

Florence, New Jersey 08518-2323
April 29, 2015

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
Tim Lutz	Council Representative Ted Lovenduski
Wayne Morris	Mayor Craig Wilkie
Thomas McCue	Raymond Montgomery

ALSO PRESENT: Solicitor David Frank
Planner Barbara Fegley
Conflict Engineer Gregory Valesi

ABSENT: William Federico

RESOLUTIONS

- A. Resolution PB-2015-05 granting Minor Site Plan with bulk variances to approve converting an existing vacant retail building to a Dollar Tree store on property located at 2087 US Route 130 South, Block 99.01, Lots 20 and 29.

It was the Motion of Lutz, seconded by Montgomery to approve Resolution PB-2015-05.

Upon roll call the Board voted as follows:

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

MINUTES

It was the Motion of Lutz, seconded by Lovenduski, to approve as submitted the minutes from the regular session of March 24, 2015. All ayes.

CORRESPONDENCE

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- A. Letter from Richard Hoff, Jr., Esq. dated April 2, 2015 regarding Request for Inclusionary Development Pursuant to N.J.S.A. 52:27D-310(f) and Addition to Township Service List for Block 160.01, Lots 4, 11.01, 11.02 and 24 (US Route 130 and Cedar Lane).
- B. Letter from Burlington County Soil Conservation District dated April 13, 2015 regarding Gallina Plaza, Block 110, Lots 3.01 and 8.01.

It was the Motion of Lutz, seconded by Morris to receive and file Correspondence A & B. All ayes.

At this time Member Lutz recused himself from the meeting at this time because of a conflict with the next application.

APPLICATIONS

- A. Application PB#2015-01 for Liberty Venture I, LLC. Applicant is requesting Preliminary and Final Major Site Plan for a warehouse distribution facility on property located at 500 Cedar Lane, Florence. Block 155.47, Lot 12.02.
David M. Roskos, Esquire

David Roskos came forward on behalf of the applicant. He wanted to address some housekeeping issues. He provided the original affidavit and proof of service to Solicitor Frank. This evening is the culmination of an effort that has been a year in the making. Liberty has been working with the Township professionals and staff in terms of the Redevelopment Plan and the preliminary and final site plan being heard this evening. The Board got a sense of this application at the completeness hearing held on March 24, 2015. This is a 50 acre site on Cedar Lane. It is being developed consistently with the GM Zone and also with the Redevelopment Plan endorsed by the Board. The applicant is not seeking any variances in connection with the application.

He presented some renderings but said this is a spec building. He thinks with the proximity to the turnpike the market is now right for a spec development. He does not know this evening who the tenant will be. That is why the applicant wants the three options presented in connection with the Redevelopment Plan and why they are seeking approval this evening.

He said present tonight were James Sunday and Mark Goldstein of Liberty Venture. He also had his professionals present to be sworn in. The three scenarios are not that different. While it is called Phase I and Phase II, the plan is to put up the first building entirely. It is 631,200 sq. ft. Then the options begin. One is to build another building that would be more approximate to Cedar Lane. It would 136,080 sq. ft. There would be a 726 car parking lot that would facilitate a distribution center. The other option is trailer parking for 188 vehicles. Having the options gives the applicant the freedom to react to the market. That is the reason for seeking the optional approvals. It is important to remember that all of the options are variance free.

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He said Liberty is a wonderful corporate citizen and Florence is lucky to get them. This is a situation where they are coming to town, and will develop the site the way it was zoned and the way the Township intended it to be developed. They are bringing benefits. Firehouse Lane needs sidewalk and Tollgate needs a driveway. That will be part of the applicant's proposal. The firehouse needs a stormwater detention basin and the applicant is taking it in their property along with a County culvert that crosses the property. It is road sediment and the water is not clean. The applicant will be treating it and then will send it off the site.

The applicant will also rectify something that was recently discovered. There are two 10" force mains that cross the property that are not the subject of a recorded easement. In some other situation the property owner would probably look for compensation. Liberty is taking a different position and is happy to work with the Township Attorney to negotiate and create an easement. The plans were fully engineered then it was discovered that the two force mains were in the rear of the property. There is some additional work for the applicant, but Liberty is willing to work with the Township at no cost to the Township to rectify something they didn't create.

Mayor Wilkie said they are what is called the interceptor lines that took care of the Birch Hollow development. They were put in during the late 80's. It was done to run sewer to the houses in the area but not disrupt the rest of the community. Apparently the easements were never filed and that is why they weren't picked up on.

Mr. Roskos said from a traffic standpoint the applicant has already contacted the County. Cedar Lane is under County jurisdiction. The County is satisfied with what was proposed and understands the three different options. There will be road widening and the Railroad Avenue and Cedar Lane intersection will be improved. The residents of Florence will benefit as a result of the project. The applicant will also offer the services of their traffic engineer regarding some concerns with the Cedar Lane and Route 130 intersection. Their professional will explain later that the intersection is problematic at the morning peak in a no build scenario. There are movements that don't work and as time goes on those will get worse. Part of the problem is that it will involve the New Jersey Department of Transportation and they can be difficult. Just some signal timing changes could make the situation better. There are no improvements required there, but as an off track improvement, that does not affect this site. There is a study of that intersection and other intersections on Route 130 that is supposed to commence this summer. The County is aware of it.

