

**FLORENCE TOWNSHIP PLANNING BOARD**

**RESOLUTION NO. P.B.-2019-17**

*Application PB#2019-11*

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF IPT FLORENCE WEST URBAN RENEWAL LLC  
“FLORENCE TURNPIKE CROSSING-WEST”  
BLOCK 179 LOTS 1.02, 1.03, 1.04 & 1.05  
GRIFFIN PIPE PROPERTIES WEST FRONT STREET  
REDEVELOPMENT PLAN  
MINOR SUBDIVISION with BULK VARIANCES  
PRELIMINARY and FINAL MAJOR SITE PLAN  
APPROVALS**

<b>Completeness Determination:</b>	<b>October 22, 2019</b>
<b>Application Decided:</b>	<b>November 26, 2019</b>
<b>Resolution Memorialized:</b>	<b>December 19, 2019</b>

**WHEREAS**, IPT Florence West Urban Renewal LLC has made application to the Florence Township Planning Board for minor subdivision approval to allow creation of one approximately 51.01 acre parcel for development and a new lot of approximately 32,888 sq. ft. to be conveyed to Florence Township, and preliminary and final major site plan approval to allow construction of a 508,200 sq. ft. warehouse distribution facility, along with associated site improvements, all concerning an approximately 52 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lots 1.02, 1.03, 1.04 and 1.05 of Block 179;

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

**WHEREAS**, upon a finding that its jurisdiction was proper, the Board reviewed administrative completeness of the application at the Board’s October 22, 2019 regular meeting, found the application administratively complete as specified and recommended in the Board Engineer’s letter of October 17, 2019 and his testimony in the course of the hearing, and adjourned the substantive hearing on the application to the time and date certain of the Board’s November 26, 2019 regular meeting;

**WHEREAS**, the Board opened the public hearing on the substance of the application at the Board's November 26, 2019 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 at the time the application was submitted, Florence Griffin Advisors, LLP, consented to the making of this application at that time, and the applicant has subsequently closed title on the subject property. The applicant therefore has at all relevant times had standing to bring this application before the Board.
2. Application has been made for minor subdivision approval to allow creation of one approximately 51 acre parcel for development and one new lot of approximately 32,888 sq. ft. to be conveyed to Florence Township. The larger parcel that is intended to be developed fully conforms to all applicable use and bulk standards. The only bulk variances associated with this minor subdivision application pertain to the new lot that is to be conveyed to Florence Township. That new lot is proposed to be only 32,888 sq. ft. in area when an area of 60,000 sq. ft. is required, will have a lot width of only 101.74 ft. when a minimum lot width of 200 ft. is required and will have only 101.74 ft. of frontage when a minimum of 200 ft. of frontage is required.
3. For purposes of this Resolution, West Front Street will be considered to run east-west, the subject property will be considered to lie north of West Front Street, and the

proposed new Lot to be conveyed to the Township will be deemed to lie at the extreme westerly end of the subject property.

4. Application has also been made for preliminary and final major site plan approval to allow construction of a 508,200 sq. ft. warehouse distribution facility, along with associated site improvements. The proposed new building will have 492,000 sq. ft. of warehouse space, and a total of 16,200 sq. ft. of office space shown conceptually in two 8,100 sq. ft. areas located at each end of the structure to accommodate potential occupancy by two tenants that require office space. Approval is sought to allow up to four tenants in the warehouse distribution facility building. Final configuration of the building interior will be determined by tenant requirements. No variances are necessary for approval of the proposed site plan. Design exceptions have been requested to allow off-street loading spaces to be 12 ft. wide when 15ft.wide loading spaces are required, and to allow deviations from the average intensity and uniformity ratio standards for lighting.
5. The subject property is an approximately 52 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lots 1.02, 1.03, 1.04 and 1.05 of Block 179.
6. 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.
7. The applicant has submitted proof of service and proof of publication of proper notice of the minor subdivision with bulk variances, and preliminary and final major site plan hearing, and the Board has jurisdiction to hear these applications.
8. 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 Minor 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 49 sheets (including a Subdivision Plan as Plan Sheet #7) prepared Menlo Engineering Associates dated 10/04/19 and revised through 10/31/2019;
- g. Architectural plans comprised of eight sheets showing floor plans and exterior elevations of the proposed building prepared by Ware Malcomb architects, and dated with various dates between 9/27/19 and 10/02/19;
- h. Stormwater Management Report prepared by Menlo Engineering Associates dated October 4, 2019;
- i. Engineer’s report for Sanitary Sewer Service prepared by Menlo Engineering Associates dated October 4, 2019;
- j. Operations and Maintenance Manual for Stormwater Management Facilities prepared by Menlo Engineering Associates dated October 4, 2019;
- k. Traffic Impact Study prepared by Langan Engineering, dated 8/28/19;
- l. Environmental Impact Statement prepared by WSP USA dated September 2019;
- m. Municipal Services and Utilities Statement prepared by Menlo Engineering Associates dated October 4, 2019;
- n. Neighborhood Sound Levels Report prepared by Russell Acoustics dated 9/11/2019;
- o. ALTA/NSPS Land Title Survey, prepared by Control Layouts dated 7/12/18;
- p. NJDEP Wetlands Presence Absence letter dated 11/10/15;
- q. Submission cover letter dated October 4, 2019 prepared by the applicant’s counsel;
- r. Transmittal letter dated 10/31/2019 from Menlo Engineering Associates;
- s. 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;
- t. A plan view of the proposed warehouse/distribution building introduced and entered into evidence in the course of the public hearing as Exhibit A-2;
  - u. An elevation view of the proposed warehouse/distribution building's West Front Street-facing facade, introduced and entered into evidence in the course of the public hearing as Exhibits A-3 and A-4;
  - v. Color perspective renderings of the building front corner elevations showing it respectively without landscaping, with newly installed landscape plantings and with 10-15 year old landscaping , introduced and entered into evidence in the course of the public hearing as Exhibits A-5, A-6 and A-7;
  - w. An ambient sound levels exhibit with an aerial view of the site and surrounding properties showing sensor locations and graphs of the sound pressure levels recorded at each location, introduced and entered into evidence in the course of the public hearing as Exhibit A-8;
  - x. Sound level contour map, introduced and entered into evidence in the course of the public hearing as Exhibit A-9;
  - y. Application and Escrow Fees in accord with ordinance requirements;
  - z. An executed Escrow Agreement;
  - aa. Form W-9 Request for Taxpayer Identification Number and Certification;
  - bb. 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 November 11, 2019 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 October 17, 2019, and November 11, 2019 commenting upon the application which are hereby incorporated into the record.
  9. The Township's Fire Code Official, Brian Richardson, submitted a review letter commenting upon the application and supporting submissions dated November 13, 2019 and October 22, 2018 which are hereby incorporated into the record.

