

Florence, New Jersey 08518-2323
November 17, 2008

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 to the official newspapers and posted in the main hall of the municipal complex."

Upon roll call the following members were found to be present:

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| Mayor Bill Berry | John T. Smith |
| Gene DeAngelis | Council Member Sean P. Ryan |
| Mildred J. Hamilton-Wood | Craig Wilkie |
| Wayne Morris | David Woolston |

ABSENT: James Molimock

ALSO PRESENT: Solicitor David Frank
Engineer Dan Guzzi
Planner Joseph Petrongolo

RESOLUTIONS

Resolution PB-2008-29
Finding Township Ordinance No. 2008-19 substantially consistent with Master Plan
and authorizing a report to governing body

Motion of Ryan, seconded by Berry to approve Resolution PB-2008-29.

Upon roll call the Board voted as follows:

YEAS: Berry, Hamilton-Wood, Morris, Ryan, Wilkie, Woolston
NOES: None
ABSENT: Molimock

Resolution PB-2008-30
Continuing the application of Griffin Pipe until the November 17, 2008 meeting of
the Board.

Motion of Berry, seconded by Ryan to approve Resolution PB-2008-30.

Upon roll call the Board voted as follows:

99.

YEAS: Berry, Morris, Ryan, Wilkie, Hamilton-Wood
NOES: None
ABSENT: Molimock

Resolution PB-2008-31

Granting the application of Sterling Bank for amended Final Major Site Plan approval for property located at 2 East Front Street (4 Broad Street), Block 58, Lots 3 & 4.

Motion of Berry, seconded by Wilkie to approve Resolution PB-2008-31.

On the Question:

Council Member Ryan asked if Solicitor Frank had received information regarding recent Council action regarding the proposed canopy and signs. Solicitor Frank stated that he had received this but did not think that recent action had any kind of effect on the adopting of this resolution.

Upon roll call the Board voted as follows:

YEAS: Berry, Morris, Ryan, Wilkie, Woolston, Hamilton-Wood
NOES: None
ABSENT: Molimock

Resolution PB-2008-32

Granting waivers, deeming complete and continuing the application of Frank Scamporino, Jr. for Preliminary Major Site Plan approval with variances for a shopping center located at Route 130 and Cedar Lane, Block 160.01, Lots 4, 11.01, 11.02 & 24.

Motion of Ryan, seconded by Berry to approve Resolution PB-2008-32.

Upon roll call the Board voted as follows:

YEAS: Berry, Morris, Ryan, Wilkie, Woolston. Hamilton-Wood
NOES: None
ABSENT: Molimock

MINUTES

Motion of Wilkie, seconded by Morris to approve the Minutes of the Regular meeting of October 20, 2008 as submitted. Motion unanimously approved by all members present.

Motion of Wilkie, seconded by Berry to approve the Minutes of the Closed Session of October 20, 2008 as submitted. Motion unanimously approved by all members present.

100.

CORRESPONDENCE

- A. Correspondence from Board Solicitor David Frank to Florence Township Mayor and Council regarding Township Ordinance No. 2008-19.
- B. Memorandum from Township Clerk Joy M. Weiler regarding adoption and effective date of Township Ordinance 2008-19.

Motion of Ryan, seconded by Smith to receive and file Correspondence A & B.

APPLICATIONS

Chairperson Hamilton-Wood called for Application PB#2008-10 for Griffin Pipe Products Co. Applicant is requesting Preliminary and Final Major Site Plan approval to permit construction of a baghouse addition to the site located at 1100 West Front Street, Florence. Block 179, Lots 1.02 through 1.05.

Chairperson Hamilton-Wood said that a letter had been received from the applicant's attorney requesting that the application be continued to the December 15, 2008 meeting.

Motion of Ryan, seconded by Berry to continue the application as requested.