Mr. Roskos said these presentations are usually done with a dry, flat engineering plan. He presented some renderings that were done by the project architect. Solicitor Frank entered the set of renderings as Exhibit A-1. There were thirteen pages. He shared copies with the public in attendance.

The renderings were prepared by the project's architect, Craig Dishner. Mr. Roskos went through the renderings and explained what each one depicted. There were views, landscaping, the three options and the various phases. He felt it helped to see the options

on the renderings to give everyone a real idea what the project will look like with each option. He noted one rendering showed the entrance on Cedar Lane. The proposed complex will share the entrance on Independence Way. It is actually a public street. There were renderings of the berming that will be provided. There were aerial views of the site as well. These were renderings but are helpful in understanding what the project.

Mr. Roskos asked that the engineer be sworn in to discuss the site plan. Thomas Bechard was sworn in by Solicitor Frank, along with the Board Professionals. Mr. Bechard said he graduated from Villanova University with a Bachelor of Civil Engineering. He has over 20 years of experience with site, civil and land development engineering. He is a licensed professional engineer in New Jersey, Pennsylvania, Delaware, Maryland and Virginia. He has testified numerous times before various boards on projects such as this. He was accepted as qualified to testify as an expert.

Mr. Roskos asked Mr. Bechard if the site plan was prepared by him and if he was familiar with the site, the GM Zone and the Redevelopment Plan. Mr. Bechard confirmed. Mr. Roskos asked Mr. Bechard to describe the three different scenarios the applicant is seeking approval for and give the Board an overview. Mr. Bechard said the project is proposed to be constructed in three phases, with three options in the third phase. The first two phases will be the same for all three alternatives and will likely be constructed at the same time. Phase I is roughly two-thirds of a large building. It will include two drive-ins with one on either side of the building, 119 loading docks, 197 car parking spaces and 92 trailer spaces. There will also be a new driveway that connects to Firehouse Lane. There will be new sidewalk on Firehouse Lane connecting Tollgate to Cedar Lane. There will be sidewalk on the frontage of Cedar Lane. The entire site will be cleared in Phase I and landscaping berming will be installed along the entire frontage. There will also be a driveway connecting to Independence Road for tractor trailers and cars. The driveway on Firehouse Lane will be for cars only.

The entire stormwater management system will be constructed in Phase I. There will be three retention basins. They are designed as infiltration basins and will accommodate the ground water recharge, water quality and all New Jersey storm water requirements. The plan includes taking the run off of the 42' culvert and cleaning the water and it will be taking the stormwater from the firehouse and treating it on site. Mr. Roskos asked if that would free up some of the firehouse property for reuse. Mr. Bechard confirmed this. Mr. Bechard explained the stormwater management design. There is also a Stormwater Management Facilities Maintenance Manual for the site.

Phase II is an extension of Phase I and will be built at the same time. The building will be 201,600 sq. ft. There will be two additional drive-ins, one on either side of the building. There will be 52 loading docks, 138 car parking spaces and 25 trailer parking spaces.

Phase III A is a smaller building that would be located by Cedar Lane. The building would be 136,080 sq. ft. and there would be parking on the east side between Cedar Lane and the building. There would be 117 car parking spaces. There would be two drive-ins

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on the west side of the building for loading and there would be 12 trailer spaces on the west side of the building. There would be another driveway for cars off Cedar Lane. It would only be used by trucks if there were some kind of emergency or a backup onto Independence Road. Mr. Roskos said trucks exiting the site would be seeking access to Route 130 and turn in the direction of Railroad Avenue. Mr. Bechard agreed.

Mr. Roskos asked Mr. Bechard to describe Option B. Mr. Bechard said Phases I and II are identical to the previous exhibits. The only thing that changes is the area by Cedar Lane. Instead of a small building it would have 726 car parking spots. There would also be a connection to Cedar Lane. It would be located near the midpoint of the frontage of Cedar Lane. The parking lot would be landscaped and have lighting. Mr. Roskos said this particular use would be associated with a distribution center. Mr. Bechard said it would be some type of high production manufacturing facility such as a bakery or something of that sort. It would be a labor intensive use so most of the cars would belong to the employees.

Mr. Roskos asked Mr. Bechard to explain Option C. Mr. Bechard said phases I and II are identical to the previous options. The difference is that near Cedar Lane instead of a building or car parking there would be a tractor trailer staging area. There would be 180 tractor trailer spaces and a driveway connection to Cedar Lane at the midpoint of the frontage. There will be two driveways connecting the trailer storage lot to the Phase I and II improvements. He confirmed this was a variance free application. Mr. Roskos asked about the parking requirements and if the application meets or exceeds the standards and asked if there was banked parking in the plan. Mr. Bechard said the application does exceed the requirements. There were areas of parking set aside to be constructed only if necessary. He reviewed where they were. Mr. Roskos said it would not be the applicant's intention to build that parking unless there was a need by the tenant that had to be met. Mr. Bechard confirmed this. The drainage system incorporates all of the potential impervious coverage, anticipating the most intense build out of the site.

