

**FLORENCE TOWNSHIP PLANNING BOARD**

**RESOLUTION NO. P.B.-2020-09**

*Application PB#2020-05*

**RESOLUTION OF MEMORIALIZATION  
APPLICATION OF FIRENZE PROPERTIES, LLC  
BLOCK 159 LOTS 5.01 & 5.04  
HIGHWAY COMMERCIAL SMO OVERLAY ZONING DISTRICT  
FINAL MAJOR SITE PLAN  
APPROVAL of EXTENSION OF PERIOD OF PROTECTION  
PURSUANT TO NJSA 40:55D-52(d)**

**Decided: August 25, 2020  
Resolution Memorialized: September 22, 2020**

**WHEREAS**, by way of its Resolution 2018-07, dated February 27, 2018, the Florence Township Planning Board granted Firenze Properties, LLC preliminary and final major site plan approval concerning a 3.46 acre parcel located between Cedar Lane and Harkins Drive, and known on the official Tax Maps of the Township of Florence as Lots 5.01 and 5.04 of Block 159, to allow construction of a 29,400 square foot warehouse/office building addition on Lot 5.04, and associated site improvements on lots 5.01 and 5.04, to support and expand the existing operations of Modern Store Equipment Company now located in a 24,000 sq. ft. warehouse/office building on Lot 5.01;

**WHEREAS**, the applicant now seeks a one-year extension pursuant to NJSA 40:55D-52(d) of the period of protection from ordinance changes for the final major site plan approval with bulk variances concerning the subject property;

**WHEREAS**, the applicant is represented by Eric S. Goldberg, Esquire of Stark & Stark;

**WHEREAS**, the applicant is the owner of the subject property;

**WHEREAS**, upon a finding that its jurisdiction was proper, the Board opened a hearing on the application at its August 25, 2020 regular meeting;

**WHEREAS**, Mr. Goldberg appeared before the Board, and offered his arguments and representations 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, and therefore has standing to bring this application before the Board.
2. Application has been made, pursuant to NJSA40:55D-52(d), for a one-year extension of the period of protection from changes in ordinance standards of the previously granted final major site plan approval;
3. The Board has jurisdiction to hear this application.
4. The applicant has demonstrated that it has prevented from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities that the developer has diligently sought.
5. The applicant has submitted the following documents in support of its application:
  - a. Letter of counsel dated July 29, 2020 requesting the extension;
  - b. Proof that no taxes were due on the subject property at the time of the application;
  - c. Application and Escrow Fees in accord with ordinance requirements;
  - d. An executed Escrow Agreement;
  - e. Executed corporate ownership disclosures in the form required by statute are on file with the Township.
6. There have been no substantial changes to relevant zoning or design standards that would affect the proposed development during the time since it was approved.
7. No public comment was offered on the application.

Conclusions of Law:

The Board finds that the proposed development remains substantially consistent with the Township's Master Plan and relevant standards, and the applicant has complied with the Board's procedures for seeking the requested relief.

The Board finds that the proposed one-year extension of the previously granted final major site plan approval with bulk variances should therefore be approved.

**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 Firenze Properties, LLC seeking pursuant to NJSA 40:55D-52(d) a one-year extension of the period of protection from changes in ordinance standards of the final major site plan approval concerning a 3.46 acre parcel located between Cedar Lane and Harkins Drive, and known on the official Tax Maps of the Township of Florence as Lots 5.01 and 5.04 of Block 159, to allow construction of a 29,400 square foot warehouse/office building addition on Lot 5.04, and associated site improvements on lots 5.01 and 5.04, to support and expand the existing operations of Modern Store Equipment Company now located in a 24,000 sq. ft. warehouse/office building on Lot 5.01, be and hereby is, **GRANTED**, subject to the following conditions:

1. All conditions of previous approval Resolutions not expressly waived or altered herein shall remain in full force and effect.
2. The extension period shall commence on February 27, 2020 and end on February 21, 2021.
3. All taxes and escrow fees for professional review must be paid current and in full.
4. 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.

**MOTION TO APPROVE EXTENSION OF PERIOD OF PROTECTION  
FOR PRELIMINARY and FINAL MAJOR SITE PLAN APPROVAL:**

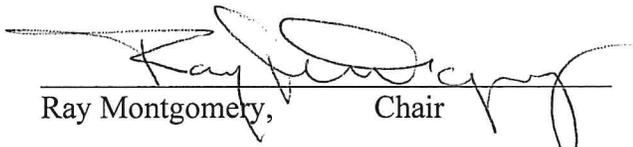
Moved by : Councilman Garganio  
Seconded by : Mr. Mattson  
In Favor : Councilman Garganio, Mr. Pagano, Mr. Mattson, Mr. Morris,  
Ms. Wiese, Mayor Wilkie, Vice Chair Montgomery  
Opposed : None  
Abstained : None  
Absent : Chair Hamilton-Wood

**MOTION TO ADOPT RESOLUTION:**

Moved by : Mayor Wilkie  
Seconded by : Mr. Mattson  
In Favor : Mayor Wilkie, Mr. Mattson, Councilman Garganio,  
Mr. Morris, Ms. Weise, Chairman Montgomery  
Opposed : None  
Abstained : None

**FLORENCE TOWNSHIP PLANNING BOARD**

Dated: 9/22/20

  
Ray Montgomery, 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 September 22, 2020 and memorializes a decision taken by the Board on August 25, 2020.

Dated: 9/22/20

  
Wayne Morris, Secretary