

Florence, New Jersey 08518-2323
November 1, 2012

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

Chairperson Hamilton-Wood 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:

Mildred Hamilton-Wood
James Molimock
Mayor Craig Wilkie
Ray Montgomery

Tim Lutz
Wayne Morris
Councilmember Ted Lovenduski

ALSO PRESENT: Solicitor David Frank
Engineer Lee Phillips
Planner Barbara Fegley

ABSENT: William Federico, Thomas McCue

MINUTES
None at this time.

RESOLUTIONS
None at this time.

CORRESPONDENCE

A. 2013 Meeting Schedules for Boards/Commissions

B. Notice from Burlington Coat Factory regarding application sent to New Jersey Department of Environmental Protection for Letter of Interpretation for property located at 2004 Route 130, Florence Township. Block 160.01, Lot 1.01

C. Public notice from New Jersey Turnpike Authority regarding extension of Freshwater Wetland General Permit No. 1.

Motion of Lutz, seconded by Lovenduski to receive and file the correspondence.

NEW BUSINESS

A. Redevelopment Plan Review for Burlington Coat Factory

- A1. Resolution No. 2012-224, a Resolution of the Council of the Township of Florence referring a proposed redevelopment plan for parcels within the Route 130 Redevelopment Areas to the Township of Florence Planning Board, and directing the Planning Board to take certain actions pursuant to N.J.S.A. 40A:12A-7(e).
- A2. Redevelopment Plan for U.S. Route 130 Corridor Parcel A, Block 160.01 Part of Lot 1.01, Burlington Coat Factory, Florence Township, Burlington County, New Jersey prepared by Environmental Resolutions Inc.

Solicitor Frank said this is a draft redevelopment plan that is being referred to the Planning Board by the governing body for the Board to make recommendations and determine if it is consistent with the Township's Master Plan. Planner Fegley said this parcel was declared to be in need of redevelopment previously. The plan was created in coordination with Burlington Coat Factory with their plans for the site in mind. The project is in the highway commercial zone and this plan is consistent with that. There are some minor deviations from the highway commercial so that the company can better develop the site.

Chairperson Hamilton-Wood called the applicant to make their presentation. Brian Guest of Parker McCay, Robert Stout of Stout and Caldwell and Robert LaPenta of the Burlington Coat Factory came forward. Mr. Guest explained that the plan is for a new office building adjacent to the current facility. At this time Solicitor Frank accepted Mr. Stout as an expert and noted that he has come before this Board many times. He swore in Mr. Stout and Mr. Guest. Mr. Stout showed on a map where the current building sits, noted the Township line and showed the area where the proposed building would go. He said there are two applications. One is a minor subdivision to create two out parcels to be developed at a future time. The main function is the office building in the middle of the site. It is about 198,000 square feet with a four story wing on the back and a three story wing on the side. It is surrounded by parking that will meet the redevelopment ordinance requirements. The site was developed to be done in two phases. The site will be interconnecting to Dulty's Lane. Dulty's Lane has a traffic light so the applicant wants to be sure they have access to it. They are also in the process of applying to the Department of Transportation for a future access to Route 130. The site circulates around and the center is where the utilities will run. There will be two green areas and another large green area in the front. They have allocated some additional space for future development if the company wants to expand in the future. There is an additional 72,000 square feet available. It was designed so that the rear could be used for future parking. There can be forward expansion and additional parking without major changes to the site plan. The plan is designed for a full build out. The two front pads were incorporated also. The design is for today and for the future. There is a green park area in the center. There will also be some walking paths around the site. Mr. Guest said the Board will receive the formal planning application that will have more specific information about the project. The Redevelopment Plan being reviewed tonight only applies to the rear portion

that is being developed at this time. Chairperson Hamilton-Wood said she believes that the Board is ready to move forward with whatever action it needs to take. Planner Fegley said the proposed use is consistent with the uses permitted. Solicitor Frank asked about the intensity of the use. Planner Fegley said it is consistent with the zoning. The changes to Highway Commercial Zoning were lot frontage, the number of signs allowed and the parking ratio. Planner Fegley said the project is also consistent with the Master Plan. It is encouraging more economic development on Route 130. Solicitor Frank said he drafted a written resolution, PB 2012-11. The resolution states that the Board has reviewed the Redevelopment Plan and recommends its approval.