Mr. Roskos said if there were not questions at this point he would like to move on to the comments from the professionals. He referred to the report provided by Planner Fegley. Mr. Roskos said there are certain technical waivers that were being requested. The first is decreasing the number of evergreen trees along Cedar Lane from 208 to 160. There is significant landscaping taking place on the project. He asked Mr. Bechard to explain.

Mr. Bechard said the landscape architect thought the spacing was too tight. The applicant will provide additional planting to other areas on the site to account for the decrease. There is also a request for a waiver related to trees in parking and loading areas. The applicant is seeking a partial waiver in Phase III B to reduce the number of trees from 145 to 133. Mr. Bechard explained there would be two trees in every parking island and there would be additional plantings around the perimeter to compensate. They would like to limit trees on the internal parking lots. He said the project will be heavily landscaped and very attractive.

Mr. Roskos said both the planner and the engineer requested information on hours and dates of operation, the number of employees and the shifts. It was previously explained that this is a spec building. That information isn't really known until there is a tenant. Mr. Bechard said he anticipates a warehouse or distribution facility. The plan shows parking for roughly five percent of office space, that is the general rule of thumb for a warehouse building. The Phase III options will provide more flexibility.

Chairperson Hamilton-Wood said the Board's concern is that there is a close proximity to residential areas and there might be issues with noise, hours of operation and traffic flow, especially if there are many cars. They may not all be accessing Route 130. Shift changes would be a concern. She doesn't know how that could be addressed at this point.

Solicitor Frank confirmed with Mr. Roskos that he is asking the Board to approve the sub-scenarios of a twenty-four hour operation. Mr. Roskos said that was the case. He will be presenting testimony regarding sound and traffic with the most intense use of the property. The other witnesses will address the concerns.

Mr. Roskos said as far as COAH requirements, he will discuss it with Solicitor Frank. The applicant will adhere to whatever the law requires. Mr. Bechard said at this time the applicant is not proposing any security fencing or gates, however, seeing it requested more and more it would not be discounted for a potential tenant. Right now the applicant doesn't know how many tenants will be in the building. There are many different potential scenarios for fencing. It is not shown on the plan because it is impossible to predict. Chairperson Hamilton-Wood said she felt the tenant will want the security. The Board has seen that numerous times for other applicants. Mr. Roskos said the applicant is not seeking a variance right now with relation to fencing.

Mark Goldstein, the Vice President of Liberty Property Trust, was sworn in as a witness. He noted that he is seeing more requests for fencing at many of his properties. Chairperson Hamilton-Wood said the Board has been seeing requests for fencing from applicants where you never would have expected they would be looking for fencing. She thinks that will be the norm moving forward. Many applicants are concerned about security.

Mr. Roskos asked Mr. Bechard if the applicant was willing to comply with all of Planner Fegley's requests. He confirmed the applicant agrees to comply.

Planner Fegley said there was something from the Shade Tree Commission she would like to address. They had a concern about the trees that were proposed. She recommended the applicant provide a substitution. The Commission was also concerned with the setbacks of the plantings on Cedar Lane because of the overhead wires. She looked at it and does not think the setback is a problem. Her office will work with the applicant's landscape for any substitutions of the species of plantings. Mr. Roskos agreed.

Chairperson Hamilton-Wood said it was her understanding that Planner Fegley's concerns raised in her report were addressed. Planner Fegley concurred.

Engineer Valesi said he would like to review his report because many of his comments were already addressed in the testimony that has been presented. Mr. Roskos agreed. Engineer Valesi said there weren't many issues from a technical standpoint and the plans were very well done. He has worked with the applicant and met with their engineer so there is not much that hasn't been addressed.

Solicitor Frank asked Engineer Valesi if he agreed with the applicant that there were no variances required. He agreed there are no variances needed. There is one waiver required. He feels what is being proposed is consistent with the Redevelopment Plan. He recognized it is a spec building so the applicant was limited on the information it could provide regarding tenants. He asked if there were going to be any construction trailers on the site, and if there were the applicant would need to work with Construction Office. Mr. Roskos said there would be and he willing to work with the Construction Official.

Engineer Valesi asked if there would be any mechanical equipment located on the ground or if it was going to be mounted on the roof. The reason he asked was sometimes the site plan is affected if there are going to be chillers or condenser units on the ground. The applicant the architect would address during his testimony.

Engineer Valesi said the lighting plan meets the ordinance requirements and it appears that everything is in order. The LED fixtures are energy efficient. There are no issues relative to lighting. In terms of drainage, the applicant spoke to it quite well. The plans were very well designed. The issue of the excess detention time from 72 to 77 hours is not a real issue since the owner will be maintaining it and it is not in a residential development. He supports the granting of that waiver. The traffic engineer had not testified so he didn't want to address the traffic at this point. The applicant's engineer worked closely with the Board Professionals. He complimented him on doing a very good job. Mr. Roskos said for the record, the applicant will comply with the technical review issues and will work with the Board Engineer.

