

Florence, New Jersey 08518-2323
November 21, 2011

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Vice Chairman Lutz called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Board Clerk Erlston then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspaper and posted in the main hall of the municipal complex."

Upon roll call the following members were found to be present:

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| Mayor Bill Berry | Council Representative Dennis O'Hara |
| Tim Lutz | Frederick Wainwright |
| Wayne Morris | Thomas McCue |

ALSO PRESENT: Solicitor David Frank
Engineer Dan Guzzi
Planner Joseph Petrongolo

ABSENT: Mildred Hamilton-Wood
James Molimock

RESOLUTIONS

Resolution PB-2011-06
Finding Ordinance No. 2011-09 substantially consistent with the Master Plan and
authorizing report to the governing body.

Motion of Berry, seconded by Wainwright to approve Resolution PB-2011-06.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Morris, O'Hara, Wainwright
NOES: None
ABSENT: Hamilton-Wood, Molimock

MINUTES

Motion of Morris, seconded by O'Hara to approve the Minutes of the regular meeting of July 18, 2011 as submitted. Motion unanimously approved by all members present.

CORRESPONDENCE

40.

- A. Memorandum from Solicitor Frank to Florence Township Mayor and Council dated July 19, 2011 regarding Ordinance No. 2011-09.
- B. Letter from Whitesell dated August 16, 2011 regarding Treatment Works Approval Permit Application for 230 and 250 Daniels Way. Block 154, Lot 12.05.
- C. Florence Township Council Resolution No. 2011-217 authorizing the submission of a subdivision application to the Planning Board for the Roebling Steel Plant Property.
- D. 2012 meeting Schedule of Boards/Commission.

Member Wainwright asked a question about Correspondence B, the Whitesell Treatment Works Application and asked if this brought sewer across the township lines. Engineer Guzzi stated that he would have to check the addresses, but stated that there is a lot in Burlington that would be serviced by Florence Township Water and Sewer because of the proximity of the lot, but he is not sure if this is the same lot. Member Wainwright said that several years ago when he was trying to develop his farm he was told that you couldn't bring water and sewer across township lines. Engineer Guzzi stated that you can't without an amendment from the state.

Motion of O'Hara, seconded by Berry to receive and file Correspondence A through D. Motion unanimously approved by all members present.

APPLICATIONS

Vice Chairman Lutz called for Application PB#2011-03 for the Township of Florence. Applicant is requesting Preliminary and Final Major Subdivision approval with bulk variances for the Roebling Redevelopment Site, Hornberger Avenue, Roebling, NJ. Block 139, Lot 1, 1.01 & 3.

William Kearns, Township Solicitor stated that he was appearing on behalf of the township. He stated that this is a fairly rare type of application. Many people contend that if the Township owns property they aren't required to do subdivisions since they own it and since the Planning Board is a subsidiary agency of the Township. Solicitor Kearns stated that in his opinion it is a cleaner process to come in and get the subdivision and have it recorded.

Solicitor Kearns stated that the subject property is the Roebling Steel site. There are parcels for the rail station and the Roebling Museum, which are already subject to ground leases. He said that they thought it was better to clean this up by formal subdivision so that when a developer is found it would be very clear as to what portion of the parcel was available for development.

41.

Solicitor Kearns stated that Dan Guzzi had prepared the plans and called on him to explain the application to the Board. Engineer Guzzi was sworn in by Solicitor Frank. The Board agreed that Engineer Guzzi was well qualified as an expert in the field of civil engineering.

Engineer Guzzi stated that this is basically a housekeeping exercise to create individual lots where there are currently easements. He submitted Exhibition A1, which is a colored copy of the plan that had been submitted with the application. He stated that the entire Roebing Mill site contains the 3 lots plus what is commonly referred to as the slag area (the 2 lots off to the west but not subject to this application). The proposal is to take the 3 lots, comprised of the main lot, the riparian lot and Lot 3, which is a small piece on the other side of the canal coming off Craft's Creek where it enters into the river. There is no change proposed for the 2 secondary lots.

Engineer Guzzi stated that the proposal is to subdivide off 2 lots in the front off of Hornberger Avenue. He pointed them out on Exhibit A1. The lot shaded in green is the NJ Transit Station. This lot is owned by Florence Township and is leased by NJ Transit. The proposed lot line matches the lease area. The area shown in pink on Exhibit A1 is the museum site, including the old gatehouse and the parking lot. The lease area for this will remain the same plus a small additional area to the north for a possible expansion of the museum. The area shown in blue includes a portion of the access easement to NJ Transit and the access easement to the museum site and is basically going to become municipal right of way coming off Hornberger Avenue so there is permanent access for the transit station, museum site and the balance of the mill site.

Solicitor Kearns stated that a number of application waivers have been requested because there is no development currently being proposed. The township has been negotiating continually trying to find a prospective purchaser for the property. This has not been successful to some extent because the Super Fund clean up is coming to a fruition but it isn't yet completed and there have been difficulty with developers in trying to deal with that. He stated that a number of variances have been requested.

Engineer Guzzi stated that the majority of the variances are for existing conditions, with the exception of when they create the municipal right of way it creates additional frontage, which creates a few variances. For instance the green frame structure behind the gatehouse will need a minimum front yard setback variance because of the newly created right of way. The museum parking lot is too close to the proposed right of way so there will be 2 variances there. Variances will also be required for the gatehouse and the train station needs a variance for an existing setback. Also a variance is required for the pre-existing condition regarding the buffer to the residential.

Planner Petrongolo stated that all the variances are for existing conditions. Some of them are new because some of the lot lines are new, but they are equal to the lease lines so there is really no impact from those variances.

