

RESOLUTION: 2026-16

BOROUGH OF BARRINGTON PLANNING BOARD

APPLICANT'S NAME: Royal Greens Mini Golf LLC

BOARD'S DECISION: Approval of Preliminary and Final Site Plan with Use Variance and Bulk Variances

PROPERTY ADDRESS: 60 E. Gloucester Pike (County Route #659)—Block 13, Lot 1.08

ZONING DISTRICT: M-2 Manufacturing Zoning District and Borough Phase I Redevelopment Area

DATE OF HEARING: September 28, 2026

WHEREAS, on September 28, 2026, the Barrington Borough Planning Board sitting as the Zoning Board of Adjustment (the "Board") considered the application of Royal Greens Mini Golf LLC (the "Applicant") seeking preliminary and final site plan approval with use variance approval and bulk variance approval to construct and operate a miniature golf course ("Approval") on the property located at 60 E. Gloucester Pike, Block 13, Lot 1.08 (the "Subject Property"). The Subject Property is located in the M-2 (Manufacturing) Zoning District ("M-2 District") and the Borough's Phase I Redevelopment Area ("Phase I RDA"). The Subject Property currently houses an existing building which the Applicant is proposing to demolish to construct the miniature golf course (the "Application"); and

WHEREAS, the Board has jurisdiction to hear the Application under the New Jersey Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-1, et seq.; and

WHEREAS, the Applicant came before the Board at the regularly-scheduled public meeting held on September 28, 2026 and was represented by Kristopher J. Berr, Esq. The Board heard testimony from the Applicant as to the nature, purpose, location, and description of the Application; and

WHEREAS, the Board discussed the Application and the Board Professionals offered comments. The Application was opened to the public for comment, and any members of the public wishing to comment on the Application were given the opportunity to do so; and

WHEREAS, based on all the evidence submitted, the Board renders the following factual findings and conclusions of law in addition to any contained in the preceding paragraphs:

1. The Board considered the following submissions from the Applicant and accepted them into the record:

- A. Site Plan Review Application
- B. Application Summary
- C. Verification of Taxes
- D. Ownership Disclosure Statement
- E. 200' Foot Property Owner List
- F. Concession Stand Rendering, Elevations, and Floor Plan
- G. Stormwater Management Report
- H. Topographic Survey
- I. Major Site Plans
- J. Off-Street Parking Analysis
- K. Miniature Golf Course Design Plans
- L. Technical Review Letter of G. Jeffrey Hanson, PE, CME dated September 21, 2026

2. The Applicant submitted the following exhibits during the September 28, 2026 hearing: **Exhibit A-1**—Architectural Rendering of Concession Stand; **Exhibit A-2**—Rendering of Miniature Golf Course; **Exhibit A-3**—Aerial Photograph and; **Exhibit A-4**—Site Plan.

3. The Subject Property is located at 60 E. Gloucester Pike, Block 13, Lot 1.08, Borough of Barrington, New Jersey, lying within the M-2 District and Phase I RDA.

4. The Subject Property is owned by Royal Fitness Real Estate LLC and will be leased by the Applicant.

5. The Applicant requests preliminary and final site plan approval with use variance approval and bulk variance approval to construct and operate a miniature golf course at the Subject Property.

6. After being sworn in, Board Engineer G. Jeffrey Hanson, P.E., C.M.E. opened with a review of the completeness of the Application. Mr. Hanson testified that there is no objection to the Application being deemed complete subject to the Applicant providing testimony to address the review letter dated September 21, 2026.

7. A motion was made and duly seconded to deem the Application complete at which time a vote was taken and the Application was unanimously deemed complete.

8. Before proceeding with the presentation on the Application, the Board Solicitor provided an overview on the pending legal issue related to the Board hearing an application for a use variance for a property located within the Phase I RDA. It was explained to the Board that based on the relevant case law and the accompanying circumstances with the Application, the Board did have jurisdiction to hear the Application and decide the use variance issue.

9. Following this explanation by the Board Solicitor, the Applicant's attorney Kristopher J. Berr, Esq. came forward and provided an opening statement on the Application.