Planner Fegley said she reviewed the Environmental Impact Statement and had a number of questions but they were addressed by the applicant and the necessary revisions were completed. She was satisfied with the revisions.

Mr. Roskos called Craig Dishner, the architect for the applicant. He was sworn in by Solicitor Frank. Mr. Dishner stated he graduated from Virginia Tech in 1987 with a Bachelor of Architecture. He is licensed in North Carolina, South Carolina, Virginia, Maryland and New Jersey. He has done work for Liberty in those states and started working with them in 1994. They are very reputable and they do what they say they are going to do. He has testified before land use boards in the past. He was accepted as a qualified witness.

Mr. Roskos asked Mr. Dishner if he heard the testimony of Mr. Bechard and if he was familiar with the site. He responded yes. Mr. Roskos asked if he designed the buildings that were proposed as part of the development. Mr. Dishner said he did.

Mr. Dishner said he wanted to point out the building orientation. He referred to Exhibit A-2. Mr. Roskos explained it was a depiction of the 631,200 sq. ft. building, Phases I and II with the trailer parking. He noted a significant natural buffer that is being left in place. There are two entrances to the building he noted where they were. He noted the corner that would be seen from the road. He architecturally enhanced the two visible corners. For warehouses there are certain rules to adhere to. What he wanted to do with the building was to enhance the office area to make it attractive. He noted some of the items he included to make the building more interesting.

Mr. Roskos said with these drawings the applicant was trying to show the Board and the public what they would see from the road. A large part will be landscaped and bermed and it won't be seen. He showed a rendering of what would be seen from Firehouse Lane. He thinks it looks attractive. Mr. Dishner presented another rendering that was a visual of the main entrance from Cedar Lane. There is a large amount of landscaping and berming there also and not much would be seen from the road. Chairperson Hamilton-Wood asked if the landscaping was as built or maturity. Mr. Dishner said they are not fully mature; it is about eight years in. In talking with the landscape architect, the applicant is putting in larger caliper plantings than are required.

Mr. Roskos said there was a thirteen sheet set of renderings. He indicated Mr. Dishner's office prepared them. Mr. Dishner confirmed this. He also confirmed the renderings were consistent with the site plans.

Engineer Valesi asked about the mechanical components. Mr. Dishner said the intent is to put the mechanical components on the roof and it will be required that they be set back so they aren't visible. Chairperson Hamilton-Wood asked if all the ordinances for height are being met with the mechanical on the roof. Mr. Roskos said it will be far below the height ordinance.

At this time Mr. Roskos recalled Mr. Bechard because there was an issue he forgot to touch on. Mr. Roskos asked if the site plans were prepared after a survey of the site had been done. Mr. Bechard confirmed. Mr. Roskos asked if he relied on the survey and all recorded easements that might be found at the County Clerk's Office. Mr. Bechard again confirmed. Mr. Roskos asked if he was unaware of two ten inch force mains that travel along the New Jersey Turnpike. Mr. Bechard said he was unaware of them when he created the site plan; there were no easements filed. The two mains are five feet off the property line. The applicant is working with the Township Water & Sewer Department to identify exactly where the lines are horizontally and vertically. If necessary the applicant will adjust the grading and do any other adjustments that might have to be made. Mr. Roskos said the site plan might need to be adjusted to some degree to accommodate the two lines that were undisclosed. There are no manholes and no physical evidence of the lines even if you walk the property. Mr. Bechard said he did

walk the area with the Director of Water & Sewer and they were unable to find any manholes. They did see the remnants of soils from when the trench was dug. There was material left over. The prior day the surveyor scanned the entire thirty foot easement with metal detectors and was unable to find any manholes whatsoever. Mr. Roskos asked if it was Mr. Bechard's testimony that even with this recent surprise he will be able to design from an engineering standpoint parking improvements that can accommodate these two pipes. Mr. Bechard said it may mean losing a couple parking places but yes that is his testimony. Mr. Roskos said the site has more than enough parking so it would not be a situation that would create a variance. Mr. Bechard concurred. Mr. Roskos said the applicant has been working with the Director of Water & Sewer and the Township's Water & Sewer Engineer regarding the pipes. This situation was a surprise to the applicant. It is hard to comprehend the lines being there without an easement on record. The applicant plans to work with the Township to create the easement that should have already been in place and will assume the Township will work with them as they struggle to accommodate the lines. This is a solvable problem.

Solicitor Frank asked if the applicant was asking the Board to allow them to make adjustments to the plans. Mr. Roskos believes these are administrative changes and would not require reappearance before the Board. The impact will not be great enough to trigger any variances or a redesign of the site.

Member Morris asked how the easement would be recorded if the location of the pipes was not known. Mr. Bechard said his surveyors will meet with the Sewerage Authority. There were six or seven points selected along the easement that are pitch points in the plan for parking and sign foundations. The area over top of the pipe will be excavated and the surveyor will shoot the top of the pipe so there will be vertical and horizontal alignment. He will take the information back to the drawing board to make sure there is the proper cover over the pipes. There has to be at least three feet of cover to make sure there are no conflicts with storm sewers or the sign foundations.