It was on the motion of Lutz, seconded by Morris to open the meeting to the public regarding Resolution PB 2012-11.

Seeing no one wishing to be heard, it was on the motion of Lutz, seconded by Morris to close the public hearing.

It was on the motion of Lutz, seconded by Lovenduski, to approve Resolution No. PB 2012-11.

Upon roll call the Board voted as follows:

YEAS: Hamilton-Wood, Lutz, Molimock, Morris, Wilkie, Lovenduski,
Montgomery

NOES: None

ABSENT: Federico, McCue

B. Redevelopment Plan Review for Former Duffy School Area

- B1. Amended Preliminary Investigation for Determination of Area in Need of Redevelopment and Redevelopment Plan Former Duffy School Area Block 45, Lots 8, 9, 10, 13, 14, 15 Florence Township, Burlington County, New Jersey prepared by Environmental Resolutions Inc.

Chairperson Hamilton-Wood recused herself from the application because of a conflict. Vice-Chair Lutz took the chair. Solicitor Frank said this is an amendment to the plan previously approved. When this proposal first came to the Board under the redevelopment statute, it came in a consolidated document with an investigation of the properties, with blocks and lots defined and the specific plan for the renovation. The findings of the investigations that were conducted at that time regarding the blocks and lots remain the same and the scope has not changed. It is really just an amended plan. Planner Fegley said one change was that the original proposal called for demolition of Duffy School but the current redeveloper has done more research and found out that the building is historical and would like to save it. The single family home adjacent to the school has been purchased by the Township and will now be part of the project. It is within the redevelopment area. The plan was created in conjunction with the redeveloper and it is consistent with the Master Plan. The project will be affordable housing so it goes toward the Township's COAH obligation. Brian Guest, Matthew Riley of MEND

and Charles Lewis of Conifer Realty approached. Solicitor Frank said the single family home was always a part of the redevelopment area. The inclusion in the plan is just an evolution. Solicitor Frank swore in Robert Stout and the other gentlemen. Mr. Stout referred to the site plan of the Duffy School. The large area in the center is the 18,000 square foot Duffy School. The foot print of the school will remain the same and an addition will be added to one side. The addition is off set to make the school the focal point. There is a big paved area with an alley that services the back of the houses and businesses. He would like to remove the paved area on the side of the building and make it a park and an internal parking lot that will be accessible from the alley and from Second Street. There will be some head on parking on Summer and Spring Streets. All facilities will remain the same and there are no stormwater management issues, there is existing water and sewer. The lighting will be upgraded and there will be extensive landscaping along the front. He now presented some perspectives of what the project will look like. One view is what the school looks like today. Another view is from Spring Street looking in. The section to the right with the glass atrium in the center is the new wing. The atrium will be the main access into the building. There will be a rear access and a side access, but the atrium will be the main access. There will be a brick façade and the windows will be matched throughout. The existing facility will be upgraded as well. From a site plan standpoint, it will have a lot more green than is currently there today. Mayor Wilkie asked how many apartments will be in the facility. He was told there will be 53 apartments. Planner Fegley said the former plan had 67 apartments proposed. Mr. Stout said there were fewer because the plan has more green. Member Lutz asked about preserving the building. He wanted to know if the Township is tied in to preserve the building since it is recognized as historical. The applicant said the Township will not be stuck. The building is designated as eligible for the tax credits but it is not yet on the Register of Historic Places. The applicant will not apply for that distinction until the funding is all in place. Member Morris asked about parking. Mr. Stout said that the counts include the on street parking because it is a less intense use. There are 15 parking spaces along the front of the building. There are 36 on site spots. The Board Members feel this plan is better than before because it eliminates parking in the rear of the building. Member Morris asked if the alley in the back could be made one way. Mr. Stout said that option is being discussed.

It was the motion of Lovenduski, seconded by Montgomery, to open the meeting to the public regarding the Duffy School Redevelopment Plan. All ayes.

Seeing no one wishing to be heard, it was the motion of Lovenduski, seconded by Morris to close the public session. All ayes.

Motion by Wilkie, seconded by Molimock to recommend that the plan is consistent with the Township Master Plan.

Upon roll call, the Board voted as follows:

YEAS: Lutz, Molimock, Morris, Lovenduski, Wilkie, Montgomery

NOES: None

ABSENT: Federico, McCue

Member Montgomery inquired about an Amended Preliminary Report that was attached. He did not receive it and would like to review it. He was told he will be provided with a copy.

