

**FLORENCE TOWNSHIP PLANNING BOARD**

**RESOLUTION NO. P.B.-2018-23**

*Application PB#2018-05*

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF IPT ACQUISITIONS, LLC  
“FLORENCE TURNPIKE CROSSING-EAST”  
BLOCK 156.01 LOT 90  
GRIFFIN PIPE PROPERTIES WEST FRONT STREET  
REDEVELOPMENT PLAN  
PRELIMINARY and FINAL MAJOR SUBDIVISION  
PRELIMINARY and FINAL MAJOR SITE PLAN  
APPROVALS**

<b>Completeness Determination:</b>	<b>September 25, 2018</b>
<b>Application Decided:</b>	<b>October 23, 2018</b>
<b>Resolution Memorialized:</b>	<b>November 27, 2018</b>

**WHEREAS**, IPT Acquisitions, LLC has made application to the Florence Township Planning Board for preliminary and final major subdivision approval to allow creation of one approximately 72 acre parcel for development and five lots totaling approximately 23 acres to be conveyed to Florence Township, and preliminary and final major site plan approval to allow construction of a 528,000 sq. ft. warehouse distribution facility, along with associated site improvements, all concerning an approximately 95 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lot 156.01 of Block 90;

**WHEREAS**, the applicant is represented by Christopher DeGrezia, Esquire, of Drinker, Biddle & Reath, LLP;

**WHEREAS**, the owner of the subject property, Florence Griffin Advisors, LLP has consented to the making of this application;

**WHEREAS**, upon a finding that its jurisdiction was proper, the Board reviewed administrative completeness of the application at the Board’s September 25, 2018 regular meeting, granted waivers of certain ordinance checklist submission requirements as specified and recommended in the Board Engineer’s letter of September 17, 2018 and his testimony in

the course of the hearing, found the application administratively complete, and adjourned the substantive hearing on the application to the time and date certain of the Board's October 23, 2018 regular meeting;

**WHEREAS**, the Board opened the public hearing on the substance of the application at the Board's October 23, 2018 regular meeting;

**WHEREAS**, the applicant's Engineer, Gregory Oman, PE, of Menlo Engineering Associates, Traffic Engineer, Karl Pehnke, PTOE, of Langan Engineering, Sound Expert, Norman Dotti, PE of Russell Acoustics, and Architect, Edward Mayer, RA, of Ware Malcomb Architects, appeared, were sworn, were accepted as experts in their respective fields, and offered their testimony in support of the application;

**WHEREAS**, James Murray, Senior Vice President of Development for the applicant, appeared, was sworn, and also offered his testimony, along with the arguments and representations of counsel in support of the application;

**WHEREAS**, the Florence Township Planning Board has made the following findings of fact and conclusions of law:

Findings of fact:

1. The owner of the subject property has consented to the making of this application, and the applicant therefore has standing to bring this application before the Board.
2. Application has been made for preliminary and final major subdivision approval to allow creation of one approximately 72 acre parcel for development and five lots totaling approximately 23 acres to be conveyed to Florence Township. The larger parcel intended to be developed (Parcel #6) fully conform to all applicable use and bulk standards. The only bulk variances associated with this subdivision application pertain to Parcels #3 and #5, which are to be conveyed to Florence Township along with Parcels #1, #2, and #4. Parcel #3 has no road frontage (though it does adjoin other Township-owned lands from which access may be provided), and Parcel #5 has only 50 ft. of frontage when 200 ft. of frontage is required, is only 25 ft. wide when a lot width of 200 ft. is required and is only 10,926 sq. ft. in area when a minimum lot area of 60,000 sq. ft. is required.

