of the Board many times in the past.

Mr. Shropshire testified to traffic safety regarding conversion to digital from current static billboard. He started his testimony with the NJ state design guidelines consistent with Federal Law.

Mr. Shropshire cited Title 16 Chapter 41(C) of the Roadside Sign Control and Outdoor Advertising. Mr. Shropshire pointed out that those regulations are from NJDOT for outdoor advertising signs and were established to receive a permit.

Mr. Shropshire pointed out several key points from the Code: the very purpose of the regulations is to balance the need to control and regulate roadside signs in outdoor advertising, to promote scenic beauty of the state, to provide convenience for the public, to address technological advancements, to provide for safety, to stimulate economic activity of the state. He stressed the importance of the two issues: a. safety, the regulation was put in place to provide safety; and b. technological advancements, static billboards were relevant about twenty (20) years ago, until digital came into place.

Mr. Shropshire advised the Board that with regards to changing from static to digital they meet all state requirements. NJDOT regulates what is permitted in a Major Business Zone. They comply with all the requirements such as minimum distance between the signs, maximum size of the sign, and from the standpoint of conversion, digital relates to sign freezing in one position or how many seconds are allowed in between, with eight (8) being a conservative, and at least four (4) minimum requirement. There will be no moving images, no flashes. It will be a safe location for the sign.

Mr. Shropshire further referenced National related studies including his alma mater Virginia Tech. They produced one of the first studies in 2003 on driver performance with regard to location of billboards or no billboard. They concluded the presence of billboards does not cause any changes in drivers' behavior, visual, speed or staying in the lane.

Mr. Shropshire further referenced another groundbreaking federal level study titled "Driver Visual Behavior in the Presence of Commercial Electronic Visual Message Signs". They looked at what the driver behavior was for areas with no signs, static signs, digital signs, and concluded there was no impact, no safety compromise. He further "drilled it down" to the National Studies, one study done in Pennsylvania for variable message signs. Result indicated there is no change in

accident experience with the introduction of various digital messages. That area study supports what is in the National literature.

Mr. Shropshire concluded that the location for the proposed billboard is a suitable location, it has current billboard, it is an urban principal arterial within a daily volume of 41, 000 vehicles 55 miles per hour speed limit. Minimal vertical or horizontal curvage. He referenced all the photos shared with the Board, pointing out that it is a good location with regards to meeting all the regulations. Additionally, he believes the proposed setback from 6 ft to 20 ft would provide an additional improvement related to setting it back off the roadway. It is a safe location, safe use and to modify the existing sign will present no detriment to the public good.

Mr. Shropshire concluded the synopsis of his review of the application.

Mr. Markind asked Mr. Aducat to read the letter for the record from the Winslow Township Police Department.

Mr. Aducat shared the contents of the letter with the Board on screen. The letter stated that two (2) billboards were installed, one in November 2015 and another one in January 2018. On August 4<sup>th</sup>, 2020, Mr. Aducat requested the Winslow Township Police Department to conduct a study. They researched accidents from November 2015 to present and established there are no increase of accidents caused by billboards, even though it is a major highway with 4 lanes, and it is a very heavily travelled road.

Mr. Markeim addressed the Board to see if there were any questions.

Seeing none, he introduced Ms. Morrissey, the client's Planner.

Ms. Morrissey introduced herself and presented her credentials.

Mr. Senges accepted Ms. Morrissey's credentials on behalf of the Board.

Ms. Morrissey covered various elements of the application in details pertaining to each bulk variance as outlined earlier by Mr. Norman. She emphasized the interpretation of the Ordinance, stressed the importance of the fact that the D variance requested was a D3 variance, so they had to meet all the conditional uses. Mr. Morrissey provided a detailed analysis of the positive and negative criteria as it related to the deviation the client is requesting, not so much the site suitability. She further noted that the Ordinance does not prohibit digital signs. What they are proposing is just a different medium. She made an argument if it even was a variance. Ms. Morrissey pointed out to the positive criteria of converting to digital sign. Citing the advancement of the state policy and Roadside Control Act, she concluded that the Applicant meets all the criteria. By converting to digital they promote a general welfare by offering additional benefits such as public safety, greater benefit to local businesses, ability to reach out to community, particularly at such times as we find ourselves these days, during Covid-19. The application meets positive and negative criteria under D variance. The property is undersized and current sign was built in 1980. Ms. Morrissey pointed out that unless the Master Plan specifically prohibits digital signs, they are not requesting D1, but D3 which is deviation from conditional use standards. So in this particular case an enhanced burden of proof is not necessary. She addressed substantial detriment issue. Because this is D3, their request does not change from existing condition. The request only concerns lighting. For all the above reasons, Ms. Morrissey testified that she believes overall benefits substantially outweigh the detriments under the MLUL.