Member Morris asked if at that point the easement would be recorded for the property. Mr. Bechard said the easement is basically a thirty foot off-set of the property line. The lines themselves are supposed to be five feet off the property line in the same trench. He doesn't know if that is the case without excavation. Chairperson Hamilton-Wood said she understands having this done by the professionals but she feels there needs to be a limit to how big of a change should be allowed without being required to come before the Board. Solicitor Frank said anything that they did that would create the need for a variance would require the applicant to come to the Board. He suggested giving the engineer some administrative authority. If he feels it is beyond what he could approve he would direct the applicant back to the Board.

James Sunday, Vice President of Liberty Property Trust, was sworn in by Solicitor Frank. He said he wanted to discuss the impact of these pipes. He and Mr. Bechard looked at the impact. It will be a loss of some parking. The applicant is losing space available to them. They are trying to accommodate and make sure the pipes have the proper cover. Chairperson Hamilton-Wood said the Board does appreciate that but the loss of space

does become a concern because it is changing the final numbers. It does not look like it will be an issue because it is over-parked, but if it does take the applicant to being under-parked it becomes something the Board would be concerned about.

Norman Dotti, of Russell Acoustics, was sworn in by Solicitor Frank. He was accepted as an expert because he had previously been before the Board. He presented what was entered as A-6, an illustration of his sound study. Mr. Roskos asked if Mr. Dotti was familiar with the plan and the site. He confirmed that he was. Mr. Dotti said he visited the site two times and studied the plans and has been in communication with other professionals on the project.

Mr. Roskos said Mr. Dotti was asked by the applicant to perform a sound study. Mr. Roskos asked Mr. Dotti to explain what the sound impact would be to the surrounding area under the proposed development. Mr. Dotti said he prepared a report he dated April 22, 2015. For the report he went out to the site and set up four Environmental Sound Monitoring Systems that operated in the area for 72 hours to get the ambient mode, or the existing sounds in the area. The Turnpike is a significant source of sound there. What people will hear will depend on the sound that is out there now.

He also did a study of what he considered to be the worst case scenario in far as intensity of use on the site. He felt the worst would be having the two buildings constructed. Truck operations are the loudest. He provided A-7, an aerial view of the site showing where he placed his monitors. He also provided a chart, labeled A-8. The chart showed the minimum and maximum sound levels and the average sound level for each hour. Behind the Tollgate development the average sounds were 50-60 DBA's. DBA is a very commonly used measure; it is what the State of New Jersey uses. The night time limit, defined as 10:00pm to 7:00am. The night time limit from the proposed facility is 50 DBA. That isn't counting the existing sounds. Along Cedar Lane behind the condos it is currently 50 DBA. The most the site can produce is 50. A great majority of the time the ambient noise is above 50 DBA. That is common for that area. Noise from the Turnpike is very prevalent. What he looked at the most is the area in the bend by the Firehouse. For a majority of the time the average sound is between 50 and 60 DBA. Typically with traffic late night is when it is quietest there, but there is still sound in excess of 60 DBA.

This is significant because it has a lot to do with what people will hear from any operations in the area. If Liberty complies with the state noise regulations, which it has to do as a performance standard, the nature of the sounds are such that neighbors probably won't even notice what is going on at Liberty from a sound standpoint. That is the ambient issue.

He then looked at what sort of sounds could be expected from various kinds of operations. It has been said multiple times it is not determined how the site will be used. There are many different options. Mr. Dotti said he preferred to do a worst case scenario. He assumed tractor trailers, which are louder than box trucks, which are in turn louder than cars. He also assumed night time operations. He presented a drawing accepted as A-9 that shows the two buildings on the site. He assumed trucks could go all the way

around the building with his model, even though a section is really intended for cars. It doesn't have the lanes. The trucks will really be using the north and south sides and the exit. The exhibit is a contour map of sound. The closest part where a truck could come is at the corner along Firehouse Lane and along the back. The maximum sound is around 55 DBA for the neighbors. This model calculates thousands of positions in the area to make the contour map. For each position it calculates the sound for a truck moving along the entire track. It takes the loudest sound for the entire route that the truck takes. That is usually when it is the closest but not necessarily. There are building reflections involved, berming effects and that kind of things.

Over by the apartments there is a potential of around 55 DBA. This is over the 50 DBA. Not knowing how the site will be used, he looked at several different possibilities for engineering. He presented A-10 into the record. It is the same scenario he just presented. He noted a bright green line on the north and west side. He mathematically inserted a sound barrier that is about 16' high. That puts the noise under the limit for the closest residents. He isn't saying that is the solution and he intentionally made it long to show that it could be done. The exact dimensions, if it became necessary, would need to be engineered. This is using the worst case. It is showing that a barrier can make it work and comply with the night noise limits.

