

MEMORIALIZING RESOLUTION OF THE  
PLANNING BOARD OF THE TOWNSHIP OF SPARTA  
APPROVING THE PRELIMINARY AND FINAL SITE PLAN  
AND C VARIANCE AND SITE PLAN EXCEPTION  
APPLICATION OF 376 LAFAYETTE JV LLC, RELATING  
TO BLOCK 11002, LOTS 10, 11 AND 12, AND LOCATED  
AT 370 LAFAYETTE ROAD IN THE ED-1 ZONE

DECIDED: June 7, 2023

MEMORIALIZED: July 19, 2023

APPLICATION NO. 705

**WHEREAS**, 376 Lafayette JV LLC, with the address of 145 Spring Street, Suite B, Newton, New Jersey 07860 (hereinafter the “Applicant”) applied to the Sparta Township Planning Board (hereinafter the “Board”) for approval of a preliminary and final site plan and related c variances and site plan exceptions in accordance with plans prepared by Douwe Dykstra, Dykstra Associates, PC, 11 Lawrence Road, Suite 1, Newton, New Jersey 07860, dated March 15, 2023 (hereinafter “Preliminary and Final Site Plans”); and architectural plans prepared by Christopher M. Wolverton, AIA, LEED AP, hqw Architects, 14 North Village Boulevard, Suite C, Sparta, New Jersey 07871, dated March 24, 2023 (hereinafter “Architectural Plans”); and

**WHEREAS**, the matter was discussed at a public hearing of the Board on June 7, 2023; and

**WHEREAS**, it has been determined that the Applicant has complied with all of the procedural requirements, rules and regulations of the Planning Board of the Township of Sparta and that all required provisions of procedural compliance have been filed with the Board; and

**WHEREAS**, the Planning Board of the Township of Sparta hereby makes the following findings of fact based upon the evidence submitted to the Board at the hearing:

1. The Board reviewed the following reports: report of the Planning Board Engineer, David Simmons, P.E., dated April 28, 2023; report of Thomas McIntyre, Fire Marshal, dated April 29, 2023; and report of the Township of Sparta Environmental Commission dated May 28, 2023. The Applicant agreed to comply with Mr. Simmons' report. Said reports are attached hereto and incorporated herein by reference.

2. The Board reviewed the following exhibit:

A-1 Plan labeled Presentation Plan of the Sparta Medical Campus by Douwe Dykstra dated June 7, 2023.

A-2 Impervious Area Exhibit.

A-3 Poster board picture of the façade a Sparta Medical Center by hqw Architects undated.

A-4 Poster board picture of the façade depicting another angle by hqw Architects undated.

A-5 Labeled A-201 Roof Plan, Sparta Medical Campus Extension by hqw Architects dated March 24, 2023.

A-6 Site Line to Visible portion of unit 300+ to Visibility by hqw Architects undated.

3. The Applicant was represented by Counsel, John E. Ursin, Esq. The Applicant presented testimony by Jason A. Dunn, P.P., L.L.A, Christopher M. Wolverton, Registered Architect, and Owen Dykstra, as well as Mr. Mark

Konarski, a principal of the Applicant. The Applicant's witnesses explained the application.

4. Mr. Dunn explained the site plan and the variances requested. He explained that the Applicant is seeking to build a one story, 14,000 square foot building that will be connected to the existing building on the adjacent lot, which is connected to the existing building on the lot next to that. He explained that the 14,000 square foot building is smaller than the previously approved building size of 16,000 square feet, which was approved in 2017 on two stories. He explained that the foundation is partially constructed, but that they will be building a new footprint of a one story building instead of a two story building. He explained that the existing septic is already constructed and that it is sized for 16,000 square feet, so that it would be sufficient for the proposed 14,000 square foot building. He explained the signage. He explained that the Applicant is seeking sign variances to have six signs of the size similar to the signs on the existing building on the next lot of 3.3 feet by 18 feet in maximum size, which is over the 50 square feet maximum per façade sign. He explained that discussions with the Board and direct comments from the public that they would agree to reduce the size of the signs 3 feet by 18 feet with no more than five signs in all facing Route 15, but none facing Primrose Lane. He also explained that the sign number will be reduced if the tenants in the new space are less than five tenants. He confirmed that the Applicant would revise the landscaping plan to the satisfaction of the Board Engineer to provide for native species and noninvasive species at locations generally shown on the plan but as approved in the field by the Planning Board Engineer so that there are none in the sight triangles and that appropriate buffers are established. He also confirmed that the parking lot

driveway will be continued and that the impervious coverage of the new construction lot will be 42.4% after reducing the parking lot by seven spaces plus its related driveway area. He confirmed that the existing Sparta Medical Campus on all three lots will total no more than 31% after the proposal.