Chairperson Hamilton-Wood called Application PB 2012-03 for Eileen Garcia. The applicant is requesting Minor Subdivision with bulk variances for property located at 336 Riverview Avenue, Florence, NJ. Block 35, Lots 1&2. Solicitor Frank swore in Alfred and Eileen Garcia and Dan Guzzi of Guzzi Engineering. Mr. Garcia said they are requesting a subdivision to move the property line and create a larger lot. Chairwoman Hamilton-Wood asked if any structures would be impacted. Mr. Garcia said that there is no building proposed at this time. Solicitor Frank said for the record the Board should accept Mr. Guzzi as an expert at this time. All accepted. Mr. Guzzi explained that the deeds for the two lots go across the street. The properties are bisected by Riverview Avenue. He said the plan presented looks like there are five lots being adjusted but there are only two being adjusted. The proposal is to adjust the lot line between lots located at the corner of Riverview Avenue and Winter Street. The Garcia's own both lots and the lots across the street as well. Their existing home is located on Lot 2. It is approximately 100' wide. The corner lot is 50' wide. The proposal is to slide the line over so the home will be on a 50' wide lot and corner lot would be 100' wide. He said there were some submission waivers requested. Engineer Philips said the applicant submitted two check lists. One was for the variances and one was for the minor subdivision. The applicant requested waiver from providing a certificate from the Zoning Office citing that since no Zoning Certificate is being requested they feel it is not applicable. There are numerous bulk variances required. Engineer Phillips said he has no objection to the Board declaring the variance application complete. He said the minor subdivision application checklist request a waiver from the Environmental Impact Statement because the subdivision does not affect the usage of the properties. Engineer Phillips said there is no objection to this waiver. The applicant also requests waivers from submission of the utilities and drainage reports. Since there is no development at this time the Engineer said there is no objection. The applicant requested a waiver from showing constraint relief circles. He said the ordinance requires a 40' radius but these lots do not have the space. He recommends a waiver be granted. There were items that were listed as not applicable and the Engineer agrees. He says if the waivers are granted the application can be declared complete for both the subdivision and the variance.

It was the motion of Lutz, seconded by Lovenduski, to deem the application complete.

Upon roll call the Board voted as follows:

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

Mr. Guzzi said the property is located on Riverview Avenue. He said a majority of the properties in the area are 50' wide. He said the applicant will need variances for side

yard setbacks for the lot that has a dwelling. The setbacks will be 12.2' and 10.8' which are consistent with the adjacent development. The front yard setback is not affected because it existing non-conforming. He said in respect to lot size, this lot is actually larger than a many of lots in the area. The applicant is also seeking a variance for the new configuration of the existing developed lot. The lot coverage will be about 23%. Lot 1 will be an enlarged version of itself without any development. The Garcia's do plan to develop that with a single family dwelling and it will be a conforming lot. Reducing the lot size for lot 2 with the dwelling is consistent with the area. Making lot 1 a conforming lot makes sense because it is a corner lot. Right now the building envelope that would be available is not conforming. Basically the applicant wants to flip the conforming and non-conforming lots to make the conforming lot the corner lot. He provided for the Board's information an aerial view of the area showing the existing development and the subject property. He also provided for information as a "for instance" of what type of dwelling could be placed on the lot and be conforming. It is a large dwelling. The Garcia's are potentially going to do something similar to this. A new dwelling is not being proposed at this time but in the future the Garcia family will go through the proper channels for zoning. Solicitor Frank asked where the driveway will be placed. Engineer Guzzi said it would most likely be on Winter Street. Riverview Avenue is very narrow. Chairperson Hamilton-Wood wanted to know how the lot was determined. Engineer Guzzi said that because the lot lines are not parallel the front lines are longer than the rear lines. Member Morris inquired about the lot lines. Engineer Guzzi said there would be no development on the lot continuations across the street. These would be one deed, 2 lots in the case of lots one and three lots in the case of lot 2. Engineer Phillips said the tax maps show differently. There would be no problem with the deed showing all. By keeping it all together it means they cannot be sold separately. The variances that are being sought are related to the existing dwelling and the reduced sized lot. One of the objectives of the Master Plan of the Township is to promote housing density in the older portions of the Township where utilities are available. Higher densities would be consistent with the existing scale and character. He said he took this from the Master Plan because this property is a perfect example. He said he expects the variance could be granted because there is some hardship with Riverview Avenue bisecting the lots and there is existing development that is close to the property line. He said no new lots are being created; the lot line is being adjusted. Granting of the variance and relief with the subdivision approval would create a desirable visual conformance because a nice house could be built on the lots. He said there is no substantial detriment and it is consistent with the neighborhood plan. Chairperson Hamilton-Wood asked where the utilities run and if they would be in the way during construction. Engineer Guzzi said they run in the alley so it would not be an issue. Member Morris said he went and viewed the property and he thinks the application makes perfect sense and it fits with the neighborhood.