Mr. Roskos asked how the barrier would accommodate the driveway. Mr. Dotti said there would need to be some sort of gate. Another option would be changing the angle of the driveway and staggering the opening in the barrier so there isn't a direct line of sight. He agreed it was something that would need to be addressed.

Mr. Dotti said if the second building was built the sound levels would be under the maximum amount. He presented A-11, a rendering of the option with an additional building. The building would act as a sound barrier. All the truck operations are on the other side of the building away from Cedar Lane. The truck operations at the smaller warehouse are not really the issue. It is the northwest corner operations on the larger warehouse that are the concern. He presented A-12, showing the larger building. Another option would be that the entire site not be used at night. He showed on the rendering where trucks would be allowed. He suggested keeping most of the truck traffic to the back of the building. He gave suggestions such as security fencing to keep trucks out areas they aren't permitted in.

Mr. Dotti said what he tried to do was show that there are possibilities depending on how the site is used. It can be made to comply with the night time DBA standards. He clarified that the sound levels he has been discussing are for between the hours of 10:00pm and 7:00am. All the scenarios are for 24 hour operations. If there were no night time operations the DBA limit would be 65 DBA and the site would be in compliance. The noise is a performance issue. Any warehouse must comply. It isn't a site plan issue as much as it's a State performance guideline. He is showing how it could be handled assuming the worst case scenario.

Mayor Wilkie asked what the average currently was at night. Mr. Dotti said the average right now is at 50 to 60 DBA at its quietest. The sound would be momentary when a truck drives by and it has to be down to 50 DBA. Even without the barrier in the corner area with the highest DBA it is 55. He compared it to looking at the sun and someone shines a flashlight in your eyes. You notice the flashlight.

He presented A-13, showing what effect the new buildings would have on the neighbors regarding noise from the Turnpike. The chart showed the difference in sound levels throughout the area with and without the buildings in place. It shows the building do provide shielding. There is a 3 to 5 DBA reduction.

Mr. Dotti said there was question raised earlier about the effect of equipment. He does not know what the rooftop equipment would be so he can't do the calculations. He has done studies for many warehouses and shopping centers and building with refrigeration equipment. With these distances and the type of equipment he thinks would be there, he doesn't foresee a problem. Any tenant would still have to comply with the noise regulations. The Township is protected by the fact that whoever uses the building they must comply with the noise requirements.

Mr. Roskos said under of the development scenarios that were presented to the Board this evening, there would not be a sound issue. Mr. Dotti said except for the worst case scenario all of the other proposals would comply. The worst case can be brought into compliance. Mr. Roskos said regarding the worst case, if there was a 24 hour tenant and they wanted to run the trucks around the building at night, the ways it can be dealt with are to restrict the movements or to use a sound barrier. Mr. Dotti said if the tenant wanted to operate diesel tractors at night around the building they would have to build a sound barrier. Many operations move trailers with what is called a yard tractor. It is electric and almost silent.

Mr. Roskos said in order for the Board to feel comfortable with this application, is Mr. Dotti recommending that once an end user occupies the space there be testing conducted and if need be one of the solutions could be implemented. Mr. Dotti said he has seen Boards condition that testing be done and implement compliance if necessary. Mr. Roskos said the applicant would like to get the Board's blessing to install a barrier if necessary. He doesn't anticipate it will be needed but he wanted the Board to understand there is a solution even for the worst case scenario.

Chairperson Hamilton-Wood said she didn't think the Board could give a blessing for a 16' sound barrier. She thinks the applicant would need to appear before the Board to discuss the materials, where it would go and how it would impact the area. Mr. Dotti said it would be along the edge of the parking lot behind the berming and landscaping. Acoustically it should be as close to the source as possible. It won't be visible from the street.

Engineer Valesi asked if the buffering would act as a sufficient sound barrier. Mr. Dotti said he would be grossly misleading the Board if he told them the buffering would work

as a sound barrier. He said 300' of trees would only provide a 5 decibel reduction. Landscaping is good for visible screening but is of no use as a sound barrier. Chairperson Hamilton-Wood does not think that if there is going to be another structure the Board can say right now it would be okay. Mr. Roskos said he believes the Board could because it won't be seen by anyone but the user and it would not have an impact on the community. The barrier is a solution to help the community. It would only be done if the performance standards for noise were being exceeded. There are a couple other ways to correct it if necessary but he wanted the Board to understand that it can be addressed. Chairperson Hamilton-Wood said she appreciated that but was not comfortable at this point saying yes, do what you need to do without having any further input.

Mayor Wilkie said there are some unknowns. What would cause them to need to come back once the end user is known? The Board is concerned with the unknowns and would like to be able to have a final say. Mr. Roskos said the applicant has come and put all the cards on the table. They would like a resolution that deals with what could ultimately happen so the Board is comfortable. If there is tenant with a 24 hour operation that wants to run diesel tractors around the building a noise test would be performed. If the performance standard was exceeded the applicant would have to offer a solution to the Township. The circumnavigation of the building could be changed by restricting truck movements or a sound barrier could be built. But the Board would already know where the wall would be, the intent of it and that it would have no visual impact on the surrounding area. This is the applicant's attempt to be fully forthcoming and request that the Board not require them to come back for another approval. Chairperson Hamilton-Wood said she is not speaking for the Board but she is not happy with that. She asked if the professionals would be consulted and have some input. Mr. Roskos said the applicant would consult with the Township Administrator and he would enlist the proper professionals. This is a Technical Performance Standard requirement. The only thing the Board is being asked to do is to give a site plan approval. The applicant is seeking approval to put up the sound barrier should it be needed.