10. Mr. Berr introduced Exhibit A-1 and Exhibit A-2 for the Board.
11. Mr. Berr had two (2) witnesses to present to the Board, Joseph A. Mancini, PE, PP and Applicant representative Marc Rubino, who were both sworn in by the Board Solicitor.
12. Mr. Rubino was presented to the Board for testimony on the Application.
13. Mr. Rubino testified that the operation of this business would be seasonal as it is heavily weather dependent. Mr. Rubino testified that ideally they would open at the end of March on the weekends. In April, they would be open on weeknights and the weekends. The full season begins in May and runs through August. In September, it would transition to just afternoon and weekends. In October, it would be weekends only with the business closing at the end of October.
14. During the peak season, the business would be open generally from 10 AM to potentially 9 PM or 10 PM. During the off season, hours typically run from 3 PM to 8 PM.
15. Mr. Rubino testified that there will be anywhere from eight (8) to ten (10) employees with workers from the miniature golf course overlapping with employees from Royal Fitness located next to the Subject Property.
16. Mr. Rubino provided an overview of the concession stand for the Board as illustrated in Exhibit A-1. The concession stand will provide the clubs for guests. It will not be preparing food for guests. The concession stand will be limited to providing ice cream, snacks, and refreshments.
17. Mr. Rubino provided an overview of the layout of the miniature golf course as illustrated in Exhibit A-2. Mr. Rubino testified that he previously owned a miniature golf course in Phoenixville, PA from 2004 to 2008. Mr. Rubino testified that the designer of the proposed golf course was also the designer for the golf course that he previously owned.
18. Based on his prior experience in the industry, Mr. Rubino believes that the Subject Property is well-suited for the proposed use as a miniature golf course due to the particular topography of the site.
19. Mr. Rubino addressed how the lighting would be installed for the miniature golf course including in the parking area.
20. Mr. Rubino testified that he had twenty-eight (28) parking spaces for his previous miniature golf course. The proposed golf course will have thirty-six (36) parking spaces which he believes will be sufficient for this use.
21. Mr. Rubino testified that deliveries for the business are fairly limited. It is anticipated that deliveries would be made by sprinter vans on a weekly basis during the day.

22. Following Mr. Rubino's testimony, Mr. Mancini was brought forward to testify and was qualified before the Board as a professional engineer and planner.
23. Mr. Mancini introduced Exhibit A-3 and provided an overview of the Subject Property for the Board.
24. Mr. Mancini proceeded to introduce Exhibit A-4 to provide an overview of the Site Plan for the Board.
25. Mr. Mancini testified that the existing building and pavement will be removed to construct the miniature golf course and associated improvements. Mr. Mancini provided an overview of the associated improvements including the driveway, stormwater management, parking, etc.
26. Mr. Mancini and Mr. Rubino confirmed for the Board that maximum on staff employees at any given time will be three (3) but most likely two (2).
27. Mr. Mancini testified that, subject to County approval, they will be consolidating the two (2) existing driveways down to one (1) driveway.
28. Mr. Mancini testified that there will be striping and signage for safety.
29. Mr. Mancini testified that he conducted appropriate tests to ensure that a fire truck and a garbage truck can navigate the Subject Property.
30. Mr. Mancini provided testimony addressing pedestrian circulation within the project site.
31. Mr. Mancini testified that there is no provision in the Borough Ordinance for parking related to a miniature golf course. Mr. Mancini addressed how they calculated the number of parking spaces and achieved a final total of thirty-six (36) spaces. Mr. Mancini testified that this leaves enough space for excess parking for employees as well as deliveries.
32. Mr. Mancini testified that a traffic study was conducted for purposes of determining the effect that the proposed use would have on traffic in the surrounding area. Mr. Mancini testified that he does not anticipate any significant impact on traffic from the proposed use.
33. Mr. Mancini testified that a business loading statement is required under the governing redevelopment plan but the delivery needs for the proposed use is not significant compared to the delivery needs of industrial/manufacturing uses originally contemplated for the Subject Property.
34. Mr. Mancini testified that a loading area is not necessary for the proposed use due to the limited nature of the deliveries and the excess parking available to accommodate deliveries.
35. Mr. Mancini testified that the Applicant is amenable to revising the site plans to provide the five (5) required bike parking stalls.