10. The Township's Chief of Police, Brian Boldizar, submitted a review dated November 6, 2019 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 November 8, 2019 commenting upon the application and supporting submissions which is hereby incorporated into the record.
12. Other than the lot area, width and frontage variances discussed above, the proposed lots to be created by the minor 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. A design exception is necessary for approval of the submitted plans 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. A design exception is requested to allow deviations from the required light levels (both intensity and uniformity ratio). The applicant's Engineer testified that the deviations from lighting standards are necessitated by the broad areas of trailer parking and truck maneuver space necessary for such facilities, the use of cut-off luminaires and the desire to mount lighting as low as possible to minimize off-site light spillage. Eleven fixtures located north of the proposed trailer parking area will be mounted at a height of 34.5 ft., and the remainder of the fixtures will be mounted at a height of 27.5 ft. All fixtures will be downward-directed LEDs. The applicant's representatives agreed that the fixtures nearest the easterly automobile entrance will have glare shields installed to minimize off-site spillage.
16. The proposed building size and location is in accord with bulk requirements.
17. Required setbacks for basins, parking and driveways have been met.
18. Required minimum buffers have been provided.
19. 434 automobile parking spaces, 92 truck loading docks and 95 trailer storage spaces are proposed. The site provides a larger number of automobile parking spaces than the applicant anticipates will actually be needed, but the proposed paving is a necessary part of the required environmental remediation measures for the site. 14 ADA

- compliant spaces have been provided in close proximity to the proposed office areas.
20. All loading, unloading and heavy truck activity will take place only on the North (River) side of the building. Truck access to the parking area at the easterly end of the building will be restricted by signage and mandatory operational practices.
  21. Two entrances driveways are provided for access from West Front Street. The easterly entrance shall be restricted against use by heavy trucks, which shall use only the westerly entrance both to enter and exit the site.
  22. Car parking is provided along the east and west ends of the proposed building in close proximity to the two proposed office spaces.
  23. Allowable impervious lot coverage is 80% and 47.09% is proposed.
  24. The two proposed 40 sq. ft. freestanding monument signs at each entrance will comply with applicable standards.
  25. The proposed directional “entrance”, “exit” and “no trucks” signs also comply.
  26. Trash and recyclables will be stored in compactors or receptacles placed in the loading docks along north side of the proposed building. Trash and recyclables will be removed by commercial hauling companies.
  27. Sidewalks will be provided along West Front Street.
  28. The proposed landscaping design is in accord with the requirements of the Redevelopment Plan, and the landscaping along West Front Street will be irrigated.
  29. The proposed stormwater management measures comply with applicable ordinances and NJDEP Regulations. A basin is proposed for the easterly end of the site between the River and the trailer parking area to address water quality. Because the site is the subject of environmental remediation, no recharge (infiltration) is required under NJDEP regulations, and because of the tidal influence of the adjoining Delaware River to which the site drains, water quantity measures are also not required.
  30. The site is subject to NJDEP waterfront development permitting requirements.
  31. 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. The principal potential source of noise will be trucks. The proposed truck maneuver and parking areas, relative to the proposed building have been located to minimize sound generated from the site that will be

audible to neighboring residents.