Mr. Senges thanked Ms. Morrissey.

Mr. Markind advised the Board of another opinion from 2017 Appellate Division of the Superior Court reaffirming the decision in favor of digital billboard sign. He stated that obviously, they are biased, but he believes the overall impression from the Applicant is that they are proposing something almost void of downside to the Township. They propose no increase in sign size, a better sign, decrease in lighting, more flexibility, serving public service, an overall better look and there is nothing better that could be developed on this undersized lot. For those reasons he believes this is a very strong application.

Mr. Norman mentioned the facts of the Lamar published case which in his opinion are eerily similar to this case, with two (2) billboards going to LED. Mr. Norman advised all those present that the court concluded they were more convinced that the Applicants. Mr. Norman further stated that in his opinion, this case is even more innocuous because it is a conditional use. No basis at all to deny the approval.

Seeing no further testimony from the Applicant nor questions from the Board, Mr. Senges opened the floor to the public.

Two (2) people from the public joined the meeting.

Mr. Norman swore in Mr. Tawani residing at Sturbridge Lakes.

Mr. Richard Tawani stated that he believes this is an improvement since no increase in footprint and no illumination, he supports it and asked the Board to support the application.

Ms. Chelsey Sullivan residing at 142 Greenville in Berlin was sworn in by Mr. Norman.

Ms. Sullivan stated that although she is not a Voorhees resident, she works in Voorhees and drives on Rt.73 every day. Ms. Sullivan pointed out that when she is driving, she sees all these new businesses and new signs and improvements, and it all looks great. She wants to let the township know that they are doing a great job with all these improvements. She inspires to live in Voorhees one day.

Mr. Ryan McNally residing at 1048 Hartwood Drive, Cherry Hill was sworn in. He stated even though he is not a Voorhees resident, he works on Rt. 73. He has worked there for 10+ years. He used to work for Virtua. He heard about the proposal and he thinks it is a great thing mainly because of the use of public service messaging opportunity especially in the times of pandemic. Health benefit that technology can give to community definitely outweighs any detriments, in his opinion. He believes this would provide benefit to the community. He asked the Board to vote in favor of the application.

Mr. Matlack CME asked the Applicant's team how the sign will be accessed.

Mr. Clemson brought up the exhibit showing how they would provide access to Rt 73. He pointed out that they shifted around the landscaping and did not reduce it from the original proposal. They provided more distance of 10 ft at the northern boundary line. One of the benefits of digital sign as opposed to a traditional static, they do not actually need to go to the sign to change any messages, it will be done electronically. They may need to go once a year to inspect the facility. It is a low access need type of a situation. They will access it the same way as now, they just need to know better where the pickup truck will be coming from.

Mr. Senges asked Mr. Matlack if there was anything else in his review letter that has not been addressed.

Mr. Matlack asked if the Applicant there was any need for any debris moving and if the panels ever fall off.

Mr. Clemson responded they never had anything fall off their sites.

Mr. Matlack asked about tree removal.

Mr. Clemson testified there will not be any tree removal needed.

Mr. Matlack inquired if the current proposal is to change the plan as opposed to what they are showing now.

Mr. Clemson responded affirmative. He noted they will resubmit the plans as they have shifted the sign. It was oversight on his end. They will show access points to the property.

Mr. Senges asked about landscaping. He noted that Rt. 73 landscape is very near and dear to the Zoning board and to the Township. That is why he asked earlier about irrigation to be maintained. He asked if there was a program to make sure that the look is consistent.

Mr. Clemson confirmed they will install irrigation, will provided yearly mulching, replant as needed, weekly grass mowing, yearly mulching, replant as needed, and whatever else is required.

Mr. Senges inquired about weeding and trimming of the shrubs.

Mr. Clemson stated they will put it in the agreement.

Mr. Senges asked Mr. Norman if this should be a condition of approval.

Mr. Norman confirmed it should.