36. Mr. Mancini provided an overview of the stormwater management that is being provided on the Subject Property. Mr. Mancini testified that they will conduct soil testing and provide the results accordingly. They will also address the technical comments made in Mr. Hanson's review letter. Mr. Hanson testified that his office could work with Mr. Mancini to address these stormwater management-related items.
37. Mr. Mancini provided an overview of the lighting that will be provided on the Subject Property. Mr. Mancini testified that the lighting can be put on timers.
38. Mr. Mancini testified that there will be security cameras on site and that they can coordinate with the Borough Police Department.
39. Mr. Mancini next addressed the landscaping that will be provided on the Subject Property including plantings, fencing, etc.
40. Mr. Mancini testified that there is no signage proposed currently but he anticipates that any signage will be in compliance with ordinance standards.
41. Mr. Mancini next testified regarding the use variance being requested by the Applicant.
42. Mr. Mancini testified that the Subject Property is particularly suited for the proposed miniature golf course. Mr. Mancini testified that the proposed use promotes the character of the neighboring areas. The Subject Property does not sit within an industrial corridor so the proposed use would be appropriate for this area.
43. Mr. Mancini testified that the existing building is obsolete which makes re-using it for an industrial use not particularly feasible for the Subject Property.
44. Mr. Mancini testified that the site is somewhat small for industrial/manufacturing uses and the site would be better suited for the proposed use. Additionally, the site currently has all the necessary infrastructure to serve the proposed use including utilities.
45. Mr. Mancini testified that the proposed use advances multiple purposes under the Municipal Land Use Law.
46. Mr. Mancini testified that the proposed use conforms with the goals of the Borough's redevelopment plan for this Subject Property.
47. Mr. Mancini testified that he does not believe that there will be any substantial detriment to the public good from this proposed use.
48. Mr. Mancini testified that the proposed use does not present a substantial impairment to the proposed redevelopment plan despite the proposed use not being permitted within said plan. Mr. Mancini believes the proposed use actually advances multiple purposes as set forth in the redevelopment plan.

49. Mr. Mancini testified that the proposed use only represents a small deviation to the redevelopment area as it is only for the Subject Property and does not touch the rest of the industrial corridor.

50. Mr. Mancini next testified in regard to requesting a bulk variance to permit the lack of a loading zone. Mr. Mancini testified there is sufficient parking area on the Subject Property that will be able to accommodate the limited amount of deliveries expected. Mr. Mancini testified that the Applicant meets the criteria for a c(2) variance as providing a dedicated loading space is not an efficient use of the land and would require either an increase in impervious coverage or removal of one of the provided parking spaces.

51. Following the close of the Applicant's presentation, Mr. Hanson proceeded through the details of his review letter for the Board. Mr. Hanson testified that the Applicant had satisfactorily addressed all the comments in his review letter.

52. The Board questioned whether the Applicant was agreeable to all of the conditions in Mr. Hanson's review letter. The Applicant confirmed that they were agreeable to all conditions.

53. The Board next questioned if there was any requirement for sidewalks to be installed. Mr. Hanson was not aware of any requirements for the installation of sidewalks. The Board asked whether the Applicant would be willing to install a sidewalk in front of Royal Fitness next to the Subject Property to connect the area to the center of town. The Applicant agreed to do so.

54. The Board asked about the width of the driveway for the site. The Applicant confirmed that it is twenty-five (25) feet wide.

55. The Board asked what happens with the site during the offseason. The Applicant testified that the site will be winterized.

56. The Board asked if the Applicant intends to irrigate the site for landscaping. The Applicant confirmed they will be irrigating the site.

57. The Board requested that the Applicant ensure that trash pickup take place during normal business hours. The Applicant testified that the company used for Royal Fitness comes around 10 AM and will pick up for the Subject Property at the same time.