5. Mr. Wolverton explained the architectural plans. He explained that the building will be shown on Exhibits A-3 and A-4 and in his architectural plans. He explained the signage and explained the relationship of the building to the adjacent connected buildings. He explained that this one story building will be more appropriate for medical tenants who often seek one single floor space. He explained that the building will be deeper than the existing building, but will be less high and that the building will be designed to shield the HVAC with a five feet parapet above the height of the roof. He and Mr. Dunn explained that the building HVAC rooftop equipment would not be visible from approximately 300 feet away from the property, and Mr. Dunn explained that it probably would not even be visible from the second story of houses in the Primrose Lane neighborhood.

6. Mr. Dykstra explained the overall site plan. He explained that it would not be feasible to prove the warrants require for an NJDOT approval of a traffic light at the driveway or at Primrose Lane because it is a private drive, and that a public street would be required, and it is not existing. He also explained that, in his opinion, the occupants of the building or of Primrose Lane can turn to the right to do a U-turn approximately ½ a mile from the property in question when there is difficulty taking a left turn onto Route 15. He confirmed that the stormwater management would be adequate for the proposed improvements,

and that the signage was generally keeping in character with the existing signage.

7. Mr. Konarski explained that he has had successful tenancies of approximately 100%, and when he first took it over, it was approximately 90% occupancy, and that he expects to be able to obtain tenants for this new space within a reasonable amount of time.

8. The Board finds that the application for a variance for signage should be approved with the reduction in the height of the signs to 3 feet and no more than 5 façade signs all facing Route 15. The number of signs shall be reduced if the number of tenants is reduced from five for each number less than five, one sign per tenant. The Board further finds that the granting of the impervious coverage variance will benefit the purposes of zoning provided that the conditions of this Resolution are met, and based upon the 31% coverage of the overall Sparta Medical Center Campus. The Board finds that this condition shall be a condition of the Resolution, the Resolution shall be recorded with respect to all three lots to insure that it is enforceable against purchasers of any of the adjacent lots restricting them to their existing current coverage. The Board further finds that the approval will benefit the purposes of zoning by providing an opportunity for appropriate medical tenancies with appropriate signage to identify the tenants. The Board finds that the granting of the variance will not cause a substantial detriment to the public good and will not substantially impair the intent and purpose of the ordinance of the Township of Sparta. In this regard, the Board finds that the benefits of zoning with respect to the provision of an appropriate medical office building in a zone that permits the use will outweigh

the detriments and that the variances should be granted pursuant to N.J.S.A. 40:55D-70c(2).

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Sparta, County of Sussex, State of New Jersey that the application of 376 Lafayette JV LLC, for preliminary and final site plan and c variances and site plan exceptions is hereby granted, subject to the following terms and conditions:

1. The terms of such approval are to be strictly in accordance with the site plans, architectural plans, representations and testimony submitted to the Board herein, and same are incorporated into this Resolution by reference.

2. The Applicant shall comply with the following reports: report of the Board Engineer, David Simmons, P.E., dated April 28, 2023; report of Thomas McIntyre, Fire Marshal, dated April 29, 2023; and report of the Township of Sparta Environmental Commission dated May 28, 2023. Said reports are attached hereto and incorporated herein by reference. The Applicant agreed to comply with the reports, except as explained in the testimony.

3. The Applicant shall comply with the approved plans as revised to reflect this Resolution.

4. The tenant signs shall be limited to up to five tenant signs on the new building all on the façade facing Route 15 and none on the façade facing Primrose Lane. The size of the signs shall be no greater than 3 feet in height by 18 feet in width as needed for the name of the tenant.

5. The landscape plans and installation in the fields shall be subject to the review and approval of the Planning Board Engineer and shall be revised to include native, noninvasive species.

6. The dumpster shall be screened from view and the Applicant shall arrange for services of the dumpster so that there is no pick up on weekends and that there is no pick up before 8:00 a.m. during the week.

7. The lighting on the southern parking lot shall shut off automatically within a half an hour of closing or 10:00 p.m., whichever is later.

8. The Applicant is limited to 42.4% impervious coverage on Lot 12, subject to the condition that the impervious coverage on the total of Sparta Medical Center Campus shall be limited to the current total with this amendment of 31%.

9. This Resolution shall be recorded in the County Clerk's office on all three lots to provide notice of the conditions of this Resolution to future owners.

10. All fees, taxes, assessments, escrows and other monies due to the Township of Sparta shall be paid in full.

11. The Applicant shall obtain governmental approval from any other governmental agencies with jurisdiction relating to the property, including but not limited to the Sussex County Planning Board.

12. The Applicant shall comply with all statutes, ordinances, rules and regulations of the United States of America, State of New Jersey, County of Sussex, and Township of Sparta.

SPARTA TOWNSHIP PLANNING BOARD

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Dorrie Fox, Secretary

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Celeste Luciano, Chairwoman

I hereby certify that the within is a true copy of a Resolution passed by the Sparta Township Planning Board at a meeting held on July 19, 2023.

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Dorrie Fox, Secretary

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Celeste Luciano, Chairwoman