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Florence, New Jersey 08518-2323
June 27, 2012

A 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 Timothy Lutz called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Vice Chairman Lutz 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 and posted in the main hall of the Municipal Complex."

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

William Federico	Timothy Lutz
Wayne Morris	Council Representative Ted Lovenduski
Mayor Craig Wilkie	Thomas McCue

ALSO PRESENT: Solicitor David Frank
Engineer Lee Philips
Planner Stacey Arcari

ABSENT: Mildred Hamilton-Wood, James Molimock, Ray Montgomery

MINUTES

Motion of Lovenduski, seconded by Morris to approve the Minutes from the Special meeting of May 31, 2012 as submitted. Motion unanimously approved with Members Lutz and Federico abstaining because they were not in attendance.

COORESPONDENCE

- A. Letter from the Burlington County Planning Board dated June 19, 2012 regarding Roebling Redevelopment.
- B. Township Ordinances 2012-09 and 2012-10 regarding the redevelopment plan for parcels within the Route 130 Redevelopment Area.
- C. Letter from Burlington County Planning Board dated June 18, 2012 regarding the Estates at Oak Mill.

Motion of Federico, seconded by Lovenduski to receive and file correspondence A through C. Motion unanimously approved by all members present.

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NEW BUSINESS

Vice Chairman Lutz called Application PB#2012-01 for NFI Real Estate. The applicant is requesting amended final site plan and minor subdivision for property located at Route 130 North, Florence Township, Block 160.01 Lots 2.01, 8, 9, 10.01, 10.02, 20,21& 22. The proposed Lots are 2.01, 2.03 &2.04.

Solicitor Frank swore in Planner Arcari, Lee Philips, Michael Landsberg of NFI and Joseph Mancini of Taylor, Wiseman & Taylor. Solicitor Frank said the notices were all sufficient for tonight's meeting.

John Gillespie of Parker McCay represented the applicant, NFI Real Estate. He said the application was previously approved in 2009. He said this amendment seeks to revise the previous approval by increasing the size of the improvement by 22,050 square feet. He said all of the increase is in building A that he pointed on a drawing presented to the Board. The second amendment is the elimination of some parking stalls at the front of the building. Because the additional space is going to the front of the building the stalls need to be removed to accommodate the new square footage. He said the parking is still well within what is required by the Township, so the applicant does not need to apply for any parking variances. He said in addition the applicant is seeking a minor sub-division approval. He said there are three lots on the property that are owned by the Department of Transportation (DOT). This is where the jug handle will be built. The remaining five lots would be reconfigured and reduce the number of lots to three. He said the buildings will still fit in each of the three lots. He said the purpose is to allow NFI to finance the buildings. Each will be sold with its own lot. It also allows NFI to enter into a financial agreement with the Township. Each lot will generate a new financial agreement with the municipality. If there was only one lot it would not be as advantageous to the Township. As a result of the location of the buildings and where the conforming lot lines are drawn there needs to be setback relief for the buildings. The only people affected by the variance are the owner of the property and the tenants. It is all internal. The variances are generated within the confines of the property. He said in closing in addition to the amended site plan approval and minor subdivision, his applicant is requesting some bulk variances. He said he appreciates the time spent by the Board's professionals reviewing the plans, and he believes, after looking at their reports, that they have no objections.

Michael Landsberg of NFI was asked to provide an overview of the project. He directed the Board's attention to a drawing labeled A-1. He explained the plan consists of the same three buildings presented previously. Building A will be expanded by about 35 feet, building B and C have no changes and the internal roads have no changes. He said the subdivision is something a developer wants for separate ownership and separate financing. He said at this point he does not know what will happen down the road so as a result they would like to create three separate tax lots.

Mr. Gillespie requested reviewing the professional's reports. He then qualified Mr. Mancini. Mr. Mancini said he is a Project Manager with Taylor, Wiseman & Taylor, and he has been there for about 12 years. He said he is a professional engineer and planner in the state of New Jersey. He has been licensed a professional engineer for seven years and a professional planner for four years. He confirmed he has testified before planning boards in the past in support of other applications and his testimony was accepted as expert. He said he is familiar with the application presented tonight. He said he is qualified to answer to issues raised in the reports of the professionals. The Board qualified Mr. Mancini as a witness.