32. A significant concern of the Board and public remains 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 western 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, which does not allow for the left-turn movement toward downtown Florence for trucks exiting the site, and signage will significantly discourage right turns.
33. 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. In addition, the County has instituted a program of post-development review of Traffic Management Plans to assure that ongoing operations remain consistent with levels of traffic projected during the development review process, and to provide an opportunity to coordinate traffic generation and timing from area properties. The applicant's representatives acknowledged their obligation to comply with County Traffic Management Plan requirements.
34. The applicant's representatives agreed on the hearing record to comply with the recommendations set forth in the Board Engineer's letter of November 11, 2019, at item IV #s 1& 2, and item V. A1 and A2.
35. In addition to the proposed warehouse distribution facility, there will also be a 1.23 acre public access easement area running from West Front Street to the Delaware River along the easterly side of the subject property. The applicant proposes to construct a biking and walking path within this easement area which may be fenced from the warehouse facility site. A gate may be provided at the West Front Street end of the path to allow the Township to limit access to the easement area. Lighting, trash receptacles and benches will be provided by the applicant. Responsibility for landscape maintenance and trash removal within the easement area will remain with the owner of the subject property. Responsibility for maintenance and supervision of

the walking and/or biking path within the easement area to assure public safety shall be addressed by the Redevelopment Agreement and/or Easement Agreement to be executed by the redeveloper and the Township and incorporated into the language granting the public access easement to the Township.

36. In the course of the hearing, members of the Board expressed an interest in providing public access to the River more generally, not just as a point of access in the proposed easement area but as a path along the entire River frontage of the site. The applicant's representatives explained the complexities and very high projected cost of implementing such an idea because of the remediation issues that would be posed by path development at the point of interface between the River and the capped site. In addition, they did not feel that there is sufficient space to host such a path between the proposed site development and the River. The applicant's agreed to consider in the future, but did not commit to provide, a public access area along the River in the event that the Township finds a way to fund such development.
37. Members of the Board and public expressed concerns about headlight glare from autos exiting via the easterly driveway shining onto the residence on the south side of West Front Street from that driveway. The applicant's representatives agreed to work administratively with the Board's professionals to minimize such glare. Such efforts may include slight relocation or re-angling of the driveway. All acknowledge that the County Planning Board will have final control over any such driveway reconfiguration since West Front Street is a County Road.
38. Public comment was offered on the proposed development by Kristin Marter, Patricia Gensel and Elizabeth Gensel.

Conclusions of Law:

The Board finds that the proposed bulk variances associated with the minor subdivision can be granted pursuant to NJSA 40:55D-70(c)2 because the benefits to the community of dedication of the proposed smaller parcel 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 minor 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. The Board also finds that requested design exceptions pertaining to lighting levels should be granted because practical difficulty of achieving fully compliant lighting in the expansive of the trailer parking, and truck loading and maneuver areas. But for the referenced design exceptions, 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 minor 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 Florence West Urban Renewal LLC seeking minor subdivision approval to allow creation of one approximately 51.01 acre parcel for development and a new lot of approximately 32,888 sq. ft. to be conveyed to Florence Township, and preliminary and final major site plan approval to allow construction of a 508,200 sq. ft. warehouse distribution facility, along with associated site improvements, all concerning an approximately 52 acre parcel located on West Front Street and known on the official Tax Maps of the Township of Florence as Lots 1.02, 1.03, 1.04 and 1.05 of Block 179, 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 November 13, 2019, and the recommendations in the Board Engineer's letter of November 11, 2019, set forth as item IV #s 1& 2, and item V. A1 and A2.
3. The applicant shall work administratively with the Board's Planner to provide lighting for the path in the proposed public access easement area on the easterly end of the subject property.
4. Glare shields shall be provided for the light fixtures nearest the easterly automobile entrance to minimize off-site spillage in the vicinity of residences at that end of the site.
5. The applicant's representatives shall work administratively with the Board's professionals to minimize headlight glare from autos exiting via the easterly driveway that shine onto the residence on the south side of West Front Street from that driveway. Such efforts may include slight relocation or re-angling of the driveway. The County Planning Board will have final control over any such driveway reconfiguration since West Front Street is a County Road.
6. Parking and operation of heavy trucks (over 26,000lbs gvw) shall be restricted to the westerly driveway on West Front Street, and the truck maneuver and

parking area on the north and west sides of the proposed building. Heavy trucks shall not park or operate on the east side of the building and shall not use the easterly driveway access onto West Front Street. Appropriate signage shall be installed that informs truck drivers of these restrictions.

7. 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 westerly or 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. Such requirements shall also be included in any Traffic Management Plan developed for this site.
8. 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.
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 MINOR SUBDIVISION and  
PRELIMINARY and FINAL MAJOR SITE PLAN:**

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

**MOTION TO ADOPT RESOLUTION:**

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

**FLORENCE TOWNSHIP PLANNING BOARD**

Dated: 12/19/19

  
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 December 19, 2019 and memorializes a decision taken by the Board on November 26, 2019.

Dated: 12/19/19

  
Wayne Morris, Secretary