42.

Member Morris stated that the plan shows a small guard shack inside right hand side of the right of way and asked if that would pose any liability to the township. Engineer Guzzi said that it doesn't really create a liability issue as the right of way is sufficiently wide there.

Engineer Guzzi stated that the right of way is wider in the front and then tapers to a 70' right of way, which matches all the right of ways in Roebbling. He stated that the only reason the right of way has been extended up so far is to be sure that there is adequate access for the museum site.

Solicitor Kearns stated that this application would result in actual lots being shown on the tax map so when someone comes in to look at the Roebbling site they will be able to see those parcels.

Council Representative O'Hara asked if the access road that was the proposed main thoroughfare for the former potential end user was shown on this plan. Engineer Guzzi answered that the access road comes off Route 130 in Mansfield Township and was proposed so a potential end user would not have to add more traffic to the failed Hornberger Avenue intersection. Engineer Guzzi stated that the 70' right of way is certainly adequate for the access that is anticipated. The majority of the access if this were developed would be from an alternative location.

Member Wainwright stated that quite a bit of activity was taking place on the Mansfield side of the site and asked if anyone knew what this was. Engineer Guzzi stated that this is the staging area for the dredging that is being done by the EPA.

Motion of O'Hara, seconded by Berry to open the hearing to public comment. Motion unanimously approved by all members present.

Harold Cox, 19 Second Avenue was sworn in by Solicitor Frank. Mr. Cox stated that he had received the public notice and he was concerned about removing and minimizing the buffer. He said that there is always the possibility that in the future the museum could be shut down and then asked if the buffer would be put back. Engineer Guzzi stated that this plan does not propose to remove any buffer or to change anything. The variance is required because as it exists now it doesn't meet current buffer requirements. There are no changes proposed with this application other than to create a separate lot for that museum site that will remain under township ownership.

Engineer Guzzi stated that somewhere down the line the museum may expand or change but that is not related to this. More importantly this allows the township to move forward eventually with the redevelopment but protecting that museum site and retaining ownership.

Mr. Cox said that there has to be a buffer zone there because you don't know what kind of an operation would come in there and this is the only protection the residents have.

43.

Mayor Berry stated that every plan that has been discussed with potential developers has always included a substantial buffer.

Mr. Cox said that the third point on the letter that he had received stated that the application was seeking relief from the required minimum buffer. Engineer Guzzi stated that this is an existing condition and will not change as a result of this application.

Diane Schlagel, 49 Second Avenue, said that the guard shack that was mentioned earlier in the hearing doesn't exist any more. Somebody did run into it and it was taken down. Vice Chairman Lutz stated that it is still shown on the plan and that is why the Board is referring to it. Engineer Guzzi stated that on the plan they had shown an area under demolition. He stated that this is a living site and things are being torn down all the time.

Motion of O'Hara, seconded by Mayor Berry to close the public comment. Motion unanimously approved by all members present.

Motion of Berry, seconded by Wainwright to approve Application PB#2011-03 with the waivers and variances requested and with the standard conditions and plan revisions.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Morris, O'Hara, Wainwright, McCue

NOES: None

ABSENT: Hamilton-Wood, Molimock

OTHER BUSINESS

- A. Memorandum from Office of The Burlington County Prosecutor dated August 9, 2011 regarding OPMA/Use of Electronic Communications.

The Board had a brief discussion regarding the memo.

- B. Referral of Florence Township Ordinance No. 2011-16 "An ordinance to adopt an updated and amended Official Map and an updated and amended Zoning Map and to make amendments to the zoning standards for the RC zoning district" for Master Plan Consistency Review and Recommendation.

Mayor Berry stated that the area in question is currently zoned RA Low Density Residential with a School overlay. The Township Council would like to change the zoning to RC High Density Residential. He stated that there is a concept plan submitted by the Diocese of Trenton to construct a "Senior- Over 55" apartment complex. The proposal would be for market rate rental units.

Solicitor Frank stated that the ordinance creates standards, which could be interpreted to permit the concept plan presented by the Diocese of Trenton or a different plan.

Planner Petrongolo stated that the Board has to decide if this is in conformance with the Master Plan. He said that in looking at the Master Plan and the last Re-examination from 2007, it is noted that there was a designation in the Master Plan to create a new "Public" zone. If you look at the current zoning map there are institutional keys on the map. This is very confusing. This property is zoned RA but it has a key of (Q/S) Quasi Public/School. The Public zone was proposed to eliminate these keys. The objectives of the Master Plan state that future development should be north of the turnpike. The higher density housing should be close to the Delaware River. Another objective of the Master Plan is there should be more development for senior housing so the use itself is in conformance with the goals of the Master Plan. Planner Petrongolo stated that the RC High Density Residential zone is an excellent buffer from the NC Neighborhood Commercial zone to the RA Low Density Residential zone. In his opinion there are no issues from a planning perspective

Council Member O'Hara stated that in his opinion this zone change would be a perfect fit. The site is close to transit and to shopping areas.

Motion of Berry, seconded by Morris that Solicitor Frank write a letter to Council stating that the Planning Board finds the proposed ordinance is consistent with the goals and objectives of the Master Plan.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Morris, O'Hara, Wainwright, McCue
NOES: None
ABSENT: Hamilton-Wood, Molimock

Motion of Berry, seconded by Wainwright to open the meeting to public comment. Since no member of the public signaled a desire to speak, motion was made by O'Hara, seconded by Berry to close the public comment. Motion unanimously approved by all members present.

Motion of Wainwright, seconded by Berry to adjourn the meeting at 8:10 p.m.

Wayne Morris, Secretary

WM/ne