

**FLORENCE TOWNSHIP PLANNING BOARD**

**RESOLUTION NO. P.B.-2019-06**

*Application PB#2019-01*

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF WAWA, INC.  
SECOND AMENDED FINAL  
MAJOR SITE PLAN APPROVAL  
BLOCK 163.02, LOT 13  
HC HIGHWAY COMMERCIAL ZONING DISTRICT  
APPROVAL**

**Decided: January 22, 2019**  
**Resolution Memorialized: February 26, 2019**

**WHEREAS**, Wawa, Inc., a Pennsylvania corporation whose address is 260 West Baltimore Pike, Wawa, Pennsylvania, has made application to the Florence Township Planning Board for a second amended final major site plan approval to add a 26' x 14.5' recycling storage and trash compaction area on an existing concrete pad adjacent to the principal building on its west side, at a property located at Route 130 and Cedar Lane known on the Official Tax Map of the Township of Florence as Block 163.02 Lot 13;

**WHEREAS**, by way of its Resolution 2015-08 the Board previously granted amended final major site plan approval to add a 24' x 19' concrete pad supporting a 14' x 18' exterior trash and recyclable material enclosure surrounded by and 8' tall PVC fence in a landscaped island area of the subject property that is separated from the principal structure;

**WHEREAS**, the applicant is represented by Duncan Prime, Esquire;

**WHEREAS**, upon a finding that proper hearing notices had been mailed and published, and that its jurisdiction was therefore proper, the Board opened a hearing on the application at its January 22, 2019 regular meeting;

**WHEREAS**, the Board reviewed administrative completeness of the application granted waivers of certain ordinance checklist submission requirements as specified and recommended in the Board Engineer's letter of December 27, 2018 and his testimony in the course of the hearing, found the application administratively complete, and opened the substantive hearing on the application;

**WHEREAS**, the applicant's engineer, Jeffrey S. Haberman, PE, PP, of Dynamic Engineering (who presented his credentials and was found qualified as an engineering expert by the Board), appeared, was sworn and offered his testimony 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 applicant is the owner of the subject property, located at Route 130 and Cedar Lane known on the Official Tax Map of the Township of Florence as Block 163.02 Lot 13, and therefore has standing to make this application to the Board.
2. Application has been made for a second amended final major site plan approval to add a 26' x 14.5' recycling storage and trash compaction area on an existing concrete pad adjacent to the principal building on its west side.
3. The applicant has submitted proof of service of notice and proof of publication, and the Board has jurisdiction to hear this application.
4. The subject property lies in the Township of Florence HC Highway Commercial Zone District.
5. The existing and proposed retail uses are permitted in the HC Zone District.
6. The applicant has submitted the following documents in support of its application:
  - a. A completed Township of Florence Land Development Application dated;
  - b. A completed Township of Florence Major Site Plan Application Checklist of Submission Requirements;
  - c. Proof that no taxes were due on the subject property at the time of the application;
  - d. Township of Florence Certified List of Property Owners within 200';

- e. Site Plans entitled “Wawa, Inc., Store #921 Proposed Trash Enclosure,” prepared by Dynamic Engineering, Jeffrey S. Haberman, PE, dated 11/19/2018;
  - f. Plan of Survey entitled “Boundary and Partial Topographic Survey, Wawa, Inc. Store #921,” prepared by Dynamic Engineering, C. Black, PLS, dated 12/05/2014;
  - g. A color rendered version of the submitted site plan dated 1/22/2019 offered and accepted into evidence in the course of the January 22, 2019 public hearing as Exhibit A-1;
  - h. Application and Escrow Fees in accord with ordinance requirements;
  - i. Executed corporate ownership disclosures in the form required by statute;
  - j. An executed Escrow Agreement.
7. The Board’s Engineer, Hugh J. Dougherty, P.E., C.M.E., of the Pennoni firm , submitted a review letter commenting upon the application and supporting submissions dated December 27, 2018 which is hereby incorporated into the record.
8. The Board’s Planner, Barbara Fegley, P.P., of Environmental Resolutions, Inc., submitted a review letter commenting upon the application and supporting submissions dated December 31, 2019 which is hereby incorporated into the record.
9. The applicant seeks a more efficient system to handle trash and recyclables at the site. Presently trash and recyclables are stored inside the store building and picked up daily after being wheeled outside by hand. This takes twenty minutes to accomplish. The proposed enclosure will house a compactor and a commingled recyclables dumpster. Pickups will be 2 to 3 times per week by a trash truck that will load head-on in a five minute process.
10. The proposed trash compactor will produce 50-60 dBA of sound as measured 3’ from the machine, and will therefore be compliant with applicable noise standards.
11. There will be no change in circulation, and no parking will be lost as a result of the proposed development which is in the area where trash and recycling containers are now placed outside for pickup.

12. Electricity and water will be run underground to the proposed enclosure. The electricity will power the proposed compactor. The water will serve a freeze-proof hose bib.
13. No new impervious cover will result from the proposed development, and there will be no changes to existing stormwater management.
14. The enclosure will be comprised of an 8' tall solid PVC fence with swing gates for truck access on its west side and a separate man gate on the side of the enclosure adjoining the building.
15. The applicant's representatives agreed in the course of the public to hearing to comply with certain plan detail and design comments of the Board's professionals as set forth below.
16. No public comment was offered on the application.

Conclusions of Law:

The Board finds that the proposed development conforms with Township ordinance standards. The applicant has complied with the application requirements and procedures of the Board for approval of such development. Therefore, the proposed second amended 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 Wawa, Inc., seeking a second amended final major site plan approval to add a 26' x 14.5' recycling storage and trash compaction area on an existing concrete pad adjacent to the principal building on its west side, at a property located at Route 130 and Cedar Lane known on the Official Tax Map of the Township of Florence as Block 163.02 Lot 13, be, and hereby is, approved, subject to the following conditions:

1. The applicant shall comply with all provisions and conditions set forth in the prior Resolutions granting preliminary and final major site plan and amended approvals which are not inconsistent with amendments permitted herein.
2. Compliance with the plan detail and design comments set forth in items 4 and 5 of the General Comments set forth in the Board Planner's letter of December 31, 2018.
3. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.
4. All taxes and escrow fees for professional review must be paid current and in full.
5. 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 Office of Construction Code Enforcement and Burlington County Planning Board. Copies of all applications, permits and certifications related to such approvals shall be filed with this Board.
6. If another governmental agency grants a waiver or variance of a regulation, affecting 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.

7. The applicant shall pursue with good faith and due diligence any and all additional approvals as may be required and shall provide the Board with copies of all reports and approvals for same, including copies of any and all applications filed.
8. 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.
9. Any permits, deeds, easements, vacations, dedications 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.
10. The applicant shall post a performance guarantee to the extent authorized by statute in an amount accepted by the Township Council after recommendation by the Board and the Township engineer and in a form approved by the Township Engineer Attorney.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. In the event that the applicant does not implement this approval within two years of the date hereof, this approval shall be void, unless, for good cause shown, the applicant seeks extension thereof.

**MOTION TO APPROVE APPLICATION:**

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

**MOTION TO ADOPT RESOLUTION:**

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

**FLORENCE TOWNSHIP PLANNING BOARD**

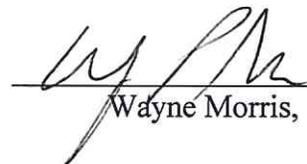
Dated: 2/26/19

  
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 February 26, 2019 and memorializes a decision taken by the Board on January 22, 2019.

Dated: 2/26/19

  
Wayne Morris, Secretary