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Mr. Mancini referenced the report of Planner Fegley dated June 20, 2012. He agreed with her calculations for the variances sought. Mr. Gillespie said the question of the need for the subdivision was addressed previously in the meeting. Mr. Mancini said he does not see any detriment to the setback requests. He said the applicant is prepared to meet all plan revision requests in the report. In answer to Planner Fegley's concern over the amount of parking proposed for Building A, he explained that the tenant did not need more than that. He said he does not know what will happen in the future depending on who goes into the other properties. The lease for this tenant is ten years. He said the side yard set backs are internal to the site. He said that the lot coverage is thirty percent and in Planner Fegley's report she calculated it to be 30.9 percent. The coverage is part of the expansion of Building A, but the subdivision of the lots is what really creates the need for the variance. He said without the new lot lines the coverage would be in conformance. In Planner Fegley's report she stated that seven ADA parking spots are required but only six are proposed. Mr. Mancini stated there will be seven spots. Her report also shows that ADA spots for Building A are too far from the building. Mr. Mancini said he spoke to planner Fegley and there is access into the building near the spots. He said it was not shown clearly on the map and it just need to be clarified. The report reflected a problem with the height of the building, but the previous approval did allow for the height of the building to be fifty feet. Mr. Mancini said the developer agrees to the easements mentioned. He said the signs will all be installed in phase I. The sign in question in the report will be on a lot owned by the Department of Transportation. He said NFI has permission to place the signage. He said concerning the cell phone tower located at Hughes Drive; he has no control over that but said he believes the Board is familiar with the application for the new tower. He said granting the variances would advance the purpose of the Redevelopment Plan.

Mr. Mancini referenced the report of Engineer Phillips. In the report there was a request for architectural drawings. He said they will be provided and will be consistent with the renderings presented. He said he will also provide copies of the NJDOT Access Permit. He also agrees there are cross access easements and they will also be submitted.

Motion of Mayor Wilkie, seconded by Federico to deem application PB 2012-01 complete. Motion approved by all members present.

Mr. Landsberg addressed the front yard setback along Route 130. He said it is required to be a 300 foot setback or provide appropriate screening in the form of some evergreens. He said NFI would like to go with the screening, as proposed in the original approval. Engineer Phillips agreed that the screening is adequate.

Mr. Landsberg explained that the basins will be maintained by the owner. Engineer Phillips confirmed that the stormwater management plans need to be deeded with the subdivisions. Mr. Landsberg said that NFI, as manager of the property, would probably draft an agreement with future occupants for maintenance issues. He said the lighting has been approved. The business hours for the whole park are as a twenty four hour operation. The hours for Subaru will be 7 am to 6pm, tentatively. There were some questions regarding the other buildings and if they will be buffered as presented previously. Mr. Landsberg said all prior approvals would be met. Engineer Lee said the signs have been approved by DOT, but he believes the Township will need to approve the signs. He said also as a courtesy there will be a soil conservation approval provided. He believes because of the change in the building size a recertification may be required.

Vice Chairman Lutz asked if in regard to soil would there be three separate permits? Mr. Landsberg said it should all be included in one, but he would do one for each lot if necessary. Vice Chair Lutz asked Solicitor Frank if the previous approvals were for twenty four hour

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operations. Solicitor Frank does not recall, but it could be a condition of this approval that all prior conditions are adhered to. The applicant said he is bound by DEP approvals for sound and light. There were concerns for the residents in the area. Solicitor Frank said he recommends the twenty four hour operation be approved with the understanding that there be strict adherence to sound and light restrictions. The applicant referenced previous noise and light studies. He said not approving twenty four operations limits potential future prospects.

Solicitor Gillespie asked the Board to consider the subdivision itself. Mr. Mancini indicated on the site plan the new proposed lots and showed their entrances and exits. He said they meet bulk regulations and the lots are all conforming except the need for variances for the buildings and the parking.

Solicitor Gillespie said he cannot find anything in the original resolution about the hours of operation. He said he did find in the Developer's Agreement information on buffering, sound mitigation and lighting. He said it was done to impose greater requirements on NFI than the ordinance required to address concerns neighbors had about noise all night. He said the buffer was extended, and the buffering would have more trees. He said some of the plantings were done last fall. There were drainage swails installed. As far as sound mitigation, NFI said there will be no outside public address system on the buildings near the neighbors. NFI said it will meet or exceed DOT criteria. He said lighting will be designed to have a minimal impact. There will be no wall pack lighting on the wall facing neighbors. The light will be low level glare. He said it seems that these requirements were put in place in the original agreement to accommodate a twenty four hour operation.

Solicitor Frank said he does feel that the governing body was concerned about twenty four hour operation and took every measure to address it during the original application.

Engineer Phillips inquired about diming lights when the building is not in use. He said once there are three buildings, it would make sense to dim some lights to a security mode during non-business hours. Mr. Landsberg entered into evidence the new renderings. He said it is going to be a concrete wall building with glass entrance main entrance. This, he said, is the office space and handicapped spaces are close to the entrance. He said it is an office, parts distribution center and regional training center for Subaru. He said for training the company brings in the technicians, mechanics, dealer representatives and others from a region and bring in the new cars or parts and teach them the technology to keep them informed and able to serve the customer. There is no actual maintenance, but they do need an overhead door to be able to bring the vehicles into the facility. He said the door will blend into the wall panels and cannot be seen when you pass the building. The building is very aesthetically pleasing. The drawings and documents were entered in as A-1, Elevations, A-2 Color Site Plan, A-3 is the highlighted sub division, A-4 is the minor subdivision plan itself, A-5 is a NJDOT highway access permit document, A-6 is color rendering of front elevation and A-7 is the northwest corner elevation.