Mr. Cohen asked about the sign itself and if there is any type of remote camera to be able to see if anything occurred to the sign. He expressed concern whether there was something or someone controlling the physical condition of the sign to make sure it is upkept remotely.

Mr. Aducat advised the Board there is a camera on each side of the sign with a built-in Wi-Fi. He would be getting an email should the sign turns black, or if, for instance, it shuts off. He will be able to log on at any time to see what was actually happening.

Mr. Cohen inquired if the mono pole holding the entire sign could take a vehicle strike should someone from the road happens to hit it through the brushes. In addition, if there is anything to prevent it from striking the people on the road.

Mr. Aducat responded the pole is built by a structural engineer so that it can withstand the strike. They could also put the concrete and steel ballards around the pole so if something happens, the car will be stopped at the ballards before it hits the pole. Mr. Cohen liked the idea of ballards.

Mr. Pannu asked since it was proposed to push the sign back away from R. 73, would that affect the visibility in any way.

Mr. Aducat replied there won't be any visibility problems. All billboards on the Rt. 73 are approximately twenty (20) ft away. Currently, there is a slight gap, but as they move it back, there will be none, no clutter, no issues.

Mr. Willard asked who and from where will be controlling the sign, and if the Township will have access to that person around the clock.

Mr. Aducat responded that he will be the designee of all messages. He further explained he will have password and can set it up so police could have access as well. He can send it to them, or they will be in contact with him. He will be designing the ads. If the police asks him to put up a certain message or ad for the public, such as Amber alert or snowstorm, he will do it. All templates are pre-made and he can always quickly put them on the board.

Mr. Senges asked if Mr. Aducat will work directly with the Police Department should they need to post any emergent messages.

Mr. Aducat answered affirmative. He advised he could also provide Wi-Fi to the police so they could automatically connect and post anything they like.

Mr. Willard expressed concern about cyber hacking.

Mr. Aducat replied they never had any incidents of cyber hacking. He is not familiar with anyone in the country who ever had it, they never had that type of situation.

Mr. Norman summarized the Motion stating the Board will grant the conditional use variance approval to the Applicant for minor site plan with N.J.S.A. 40:55D-70(D)(3) conditional use variance and bulk variance to remove and replace an existing double-sided static billboard with a similarly double-faced, digital message billboard sign and associated site improvements on real property located at 127 Route 73 is hereby granted, subject to the following conditions:

1. The Applicant shall install bollards around the monopole base of the digital billboard.
2. The Applicant shall modify the plans to provide an access route for maintenance purposes.



3. The Applicant shall provide irrigation and maintain the landscaped area at the base of the digital LED billboard monopole.
4. The Applicant shall provide digital messaging to the Township of Voorhees and its municipal agencies, including emergency services through coordination with Wesley Aducat.
5. These conditions of approval shall be binding upon the Applicant, the owners, developers, and any successors and/or assigns of them.
6. The Applicant shall obtain approval from any other county, state or municipal agency having jurisdiction over the application.
7. The Applicant has submitted certain plans and documents which were accepted by the Board as part of its application and further made certain representations and provided testimony at the time of the public hearing, all of which have been relied upon by the Board in making its determination. Should there be any material deviation from said documents, plans, representations or testimony or from any conditions contained herein, then the Board may, upon notice to the Applicant and the opportunity to be heard, elect to rescind or modify its approval.
8. All activities to be conducted as a result of the Board approving this application shall be conducted in full compliance with the Uniform Construction Code, Code of the Township of Voorhees, the Revised Statutes of the State of New Jersey and any other applicable county and/or federal law.
9. The Applicant is responsible for obtaining all zoning and/or building permits and approvals necessary to conduct the activities approved herein.
10. The Applicant is hereby advised that this application and plan have not been reviewed for conformance with the Americans with Disabilities Act (ADA). It is the responsibility of the Applicant to conform to said legislation.
11. The Applicant shall pay all escrow fees due and owing at the time of issuance of a Zoning Permit.

Mr. Cohen motioned to approve the Application seconded by Mr. Willard.

Ayes: Mr. Cohen, Mr. Willard, Mr. Daddario, Mr. Leoncio, Mr. Cupersmith, Mr. Senges, Mr. Pannu.

Nays: None

Seeing no further business Mr. Cupersmith made a motion to adjourn, seconded by Mr. Cohen.

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Stella R. Sytnik  
Zoning Board Secretary