3. Application has also been made for preliminary and final major site plan approval to allow construction of a 528,000 sq. ft. warehouse distribution facility, along with associated site improvements. The proposed new building will have 498,000 sq. ft. of warehouse space, and a total of 30,000 sq. ft. of office space shown conceptually in two 15,000 sq. ft. areas located at each end of the structure to accommodate a two tenant occupancy. Final configuration of the 30,000 sq. ft. of office space will be determined by tenant.
4. The subject property is an approximately 95 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lot 156.01 of Block 90.
5. The subject property lies in a duly designated Redevelopment Area in which development is governed by the standards set forth in the “Florence-Griffin Pipe West Front Street Redevelopment Plan”, in which the proposed warehouse-distribution facility use is permitted as-of-right.
6. The applicant has submitted proof of service and proof of publication of proper notice of the preliminary and final major subdivision, and preliminary and final major site plan hearing, and the Board has jurisdiction to hear these applications.
7. The applicant has submitted the following documents in support of its application:
  - a. A completed Township of Florence Land Development Application;
  - b. Completed Township of Florence Preliminary and Final Major Subdivision Application Checklist of Submission Requirements;
  - c. Completed Township of Florence Preliminary and Final Major Site Plan Application Checklist of Submission Requirements;
  - d. Proof that no taxes were due on the subject property at the time of the application;
  - e. Township of Florence Certified List of Property Owners within 200’;
  - f. A series of site plan drawings comprised of 48 sheets (including a Subdivision Plan as Plan Sheet #7) prepared Menlo Engineering Associates dated June 26, 2018 and revised through various dates, the latest being October 15, 2018;

- g. Architectural plans comprised of seven sheets showing floor plans and exterior elevations of the proposed building prepared by Ware Malcomb architects, and dated 3/29/18;
- h. Stormwater Management Report prepared by Menlo Engineering Associates dated 7/27/18 and revised through 9/07/18;
- i. Sediment Basin Calculations prepared by Menlo Engineering Associates dated 10/10/18;
- j. Engineer's report for Sanitary Sewer Service prepared by Menlo Engineering Associates dated 6/26/17;
- k. Operations and Maintenance Manual for Stormwater Management Facilities prepared by Menlo Engineering Associates dated 6/26/18 and revised 10/15/18;
- l. Traffic Impact Statement prepared by Langan Engineering, dated 8/13/18;
- m. Environmental Impact Statement prepared by WSP dated July 2018;
- n. Municipal Services and Utilities Statement prepared by Menlo Engineering Associates dated 9/07/2018;
- o. Soils-Only Remedial Action Workplan Addendum with Environmental Summary Narrative prepared by Impact Environmental dated 8/6/18;
- p. Soils Permeability Testing Report prepared by SESI Consulting Engineers dated 6/22/18;
- q. Neighborhood Sound Levels Report prepared by Russell Acoustics dated 10/3/18;
- r. ALTA/NSPS Land Title Survey, Sheet 2 of 2, prepared by Control Layouts dated 5/14/18;
- s. NJDEP Wetlands Presence Absence letter dated 10/9/15;
- t. NJDEP Site remediation and Waste Management Program Soil remediation Action Plan review Letter dated 9/10/18;
- u. Submission cover letter dated June 27, 2018 prepared by the applicant's counsel;
- v. A colored aerial view of the site and surrounding properties with the site plan superimposed on the photograph, introduced and entered into

- evidence in the course of the public hearing as Exhibit A-1;
- w. A detail of the Driveway Plan, introduced and entered into evidence in the course of the public hearing as Exhibit A-2;
  - x. Submitted Plan Sheet 44 showing the details of the proposed lots to be dedicated to Florence Township, introduced and entered into evidence in the course of the public hearing as Exhibit A-3;
  - y. An “enlargement” of the submitted overall site plan, introduced and entered into evidence in the course of the public hearing as Exhibit A-4;
  - z. A plan view of the proposed warehouse/distribution building introduced and entered into evidence in the course of the public hearing as Exhibit A-5;
  - aa. A plan view of the proposed warehouse/distribution building’s roof, introduced and entered into evidence in the course of the public hearing as Exhibit A-6;
  - bb. Elevations of the western and eastern “short ends” of the proposed building, introduced and entered into evidence in the course of the public hearing as Exhibit A-7;
  - cc. Elevation of the north “long” side of the proposed building showing that no dock doors are proposed on that side of the building, introduced and entered into evidence in the course of the public hearing as Exhibit A-8;
  - dd. Elevation of the south “long” side of the proposed building showing that dock doors are only proposed on that side of the building, introduced and entered into evidence in the course of the public hearing as Exhibit A-9;
  - ee. Graph of ambient sound levels, introduced and entered into evidence in the course of the public hearing as Exhibit A-10;
  - ff. Sound level contour map without proposed sound barriers, introduced and entered into evidence in the course of the public hearing as Exhibit A-11;
  - gg. Sound level contour map with proposed sound barriers, introduced and entered into evidence in the course of the public hearing as Exhibit A-12;
  - hh. Sight line cross section exhibit, introduced and entered into evidence in the course of the public hearing as Exhibit A-13;