Chairperson Hamilton-Wood asked Solicitor Frank for the definition of a sound barrier. Solicitor Frank said it would be considered an accessory structure. The barrier is a very remote potentiality. There are many other things that could be done along the way before the applicant would have to construct the barrier. Chairperson Hamilton-Wood said one of the options presented was to change the driveway. That would mean the applicant would need to return to the Board. Solicitor Frank concurred. He suggested perhaps that could be the trigger to require the applicant to return. Chairperson Hamilton-Wood stated she was still not comfortable telling the applicant the sound barrier could be installed without returning to the Board.

Member Montgomery suggested requiring them to return to the Board if they decide to install a sound barrier. Chairperson Hamilton-Wood said that is what the applicant is trying to not have to do. He said he understood that and asked for guidance from Solicitor Frank. Solicitor Frank said that would be a policy decision the Board would have to make on its own.

Chairperson Hamilton-Wood asked what the procedure would be to use the professionals. Mayor Wilkie explained that the applicant would discuss the situation with the Township Administrator who then would consult with him to determine if it was something that a board professional could oversee or if it needed to go before the Board.

Solicitor Frank said he thinks anything short of putting up the wall or adjusting the driveway is the applicant's own internal site business. He believes the Board would want the applicant to come back if they decide to put up the sound barrier wall. Mr. Roskos said he doesn't have a problem with returning to the Board to let them know who the end user is. His issue is that this is the engineering testimony, the sound testimony. This is what it is, and the applicant would like to be able to develop the site to meet the needs of a potential tenant.

Chairperson Hamilton-Wood asked if the applicant was planning to have the worst case scenario. Mr. Roskos said that was not the case. It would be a needless expense to construct the wall before it is required. He wanted the Board to understand how it would be handled. If the Board requires the applicant to return they would comply, but he would like to avoid to the extent that they can only because placing a tenant is all about timing. If the Board gets a busy agenda and it takes the applicant two or three months to be on the agenda, the tenant will move on. That is what the applicant is trying to avoid.

Solicitor Frank noted the noise issue wouldn't be triggered until there was a tenant there. Mr. Roskos noted this was the case, his concern was addressed. Solicitor Frank said the important part of Mr. Dotti's testimony was that there are feasible solutions that would make the site compliant. He demonstrated that the standard could be met. Mr. Dotti concurred.

Member Morris asked if the resolution could include a requirement that any change in tenants would trigger another sound test to be sure the site remained compliant. Mr. Roskos said that is a performance standard. The State standard already provides that protection.

Mr. Roskos called David Horner to testify on behalf of the applicant. He was sworn in by Solicitor Frank. Solicitor Frank said Mr. Horner had appeared before this Board and many others in the County as an expert in traffic engineering. He was accepted as an expert witness.

Mr. Roskos said Mr. Horner's report is already part of the record. He noted it was last revised April 17, 2015. Mr. Roskos asked if Mr. Horner was familiar with the site, had visited the site and is familiar with the local road system. Mr. Horner confirmed this. Mr. Roskos asked if he was asked to look at the traffic impact of the proposed project. Mr. Horner said that was correct. Mr. Roskos asked if he was aware there were three separate scenarios. Mr. Dotti testified to a worst case scenario that involved the two buildings. Mr. Horner was asked to provide a worst case scenario from a traffic standpoint; he asked if it was the same worst case. Mr. Horner said it was a different worst case scenario.

Mr. Horner explained in the report one of the exercises he undertook was to project the traffic for all three options to determine the worst case scenario. That was carried forward for future analysis to be sure he was addressing that traffic. The worst was option B with the car parking. It would generate the most traffic, more than the tractor trailer parking. Mr. Roskos asked what the analysis would be for the worst case scenario.

Mr. Horner said he would work from the site driveway out. He referred to a rendering previously used. The primary access is on the existing Independence Road on Cedar Lane. The second access to Cedar Lane would be about central on the site frontage. In one of the options it was shown to be opposite Morris Court. There is a secondary access on Firehouse Lane for passenger vehicles. In terms of the access, he ran a Local Service Analysis, assuming the worst case and a 2019 build case, so he had added background traffic growth onto Cedar Lane and Firehouse Lane. These accesses will work at a level of service C or better. D is generally considered to be acceptable. There is no issue in terms of capacity.

Mr. Horner said he met with the County and they were very comfortable with what they saw. There was discussion in some detail about Cedar Lane frontage. The County will be requiring a left hand turn lane on Cedar Lane. If the scenario has the access opposite Morris Court, that driveway would only be for passenger vehicles. The Firehouse Lane access is not a truck entrance or exit. There are no capacity issues. There is very little traffic on Firehouse Lane. Adding some passenger vehicles to it does not change the character or create any issues there.