58. The Board questioned the Applicant regarding connecting of the Subject Property and the adjacent property. Mr. Mancini testified that they could not be connected due to the stormwater management system and topography of the site. The Applicant did testify that there is a path that makes it walkable.

59. The Board asked about the overlap between the employees for Royal Fitness and the miniature golf course. The Applicant testified that there would be overlap between the two (2) businesses.

60. When asked about security by the Board, the Applicant testified that there would be security cameras that operate twenty-four (24) hours a day, seven (7) days a week.
61. The hearing was then opened to the public for comment.
62. Brian Waylon who owns Pleasant Valley Miniature Golf Club came forward and testified in favor of the Board approving the Application.
63. Public comment was closed.
64. A motion was made and seconded to accept into the record Exhibit A-1, Exhibit A-2, Exhibit A-3, and Exhibit A-4 as well as notice to property owners, the public notice, the Applicant's Application and the Technical Review Letter from Mr. Hanson dated September 21, 2026. All voted in favor.
65. The Board Solicitor proceeded with a summary of the Application for the Board.
66. As part of the summary of the Application, the Board Solicitor provided an explanation regarding the d(1) use variance standard and its applicability to said Application.
67. A motion was duly made and seconded to approve the requested use variance to permit the construction and operation of a miniature golf course in the M-2 Zoning District and Phase I RDA.

WHEREAS, with regard to the requested use variance to permit the construction and operation of a miniature golf course in the M-2 Zoning District and Phase I RDA, based upon the evidence and testimony submitted by the Applicant, the Board's Professionals, witnesses, and members of the public, and based further upon the Findings of Fact set forth hereinabove, the Board renders the following Conclusions of Law:

- a. **Conclusions of Law.** With regard to the requested N.J.S.A. 40:55D-70d(1) use variance to permit the construction and operation of a miniature golf course in the M-2 Zoning District and Phase I RDA based upon the evidence and testimony submitted to the Board before and during the Applicant's public hearing, including the Application, the Applicant's plans, the Applicant's exhibits, and the testimony of the Applicant's witnesses, as well as the Board engineering and planning review letter, and the testimony of the Board's professionals and members of the public, the Board renders the following Conclusions of Law:
 - i. The purposes of the Borough's Zoning Ordinance are set forth at Chapter 360 of the Borough Zoning Code. The zoning regulations and districts set forth in this chapter are made in accordance with a Master Plan study by the Borough Planning Board for the general welfare of the municipality and are intended to achieve, among others, the following purposes: to lessen congestion in the streets, to secure safety from fire and other danger, to provide adequate light and air, to prevent the overcrowding of the land, to avoid undue concentration

of population, and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, as well as the conservation of the value of land and buildings. These were made with reasonable consideration, among other things, of the existing character of the various areas within the Borough and their respective suitability for particular uses.

- ii. The Phase I RDA permits the following uses within the M-2 Zoning District: a) Food Manufacturing other than Abattoirs; b) Information Technology; c) Light Manufacturing and Assembly and; d) Logistics. There are also conditional permitted uses for Alternative Treatment Centers and Authorized Recreational Marijuana Facilities. Non-Residential Accessory Use are also permitted. Pawn Shops and Precious Metals Stores are specifically prohibited.
- iii. Because the Applicant seeks to permit the construction and operation of a miniature golf course in the M-2 Zoning District and Phase I RDA, a use variance to permit the Applicant's proposed use of the Subject Property is required. N.J.S.A. 40:55D-70d.
 1. The MLUL, N.J.S.A. 40:55D-70d, permits the Board to, "[i]n particular cases for special reasons, grant a variance to allow departure from regulations pursuant to article 8 of this act to permit: (1) a use or principal structure in a district restricted against such use or principal structure."
 2. The Board may grant an N.J.S.A. 40:55D-70d(1) use variance where an applicant satisfies both the "positive criteria" and "negative criteria" necessary for use variance relief. N.J.S.A. 40:55D-70; Price v. Himeji, LLC, 214 N.J. 263, 285–86 (2013) (explaining the positive and negative criteria).
 - a. An applicant may satisfy the "positive criteria" by demonstrating "special reasons" why the variance should be granted. Generally, three categories of circumstances constitute "special reasons": (1) where the proposed use ... inherently serves the public good; (2) where a zoning restriction imposes an "undue hardship" on the property owner; and (3) where the use serves the general welfare because "the proposed site is particularly suitable for the proposed use." See, e.g., Kane Props., LLC v. City of Hoboken, 423 N.J. Super. 49, 63 (App. Div. 2011).
 - b. An applicant may satisfy the "negative criteria" by demonstrating, in accordance with the enhanced quality of proof, (1) the variance "can be granted without substantial detriment to the public good," focusing on any negative or