- ii. Sight line cross section exhibit with mature trees, introduced and entered into evidence in the course of the public hearing as Exhibit A-13A;
  - jj. Application and Escrow Fees in accord with ordinance requirements;
  - kk. An executed Escrow Agreement;
  - ll. Form W-9 Request for Taxpayer Identification Number and Certification;
  - mm. Executed corporate ownership disclosures in the form required by statute.
7. The Board's Planner, Barbara Fegley, AICP, PP, of Environmental Resolutions, Inc., Engineers, Planners, Surveyors, Scientists, submitted a review letter commenting upon the application dated October 19, 2018 which is hereby incorporated into the record.
  8. The Board's Engineer, Hugh Dougherty, P.E., C.M.E. of Pennoni Associates, submitted review letters dated September 17, 2018, September 28, 2018 and October 17, 2018 commenting upon the application which are hereby incorporated into the record.
  9. The Township's Fire Code Official, Brian Richardson, submitted review letters commenting upon the application and supporting submissions dated October 11, 2018 and October 22, 2018 which are hereby incorporated into the record.
  10. The Township's Chief of Police, Brian Boldizar, submitted a review dated October 1, 2018 commenting upon the application and supporting submissions which is hereby incorporated into the record.
  11. The Florence Township Environmental Commission submitted a review letter dated October 10, 2018 commenting upon the application and supporting submissions which is hereby incorporated into the record.
  12. Other than the variances discussed above, the proposed lots to be created by the subdivision conform to applicable standards.
  13. Approval of the submitted site plans would not require any variances from the standards of the applicable Redevelopment Plan.
  14. The only design exception necessary for approval of the submitted plans is to allow 12 ft. x 60 ft. loading dock spaces when 15 ft. by 40 ft. loading docks spaces are required in the Redevelopment Plan. The applicant's witness states that the applicant's proposed dimensions are industry standards.

15. The proposed building size and location is in accord with bulk requirements.
16. Required setbacks for basins, parking and driveways have been met.
17. Required minimum buffers have been provided.
18. 412 automobile parking spaces, 93 truck loading docks and 121 trailer storage spaces are proposed.
19. All loading, unloading and heavy truck activity will take place only on the South side of the building. The drive aisle that surrounds the proposed building will be designed to physically allow trucks (and fire apparatus) to circulate around the entire building, but truck access to the North side of the building will be restricted by signage and mandatory operational practices.
20. Two entrances driveways are provided for access from West Front Street. The northerly entrance shall be restricted against use by heavy trucks, which shall use only the southerly entrance.
21. Car parking is provided along the north side, and east and west ends of the proposed building.
22. Allowable impervious lot coverage is 80% and 36.28% is proposed.
23. The proposed façade signs and freestanding monument signs at each entrance will comply with applicable standards.
24. The proposed directional “entrance”, “exit” and “no trucks” signs also comply.
25. Trash and recyclables will be stored in a masonry enclosure with solid gates at the center of the truck maneuver area along its southern edge on the south side of the proposed building. Trash and recyclables will be removed by commercial hauling companies.
26. Site lighting has been designed using downward directed LED lights that assure that there will be adequate lighting. There will be no light spillage from the property except at the entrance driveways where some spillage is necessary to assure adequate light levels.
27. Sidewalk will be provided along West Front Street.
28. The proposed landscaping design is in accord with the requirements of the Redevelopment Plan, and existing vegetation has been preserved wherever practicable.
29. The proposed stormwater management measures comply with applicable ordinances

and NJDEP Regulations concerning water quality and quantity. Because the site is the subject of environmental remediation, no recharge (infiltration) is required under NJDEP regulations.