He looked at the two critical intersections the Township is concerned about. One is Railroad Avenue and Cedar Lane. From a capacity form of view, the intersection works. Right now it is basically two intersections. When the project traffic is added it works a level service D or better. That having been said, the County has concerns about the alignment of the intersection. Just because it works at capacity does not mean there aren't safety issues with that alignment. The County indicated they would like to see some kind of improvement there to actually create a more standard 90 degree intersection. Liberty has committed to implementing whatever the County will require there.

Mr. Horner said with the updated report the intersection of Cedar Lane and Route 130 was added. A lot of the traffic for the site will use that intersection. Currently Cedar Lane has issues during the morning and afternoon peak hours. There are some delays and it doesn't operate well. Adding the site traffic, it gets a little bit worse. When background growth over the next five years it will get worse. The sites impact is about 4 to 7 percent on Cedar Lane. It is not a huge impact. He looked to see what it would take to improve the intersection and fix what is happening now. From a geometric standpoint it fairly built out right now. The issue is the green time allocation between Route 130 and Cedar Lane. It is a common problem on that entire corridor. A signal timing adjustment of about 10 seconds shifted over to Cedar Lane would make a huge improvement to the intersection. It is not as easy as it sounds because it is a coordinated signal system along Route 130. The New Jersey Department of Transportation has always been concerned

about the flow on Route 130 and not compromising the amount of green time. There will be a study in July on the Route 130 Corridor and in particular and this intersection. The purpose of the study is the concern about the warehouse developments adding freight traffic along that corridor and what could be done not just to the corridor itself but also with the intersecting streets. The hope is that whatever comes from it would be federally funded improvements. He does not know the timing.

Mr. Roskos asked Mr. Horner about the on-site circulation plan that was proposed and if it effective and safe. Mr. Horner said he reviewed it and it is good. Mr. Roskos said the application meets the requirements for site plan approval. He does not think the Route 130 and Cedar Lane testimony was a revelation. Everyone is familiar with it. He understands Florence-Columbus Road is also an issue. Liberty is committed to offering the services of the traffic professional if Mayor Wilkie and others want him to talk to the DOT with them.

Mr. Roskos thanked the Board for hearing the applicant's presentation. He appreciated the cooperation that was received by the Township and the Board professionals. He appreciated being able to work with a Township that wants to work with the development community. He hoped the Board appreciates what a good corporate citizen Liberty is. There is a lot of good to come out of the project besides just a ratable. He thinks the applicant meets the conditions under Municipal Land Use Law for site plan approval, so he respectfully requested the Board vote this evening to approve.

It was the Motion of Montgomery, seconded by Lovenduski, to open the meeting to the public regarding Application PB#2015-01. Seeing no one wishing to be heard, it was the Motion of Lovenduski, seconded by Morris to close the public comments. All ayes.

Mr. Roskos said there some residents that were concerned about the sidewalk on Firehouse Lane. The applicant is committed to installing it, but he wanted to go on record stating that the applicant needs the Tollgate Condominium Association to work with them and give them authority to enter the property. While the residents may be anxious for the improvements, he would like the resolution to reflect they are making that commitment with the understanding that the Association will grant whatever easements or other agreements.

The meeting was opened at this time to the public.

Bob Evans, 21-5 Florence Tollgate Place, representing the Tollgate Condominium Association, said the Association will work with Liberty and the Planning Board regarding the sidewalks.

Chairperson Hamilton-Wood closed the public comments at this time.

Solicitor Frank said the applicant will meet the Affordable Housing obligation, the applicant agreed to comply with the comments in the Board Professionals' reports as well as work with the Board Planner to select tree species to accommodate the Shade Tree

Commission's comments. The Board Engineer is given administrative authority to adjust their plan to accommodate the recently found force mains. The administrative approval obviously stops if there are any variances required as a result of that. There will post operational testing to confirm compliance with noise standards. The applicant is agreeable to retesting to confirm continued compliance. If the barrier wall needs to be constructed the applicant will come back to the Board. He reiterated what Mr. Roskos noted about the sidewalks. All of the normal conditions also apply.

Chairperson Hamilton-Wood reiterated that there are no variances necessary for this application. It meets all the Township requirements.

It was the Motion of Lovenduski, seconded by Molimock to approve Application PB#2015-01 for preliminary and final site plan approval.

Upon roll call, the Board voted as follows:

AYES: Hamilton-Wood, Molimock, Morris, Lovenduski, Wilkie, Montgomery,
McCue

NOES: None

ABSENT: Federico

PUBLIC COMMENTS

It was the Motion of Lovenduski, seconded by Montgomery to open the meeting to the public. Seeing no one wishing to be heard it was the Motion of Lovenduski, seconded by Montgomery to close the public portion. All ayes.

It was the Motion of Lovenduski, seconded by Montgomery to adjourn at 9:18 p.m.

Wayne Morris, Secretary

WM/ak