adverse impact on adjacent or nearby properties and uses; William M. Cox & Stuart R. Koenig, N.J. Zoning & Land Use Administration § 36-2.2 (2020); and (2) “will not substantially impair the intent and the purpose of the zone plan and zoning.” Id. “The proof required for the second prong of the negative criteria must reconcile the grant of the variance for the specific project at the designated site with the municipality’s contrary determination about the permitted uses as expressed through its zoning ordinance.” Price, 214 N.J. at 286.

- c. While there is not a substantial body of law on this issue, there is a leading Appellate Division case that directly addresses the question of whether a zoning board may retain jurisdiction to grant a use variance in a redevelopment area. Weeden v. City Council of City of Trenton, 391 N.J. Super. 214 (App. Div. 2007). In that case, the court held that a zoning board generally retains jurisdiction to grant use variance relief under N.J.S.A. 40:55D-70(d) even within a designated redevelopment area governed by an adopted redevelopment plan. In Weeden, the court determined that the Local Redevelopment and Housing Law (LRHL) and the Municipal Land Use Law (MLUL) must be construed together (*in pari materia*), and that denying all variance relief from a redevelopment plan would produce absurd and draconian results. In that case, where the redevelopment plan constituted an overlay over the underlying zoning ordinance, it was held that use variance relief under N.J.S.A. 40:55D-70(d) remains available.
- d. In Milford Mill 128, LLC v. Borough of Milford, 400 N.J. Super. 96 (2008), a developer was a contract purchaser for property within a redevelopment area and was seeking a use variance that would have been an expansive change under the redevelopment plan. The Court found that the Redevelopment Law “is notably silent with respect to the review of variance applications that may be presented by a developer seeking to build within the redevelopment zone. In particular, the LRHL does not address whether, and by what means, a property owner or developer in a redevelopment zone may pursue a use variance for the property.” Milford, *supra*, at 111.
- e. In citing to Weeden, the Court decided as follows, “Plaintiff attempts to analogize its situation here to that of

the restaurant applicant in Weeden. We agree with Judge Rubin that the analogy is misplaced. Unlike the applicant in Weeden, plaintiff seeks a use variance to develop an entire zone designated for redevelopment. There are no other parcels in the zone. Moreover, plaintiff's ambitious plans would increase residential densities in the zone by a factor of sixteen and would almost double the Borough's entire population." Milford, supra, at 113-114. The Court added, "The massive scope of plaintiff's proposal is a far cry from a 'minor exception' to the requirements of the Redevelopment Plan, as we countenanced in Weeden. To the contrary, it is a de facto wholesale revision of the entire Redevelopment Plan. In effect, plaintiff seeks to rezone the entire redevelopment area. Given the magnitude of those changes, we agree with the trial judge that plaintiff's proposal was most appropriately addressed to the Borough's governing body, rather than to the Joint Board" Milford, supra, at 114.