30. Mr. Dotti's testimony and exhibits demonstrated that noise generated by the site will comply with applicable noise standards and will be perceived by neighboring residents as below the existing ambient noise levels ninety percent of the time. The principal potential source of noise will be trucks. The proposed truck maneuver and parking areas, building and sound barriers have been located to minimize sound generated from the site that will be audible to neighboring residents.
31. A significant concern of the Board and public is the potential for heavy truck traffic to use a route through downtown Florence to access the site. The applicant's Traffic Expert testified that he expects that most truck traffic will perceive the southern access to be more efficient than going through the developed areas of Florence on Delaware and Hornberger Avenues, and that available navigation tools prefer the southern Dulty's Lane route. The design of the truck driveway and signage will significantly discourage right turns.
32. The applicant's representatives acknowledged in the course of the public hearing that the applicant would be required to participate in its *pro rata* share of the cost of NJDOT and County improvement projects intended to address off-tract traffic issues at Route 130 intersections such as Cedar Lane, Florence-Columbus Road and Neck Road.
33. The applicant's representatives agreed on the hearing record to comply with the recommendations set forth in the Planner's letter of October 19, 2018, as items 4, 5 and 6 on page 9. In addition, while all acknowledge that environmental remediation must be the first action taken in the course of site development, the applicant representatives agreed to erect berms and sound barriers as soon as feasible in the site development process.
34. New parking is proposed on Parcels #1 and 5 that is to be conveyed to the Township. This parking is intended to serve local residents, and will be constructed by the applicant at its cost in the course of the proposed site improvements associated with the proposed new warehouse/distribution building.

35. Public comment was offered on the proposed development by James Carnival, Melanie Mieczkowski, Tim Stanton, and Loretta Monteiro.

Conclusions of Law:

The Board finds that the proposed bulk variances associated with the major subdivision can be granted pursuant to NJSA 40:55D-70(c)2 because the benefits to the community of dedication of the proposed smaller parcels to Florence Township for municipal purposes substantially outweighs any minor detriments to the public good or impairments to the zone plan that could result from such deviations from ordinance standards. The proposed major subdivision is otherwise in compliance with ordinance standards, and should be approved.

The Board further finds that the design exception for the size of the proposed truck loading areas should be approved because it makes practical sense to have loading areas that suits the applicant's stated industry standard. But for the referenced design exception, the proposed major site plan (upon fulfillment of the conditions of approval) will fully comply with the standards of the applicable Redevelopment Plan and should be approved.

The applicant has complied with the substantive standards, application requirements and procedures of the Board for approval of the requested development. Therefore, the proposed preliminary and final major subdivision, and preliminary and final major site plan should be approved, subject to appropriate conditions as set forth below.

**NOW, THEREFORE, BE IT RESOLVED** by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of IPT Acquisitions, LLC seeking preliminary and final major subdivision approval to allow creation of one approximately 72 acre parcel for development and five lots totaling approximately 23 acres to be conveyed to Florence Township, and preliminary and final major site plan approval to allow construction of a 528,000 sq. ft. warehouse distribution facility, along with associated site improvements, all concerning an approximately 95 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lot 156.01 of Block 90, be and hereby is, **APPROVED**, subject to the following conditions:

1. The Board has relied upon the testimony of the witnesses and factual findings discussed in the body of this Resolution, and such testimony and findings are incorporated as conditions of this approval as though set forth at length herein.
2. Compliance with the recommendations set forth in the Township Fire Official's letter of October 22, 2018, and items 4, 5 and 6 on page 9 of the review letter of the Board's Planner dated October 19, 2018.
3. Parking and operation of heavy trucks (over 26,000lbs gvw) shall be restricted to the southerly driveway on West Front Street, and the truck maneuver and parking area on the south side of the proposed building. Heavy trucks shall not park or operate on the north side of the building and shall not use the northerly driveway access onto West Front Street. Appropriate signage shall be installed that informs truck drivers of these restrictions.
4. If required by Florence Township, the applicant shall execute a Redevelopment Agreement with the Township that includes provisions that require all tenants to instruct third party drivers, and all drivers they employ, to use a southerly route to the site from Route 130 instead of passing through the residentially developed areas of Florence that lie north and east of the site.
5. The applicant shall make a good faith effort to explore with Burlington County officials the potential for the County authorities to restrict access from West Front Street to the site to only right turns in and left turns out.
6. The trees to be planted on berms within required buffer areas adjoining residential areas along Woodlawn between Third Street and Fourth Street are

an essential aesthetic and physical component of the site design that must be maintained in order to remain compliant with applicable ordinance standards. Accordingly, if such trees die, they will be replaced with trees of a similar type and caliper as those originally planted.

7. If requested by the Township, the applicant shall conduct post-development sound studies during regular site operations to confirm compliance with applicable State sound standards.
8. If requested by the Township, the applicant shall conduct a post-development traffic study during regular site operations to confirm that actual traffic generation is consistent with the projections of the applicant's traffic expert.
9. All taxes and escrow fees for professional review must be paid current and in full.
10. Compliance with all federal, state, county and local laws, rules, regulations and any other governmental approvals which may be required in implementation of this development, including but not limited to: Florence Township Water & Sewer Department, Florence Township Office of Construction Code Enforcement, Burlington County Planning Board and NJDEP. Copies of all applications, permits and certifications related to such approvals shall be filed with this Board. The applicant shall pursue with good faith and due diligence any and all additional approvals as may be required.
11. Any additional development on the subject property or any modification to any development pursuant to, or inconsistent with, this approval shall require approval of this Board.
12. If another governmental agency grants a waiver or variance of a regulation, materially deviating from this approval or the conditions attached to it, then this Board shall have the right to review that issue as it relates to this approval and these conditions and modify or amend the same.
13. Compliance by the applicant with Township ordinances, and State laws and regulations, pertaining to non-residential developers' affordable housing obligations, which are applicable to the subject development.

14. Any permits, deeds, easements, vacations, dedications, revised drawings or other documents related to this proposed development shall be approved by the Board attorney and Board engineer and filed with the appropriate authority. Proof of recording with the County Clerk shall be filed with this Board.
15. The applicant shall post a performance guarantee as required by N.J.S.A. 40:55D-53 in an amount accepted by the Township Council after recommendation by the Board Engineer and in a form approved by the Board Engineer and Township Attorney.
16. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. If this approval is not perfected within two years of the date hereof, or such extended date as may be provided by statute or Board action, this approval shall be void.

**MOTION TO APPROVE PRELIMINARY and FINAL MAJOR SITE PLAN:**

Moved by : Mr. Molimock  
Seconded by : Mr. Montgomery  
In Favor : Mr. Molimock, Mr. Montgomery, Mr. Morris, Mr. McCue,  
Councilman Lovenduski, Mayor Wilkie, Chair Hamilton-Wood  
Opposed : None  
Recused : None  
Absent : Mr. Mattson, Mr. Pagano

**MOTION TO ADOPT RESOLUTION:**

Moved by : Mr. Molimock  
Seconded by : Mr. Morris  
In Favor : Mr. Molimock, Mr. Morris, Mr. McCue, Mayor Wilkie,  
Councilman Lovenduski, Chair Hamilton-Wood  
Opposed : None  
Recused : None  
Absent : Mr. Montgomery

**FLORENCE TOWNSHIP PLANNING BOARD**

Dated: 11/27/18   
Mildred Hamilton-Wood, Chair

**CERTIFICATION**

**BE IT REMEMBERED** that the within written Resolution was duly adopted at a regular meeting of the Florence Township Planning Board held on November 27, 2018 and memorializes a decision taken by the Board on October 23, 2018.

Dated: 11/27/18   
Wayne Morris, Secretary