Member Federico asked if there will be enough parking. Mr. Landsberg said the daily demand is about 30-50 spots, and there are more than 100 spots out front, so there will plenty of parking.

It was on the MOTION of Morris, seconded by Federico to open the meeting to the public to comment on application 2012-01.

Michael Maloney, 40 Tall Timber Lane, said he was at the meetings held for the previous approval. He said when he came before the board in 2009 he asked about sound. He said at that time the layout and construction of the three buildings was a big selling point because it was

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designed to protect the neighborhood. He said by not having the other two buildings the sound will come right to his home. He said putting only one building in means a large part of the sound and light control promised will not be there because in 2009 it was presented that buildings B and C were going to act as buffers. He said also all site work was supposed to be done at one time. He wants to know if all the trees are going to be removed. Solicitor Gillespie said prior testimony was that the distance from building A to the Tall Timber development was well within sound requirements. He said it was when the other buildings went up there was a requirement to put a wall to create a sound barrier. He said the agreement also states that it can be built in phase fashion. Mr. Maloney said the other two buildings were designed to face away from Tall Timber. He said he would like to know if the entire site was going to be cleared. He was informed it will not be. He said the size of the project is too big. Is it possible to make one of the other buildings smaller. He said he bought a home next to an agricultural zone. He does not want to live next to a warehouse and he says it is making it hard for him to sell his house. He said the trees planted are dead. Mr. Landsberg said the nature of those plantings is that some die but if maintenance is needed it will be done. Mr. Maloney said the buffer is not enough. He said this project is not good for him or his neighbors. He said he will not give up. He said it damaged his property values. He said he will not see the tax relief. He said he feels like the Board will do whatever it wants and he and his neighbors will remember this at the next election.

Motion of Federico, seconded by Morris to close the public hearing on application 2012-01. Unanimously approved by all members present.

Solicitor Frank said the minor subdivision conforms in lot area and lot frontage. He said the lots are kind of quirky looking, but they meet the standards. He said then there is the amended final major site plan approval. Associated with that are a few variances. There are setback variances for the buildings, setbacks for the trailer parking areas, and there is a building coverage variance which is the actual subject of the application. In addition there are variances for the signage. There are physical limitations on where the signs can be placed. He said other than these variances, everything else was previously approved. Solicitor Frank suggested the Board include in their approval the conditions and terms of the previous approval and developers agreement and any other requirements related to the project.

Mayor Wilkie said there have been efforts for years to develop the area on Route 130 and he is glad to see it finally happening.

Motion of Wilkie, seconded by Federico to approve the minor subdivision. Upon roll call the Board voted as follows:

YEAS: Federico, Lutz, Morris, Lovenduski, Wilkie, McCue
NOES: None
ABSENT: Hamilton-Wood, Molimock, Montgomery

Motion of Wilkie, seconded by Lovenduski to approve the amended site plan and variances. Upon roll call the Board voted as follows:

YEAS: Federico, Lutz, Morris, Lovenduski, Wilkie, McCue
NOES: None
ABSENT: Hamilton-Wood, Molimock, Montgomery

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Solicitor Frank presented a draft resolution that with a few changes could be approved that night. He went over it with the Board, pointing out where changes would apply. He said this could be approved subject to appropriate conditions.

Motion of Wilkie, seconded by Lovenduski to approve Resolution 2012-08. Upon roll call the Board voted as follows:

YEAS: Federico, Lutz, Morris, Lovenduski, Wilkie, McCue
NOES: None
ABSENT: Hamilton-Wood, Molimock, Montgomery

OTHER BUSINESS

Mayor Wilkie requested that next month's meeting be moved to July 30th because many members will be on vacation the week of the meeting. The Board was in agreement, as were the professionals.

Motion of Federico, seconded by Lovenduski to open the meeting to public comment. Motion unanimously approved by all those present.

Mr. Maloney wanted to know why none of his concerns were addressed. He said his points were not addressed. He said he felt the Board already had their minds made up. He also claimed that Board members had promised him they would stop the project. Vice Chairman Lutz said the applicant met the letter of the law. Mr. Maloney said he feels the Board members are not representing what the residents want. He said he was told it was unlikely that the zoning of the property would change; it is a difficult process. He expressed his dislike of the project. He said he feels it is too large of a project. He claimed what he saw in the past is much different than what this project shows. He said as it moves forward he will still be fighting it. He said he will be writing letters on a weekly basis pertaining to noise and light because he said it was not addressed. He said he remembers what was presented at the first meeting regarding light and noise and it is not what is being presented now. He said when he is laying in bed at three o'clock in the morning he is going to be calling the Township and said he will look the board members phone numbers up because he believes most of them are probably listed in the public record and he will let them know that he is listening to a truck backing up. He said there are two Florences and the east side of Route 130 is forgotten about.

Motion was made by Federico, seconded by Lovenduski to close the public comment. The Board voted unanimously to close the public portion.

Motion of Wilkie, seconded by Federico to adjourn at 9:15 p.m.

Wayne Morris, Secretary

WM/ak