3. The grant of a use variance is the exception, not the rule, because legislative policy favors land use planning through ordinances, not variances. *E.g.*, Kaufmann v. Planning Bd for Warrant Tp., 110 N.J. 551, 557 (1988); Kane, 423 N.J. Super. at 63. Use variances are particularly disfavored. Id.
- iv. Here, the Applicant has established to the Board "special reasons" sufficient to satisfy the "positive criteria" necessary for an N.J.S.A. 40:55D-70d(1) use variance. Specifically, the Applicant has shown through lay and/or expert testimony and other evidence that the proposed use advances the purposes of the Borough Zoning Ordinance/MLUL and that the site is particularly suitable for the proposed use.
- v. Additionally, the Applicant has established to the Board the "negative criteria" necessary for relief. Specifically, the Applicant has shown through lay and/or expert testimony and/or other evidence that the proposed use variance "can be granted without substantial detriment to the public good" and without "substantially impairing the intent and the purpose" of the Borough Master Plan and Zoning Ordinance.
- vi. In sum, for all the above reasons, on balance, the Board concludes as a matter of law, the Applicant has satisfied its evidentiary burden by a preponderance of the evidence presented that it is entitled to the requested use variance relief, N.J.S.A. 40:55D-70, such that the Application must, therefore, be granted.

- vii. In granting the requested use variance, the Board also granted bulk variances for a minimum lot area of 63, 120 square feet and a maximum lot improvement coverage of 61.5 percent. The redevelopment plan does not provide for these particular bulk specifications and therefore, bulk variance relief is required. However, the use variance cannot be granted without granting these bulk variances resulting in them being subsumed within the consideration of the use variance.

68. A motion having been duly made and seconded, the following roll call vote took place approving the use variance.

ROLL CALL VOTE

MEMBERS	IN FAVOR	OPPOSED	ABSTAIN	ABSENT	NO VOTE
CHAIRMAN RINK	X				
VICE-CHAIR CILURSO	X				
MAYOR HANSON				X	
COUNCILMAN BEYER				X	
MR. PAWLING	X				
MR. ORLANDO	X				
MR. HARRELL	X				
MR. LANG	X				
MS. SCHREYER	X				
MS. SULLIVAN (ALT. 1)	X				
MR. BRENNAN (ALT. 2)	X				
MR. WRIGHT (ALT. 3)				X	
MR. LISS (ALT. 4)				X	

69. Following the vote on the use variance, the Board Solicitor proceeded with a review of the request for preliminary and final site plan approval as well as the accompanying bulk variance.

70. A motion was duly made and seconded to approve the preliminary and final major site plan with the requested bulk variance.

WHEREAS, with regard to the bulk variance being requested to permit the lack of a loading zone whereas a loading zone is required pursuant to the redevelopment plan, based upon the evidence and testimony submitted by the Applicant, the Board's professionals, witnesses, and members of the public, and based further upon the Findings of Fact set forth hereinabove, the Board renders the following Conclusions of Law:

- a. **Conclusions of Law**. With regard to the requested N.J.S.A. 40:55D-70c bulk variance to permit the lack of a loading zone whereas a loading zone is required pursuant to the redevelopment plan, based upon the evidence and testimony submitted to the Board before and during the Applicant's public hearing, including the Application, the Applicant's plans, and the testimony of the Applicant's witnesses, as well as the Board Engineer and Planner review letter, and the testimony of the Board's professionals and members of the public, the Board renders the following Conclusions of Law:
 - i. Because the Applicant seeks to operate without a loading zone whereas one is required pursuant to the redevelopment plan, a bulk variance is required. N.J.S.A. 40:55D-70c.
 1. N.J.S.A. 40:55D-70c(1) permits the Board to grant a variance where the Applicant has demonstrated that strict application of the zoning requirement would have "peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant arising out of: a) the exceptional narrowness, shallowness, or shape of a specific piece of property; b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property; c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon. These are known as the "positive criteria" to demonstrate undue hardship. The Applicant must also prove the "negative criteria" which means there is no substantial detriment to the public good and the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.
 2. N.J.S.A. 40:55D-70c(2) permits the Board to grant a variance where the Applicant has demonstrated that the purposes of the Municipal Land Use Law ("MLUL") would be advanced by a deviation from strict application of the zoning requirement and the benefits of the deviation will substantially outweigh the detriment. These are known as the "positive criteria" for a c(2) variance. The Applicant must also prove the "negative criteria" which means there is no substantial detriment to the public good and the variance will not

substantially impair the intent and purpose of the zone plan and zoning ordinance.