Upon roll call the Board voted as follows:

YEAS: Berry, DeAngelis, Morris, Smith, Ryan, Wilkie, Hamilton-Wood
NOES: None
ABSENT: Molimock

Chairperson Hamilton-Wood called for Application PB#2008-12 for Frank Scamporino, Jr. Applicant is requesting Preliminary Major Site Plan approval with variances for a shopping center located at Route 130 and Cedar Lane, Florence Township. Block 160.01, Lots 4, 11.01, 11.02, and 24.

Attorney Doug Heinold from the firm of Parker McCay stated that he would be representing the applicant. He added that also in attendance to testify on behalf of the applicant were Engineer Bob Stout, Traffic Engineer Deanna Drumm and Architect Bruce Constant.

Attorney Heinold stated that this proposal is for a 70,000 sq. ft. grocery store, 3,858 sq. ft. McDonald's restaurant, 3,502 sq. ft. bank pad site, 4,900 sq. ft. commercial pad site and a 7,200 sq. ft. office pad site. Also proposed are 2,800 sq. ft. storefronts, six in total - three flanking each side of the proposed grocery store.

Variances will be required as follows:

Front yard setback - 68.68' where 75' is required

101.

Residential to Commercial buffer – 25' where 100' is required

Parking Setback – 17.03' where 40' is required

Loading Spaces – 8 where 13 are required

Trash Enclosure – this variance request may be withdrawn

Parking Spaces- 547 where 592 are required

Engineer Robert Stout was reminded that he was still under oath from the October hearing. Mr. Stout reintroduced exhibit A2, which shows the orientation of the site superimposed on a 2002 aerial shot. The applicant is proposing 107,000 sq. ft. of retail space. He then reintroduced exhibit A1 which is a colorized version of the landscaping and site plan.

Mr. Stout stated that the retail center would be anchored by an approximately 70,000 sq. ft. grocery store in the center of the site. There are 3 retail stores on each side of the grocery store - the proposed McDonalds pad site, the bank pad site and the unspecified pad site. Also adjacent to the Cedar Lane entrance is a two-story 7,200 sq. ft. office building.

The applicant has had an informal meeting with NJDOT and the requirement was to put the entrance at the beginning of the property on Route 130 to allow for a sufficient decel lane to remain for the existing jughandle. The entry hasn't been approved yet but is pending NJDEP approval.

The layout of this facility is different from most existing centers that have one main entry with no internal circulation. This proposed site has a bypass road located in the center to improve circulation. When you enter from Route 130 if you bear to the left you access the bypass road that leads to the pad sites. If you follow the entry road to the right it leads to the grocery store and attached retail sites. Both the bypass land and main road continue through the site a link with the back entrance off of Cedar Lane. The bypass lane is the reason that the number of parking spaces does not meet the ordinance requirement. The developer thought that the improved circulation merited the reduction in proposed parking spaces.

Mr. Stout said that the McDonald's is a drive through site. It is a proto-typical McDonald's layout that was supplied by McDonald's corporate offices. The bank pad site also has a drive through. There is plenty of room for the traffic to circulate through the pad sites.

Mr. Stout stated that there is one large wet basin located near the rear of the site. The property slopes from Route 130 down to the stream that is located at the rear of the site. The proposal is to collect all of the water into the wet basin. NJDEP is very strict on some of the stormwater requirements. In order to conform to these requirements there are recharge basins located at the front of the site and one at the rear corner. There is also a long swale that addresses the TSS removal required by the DEP. These work in conjunction with the main basin. Once the wet basin has saturated it goes out to the

existing stormwater system on the county road at the pre-developed rate. The existing system will not be taxed any more than is already there.

Mr. Stout testified that there would be shoebox style lighting approximately 20' in height. He stated that the Board's professionals had made some comments requesting improvements to the lighting plan. Mr. Stout stated that they would make the changes that were suggested to brighten the site. He stated that a landscaping plan had also been submitted. A variance was requested for the front yard setback from the road for the buffer from the highway. This area will be graded and landscaped beds will be installed. Mr. Stout stated that he had met with the Board's planner to review the landscape plan and will be able to make a lot of the changes that were made. Planner Petrongolo had requested that the ADA compliant parking spaces be split with a sidewalk and landscape island running between them. This will allow the ADA drivers to enter the stores without walking in the drive aisles.