It was on the motion of Lutz, seconded by Montgomery to open the meeting to the public regarding Application PB 2012-03. All ayes.

It was on the motion of Montgomery, seconded by Lutz to close the public portion.

Engineer Phillips said this is not a subdivision by right, it does require Board approval. He said because it requires approval, the ordinance says that the Township can require sidewalks. Solicitor Frank said that usually an applicant is required to build sidewalks or make a payment in lieu of. This is an existing sidewalk. Engineer Phillips thinks when the applicant applies for a building permit he should have to repair the sidewalks. Solicitor Frank said there will be some sidewalk work done when the new dwelling is built. The sidewalks are in bad shape and this could guarantee that they are repaired. Engineer Guzzi said the applicant is willing to work with the Zoning Officer and Building Code Official. Solicitor Frank said it could be a condition of approval that the sidewalks will be repaired or replaced when the building starts. Member Lutz said he is not comfortable with repair. He feels that Winter Street will need to be installed also. He would like to require new sidewalks for the entire site. Mr. Garcia said he spoke with Assistant Administrator Thomas Sahol about fixing the sidewalks. He was told that it is a low priority and Riverview Avenue only has about 5 homes. He said the sidewalk in front of his home is ruined because of large tree roots. He said Assistant Administrator Sahol said Mr. Garcia could remove the sidewalks and put down gravel or grass. It is not a high traffic area. Chairperson Hamilton-Wood said there was an ordinance passed about a year ago that required sidewalks be installed everywhere at the expense of the applicant. Member Lutz said if an applicant was granted a waiver they made a payment in lieu of. He wanted to make sure it was clear. Member Montgomery does not believe the applicant would have enough space to install sidewalks that were to code. Chairperson Hamilton-Wood asked if everyone was in agreement to let the Construction and Zoning Officials make the decision. Member Lutz said he is not in agreement. Planner Fegley read in the code that since it is a minor subdivision not on Route 130 it does not apply. Mayor Wilkie said that when the applicant goes to get the building permit, they will be required to install the sidewalk. The Board wanted to let him know that his prior conversation with a Township Official may not be a viable option. The issuance of the permit will trigger the requirement. Solicitor Frank entered two photos of the sidewalk into evidence as B-1 and B-2. Solicitor Frank recommends the Board put in the resolution that the applicant recognizes that on the issuance of a construction permit or a new dwelling on lot 1 as newly configured, the owner of the of the property will be obliged to repair or reconstruct the sidewalk on Riverview Avenue, and construct sidewalk on Winter Street. Chairperson Hamilton-Wood agreed. Solicitor Frank said the issue with the lots on two sides of the street is akin to lots in two different municipalities where you have a town line running through a property. It operates together as a single property. Law states that when you run a road through a property you create a subdivision and two lots. He said in regard to this particular group of properties the Board should make it binding that the properties on the river side of Riverview Avenue are directly associated with the parcels on the other side of the street. They have no principal use, they are purely accessory. Engineer Guzzi said that is consistent with the application.

Motion was made by Lutz and seconded by Lovenduski, to approve application PB 2012-03.

Upon roll call, the Board voted as follows:

35.

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

OTHER BUSINESS

PUBLIC COMMENTS

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

Seeing no one wishing to comment motion was made by Lutz, seconded by Lovenduski
to close the public comment. The Board voted unanimously to close the public portion.

Mayor Wilkie said that the meeting dates were not in the packet. He said he believed
they were but he looked and did not see them. He said it is still consistent with the
Fourth Wednesday except for November and December, when it will be the third
Monday.

Motion of Wilkie, seconded by Lutz to adjourn at 8:39 p.m.

Wayne Morris, Secretary

WM/ak