- ii. Here, the Board finds that the Applicant was able to satisfy both the “positive criteria” and “negative criteria” necessary to be granted a bulk variance pursuant to N.J.S.A. 40:55D-70c(2). Specifically, the Applicant was able to demonstrate through lay and/or expert testimony and other evidence that the purposes of the Municipal Land Use Law (“MLUL”) would be advanced by a deviation from strict application of the zoning requirement and the benefits of the deviation will substantially outweigh the detriment. The Applicant provided testimony that the business would require limited deliveries and additional parking spaces would be a more efficient use of the site compared to removing parking for a loading zone. The Applicant also demonstrated that granting of this variance would not create a substantial detriment to the public good or substantially impair the intent and purpose of the zoning plan and zoning ordinance.

71. A motion having been duly made and seconded, the following roll call took place approving the preliminary and final site plan with bulk variance.

ROLL CALL VOTE

MEMBERS	IN FAVOR	OPPOSED	ABSTAIN	ABSENT	NO VOTE
CHAIRMAN RINK	X				
VICE-CHAIR CILURSO	X				
MAYOR HANSON				X	
COUNCILMAN BEYER				X	
MR. PAWLING	X				
MR. ORLANDO	X				
MR. HARRELL	X				
MR. LANG	X				
MS. SCHREYER	X				
MS. SULLIVAN (ALT. 1)	X				

MR. BRENNAN (ALT. 2)	X				
MR. WRIGHT (ALT. 3)				X	
MR. LISS (ALT. 4)				X	

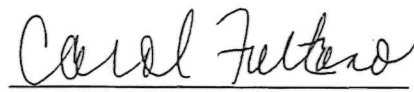
NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Barrington sitting as the Zoning Board of Adjustment, based upon the foregoing findings of facts and conclusions of law set forth hereinabove, and for the reasons stated on the record during the Applicant's public hearing on September 28, 2026, in accordance with the votes taken on September 28, 2026, that the Application for preliminary and final site plan approval with use variance approval and bulk variance approval was and is hereby **GRANTED**, subject to the representations set forth on the record by the Applicant and the Applicant's professionals, and any conditions set forth on the record and stated herein.

IT IS FURTHER RESOLVED, the above relief is subject to the following conditions:

1. The Applicant agreed to comply with the recommendations and conditions contained within the Technical Review Letter of Jeff Hanson dated September 21, 2026, and any amendments made thereto on the record during the public hearing held September 28, 2026 including, but not limited to, the installation of a sidewalk in front of Royal Fitness to connect the Subject Property to the town center.
2. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice;
3. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein.

4. The Applicant shall indemnify and hold the Borough harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application related to proper service, publication of notice, and notice upon interested parties, except if such deficiency is due to the Applicant's reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to N.J.S.A. 40:55D-12(c);
5. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed;
6. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required;
7. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer and Planner;
8. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable section of the Borough's land development ordinances, zone codes, and any other applicable municipal codes, and the N.J. Municipal Land Use Law;
9. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution.
10. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein.
11. The Applicant shall comply with all of the representations and stipulations as contained in the Application and as represented through the testimony in support of the Application.
12. The Applicant shall comply with all other applicable Borough Code requirements.

ATTEST:

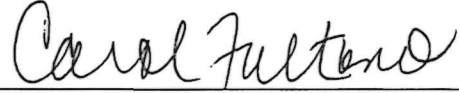

CAROL FULTANO
SECRETARY

BARRINGTON BOROUGH
PLANNING BOARD

JOHN RINK
CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that the Planning Board of the Borough of Barrington, County of Camden, State of New Jersey, adopted the foregoing resolution at its regular meeting held at the Borough Hall, 229 Trenton Avenue, Barrington, New Jersey, on October 26, 2026, and said resolution was authorized for memorialization at a meeting held on September 28, 2026.

A handwritten signature in cursive script, reading "Carol Fultano", written in black ink. The signature is positioned above a horizontal line.

CAROL FULTANO
SECRETARY