Mr. Stout stated that in response to some of the comments they have agreed to add additional islands. There are 3 shopping cart racks throughout the center; the backside of these will be a landscaped island. This will cause the loss of 3 parking spaces. There are also 2 other spaces that would be lost in response to comments in the planner's letter. We have agreed to cross hatch one parking space in both of the dead end parking area to allow for maneuverability. This would cause the loss of 2 more spaces.

Mr. Stout stated that the dimensions of the parking spaces are split throughout the site. In the areas where shopping carts are used the spaces meet the ordinance requirement of 10' x 20'. The parking spaces in the front of the site where the pad sites are located are 9' x 18' and a waiver is requested. This reduction in parking space size was done to help yield the greatest number of parking spaces and still allow the bypass lane for the improved site circulation.

Mr. Stout testified that they have proposed 8 loading docks for the grocery store and the attached retail pads. Tractor-trailers would enter from Route 130; circulate around back to the loading docks in the rear of the store. There is a waiver requested for the loading dock for the office and bank pad site. Banks and offices take deliveries from UPS or box trucks so a dock is not typically required. There is no end user for the pad site. If it were a restaurant use deliveries would be made on off hours and they would utilize 10 existing spaces. McDonald's does have tractor-trailer deliveries that are made at a regular basis. There is no dedicated loading dock but the section directly behind the building will have the drive through, some pull up parking and a double drive through lane. The lower portion of the drive through can be used for unloading while still allowing drive through traffic and site circulation.

Mr. Stout stated there are 4 dumpster pad enclosures. These will be locked enclosures with solid steel gates along the front. There will be 2 to the rear of the facility and 1 at the back corner of the McDonald's site and 1 at the unspecified pad site. The office building and the other pad site do not have dedicated dumpsters. None of these have been delineated for recycling but this could be done.

Member Morris asked about the retention basin. Mr. Stout stated that the wet pond would be approximately 4' deep. This can be fenced and/or aerated if required by the Board.

Mayor Berry asked about the trees at the rear of the site. Mr. Stout indicated that these trees would stay. He said that they have received a delineated wetlands letter of interpretation from the NJDEP. There is a wetlands area and a 50' buffer. The plan is to stay 100% out of this area. There will be a passive swale wrapping around the back of the site. Per the request of the Board's planner there will be some additional landscaping added – evergreens and a fence. Mayor Berry asked if there would be any buffering around the loading area. Mr. Stout said that they did not show any other than the buffering around the dumpster area. Mr. Stout said that there is almost 200' of heavy wooded wetlands in that area and that is why they have requested that the buffer be reduced from the 100' to the 52' that is proposed.

Member Ryan stated that he is concerned about the rear of the site. He understands that there is 200' of forest, but on the aerial view it appears that the woodland diminishes as it gets close to the closest residential dwelling. He noted that in winter you would lose a lot of the foliage. He said that he wants to be sure that the buffer be enhanced so that the residents do not have to look at the rear of the supermarket site.

Planner Petrongolo stated that he had gone out to the Tall Pines development this evening and since the leaves are gone and the underbrush has died away you could see fairly clearly to Route 130. There is an issue with the site lighting impacting the residents.

Mr. Stout said that the applicant is agreeable to adding additional landscaping and fencing in that area.

Chairperson Hamilton-Wood asked where this additional landscaping was going to be located and how close would it be to the wetlands. Mr. Stout said that the delineated wetlands buffer line was approximately 25' in from the property line. There is 25' to 40' to work in the area and add the landscaping. Planner Petrongolo stated that his comments regarding additional landscape in the buffer only take effect if the Board grants the variance for the 100' required buffer between residential and non-residential uses. The applicant is requesting 25'.

Mr. Stout stated that the nearest hard structure is approximately 58 from the property line. The only improvement closer than that is the basin and this can be landscaped.

Chairperson Hamilton-Wood said that 25' does not allow for much buffering to be installed mitigating the light and noise from the site. Mr. Stout stated that they could provide a double row of evergreens that as they grow in would add protection. He added that the building would act as a blockage from a lot of the light.

Member Morris asked if would be possible to use low lighting and face it away from the Tall Pines Development. Mr. Stout stated that they could use lower lighting and he would work with the Board's planner on the lighting plan.

Member Wilkie asked about the decibel levels for the refrigeration and air conditioning units. Mr. Stout stated that the units will be on the roof and can be screened if required.

Chairperson Hamilton-Wood said that there is a community near by this site and the Board wants to be sure that the lighting and the noise don't have a negative impact. Planner Petrongolo said that the light poles can be lowered and angled but there will still be reflection.

Chairperson Hamilton-Wood asked for the traffic pattern at the rear of the site. Mr. Stout said that deliver would come in off of Route 130. The truck would turn around and back in to the loading dock. The parking in this area is head on parking that would mostly be used for the employees. Member Ryan asked if there was a hedgerow planned to block the headlights. Mr. Stout answered that there was not, but Planner Petrongolo had requested a solid 6' fence and the applicant is agreeable to this.

Chairperson Hamilton-Wood asked about the proposed business hours. Mr. Stout said that hours were listed on the plan. The shopping center would have deliveries starting around 6:00 a.m. and close at 10:00 p.m. McDonalds would be open 7 days a week until 2:00 a.m. The bank and office pad site would work under normal business hours and maybe some Saturday hours.

Chairperson Hamilton-Wood asked Planner Petrongolo for his opinion on the ability to adequately buffer the site.

Planner Petrongolo said that the combination of fencing, berming and plantings would be effective in blocking the headlight glare. He stated that he has requested a revised plan for the site lighting so he can't judge that until the revised plan is submitted. The applicant has indicated that they are willing to work with the Board's staff to try to minimize the impact.

Mr. Stout said that they have proposed all downlighting for the site and they can definitely work with the Board's staff to come up with something that is more residential in appearance for the rear section. Planner Petrongolo stated that he has requested the details for the lighting.

Chairperson Hamilton-Wood asked what type of retail is planned for the 6 retail spaces adjacent to the supermarket? Mr. Stout said that at this time there are no tenants lined up, but you would probably see a pizza place, dry cleaner, etc.

Member Ryan asked if there could be off site buffering. Mr. Stout said that although this is potentially possible they have not looked at it. Member Ryan said that his preference

would be to keep any tractor-trailers from utilizing the full drive behind the building. Mr. Stout said that both accesses to the site are tractor-trailer accessible.

Member Ryan asked if there were any sidewalks included in the site plan. Mr. Stout said that there are not any sidewalks planned as of yet, but Planner Petrongolo requested sidewalks be installed down Rt. 130 and Cedar Lane. Currently there are no sidewalks on Rt.130. There is a problem with sidewalks on the Rt. 130 side due to the grading of the site. This sidewalk would not connect on either side.

Mr. Stout said that the applicant is willing to install sidewalks along the Cedar Lane section. They would match a crosswalk to the new Wawa back parking area, running along their property as far as they can. As you go down towards the school there is the culvert and guardrail so it would be difficult to install sidewalk in this area.

Engineer Guzzi stated that Florence Township has been investigating a way to get sidewalk along Cedar Lane from the High School to Wawa. This is an opportunity to get a piece of the sidewalk as far as they can down Cedar Lane.

Chairperson Hamilton-Wood said that she didn't think that there would be an interest in installing sidewalk on Route 130, but it would be beneficial to have the sidewalk along Cedar Lane. The proposed McDonalds will undoubtedly be a draw for the high school students.

Member Ryan stated that he was concerned that students would be traveling down Cedar Lane and then cutting through the parking lots to get to the retail stores or restaurants. Mr. Stout said that they would be willing to add some connective walkways within the parking areas to facilitate pedestrian safety. Member Ryan asked if there were sidewalks along Route 130 at the Wawa. Planner Petrongolo stated that he had driven down Rt. 130 before the meeting and there were no sidewalks along the highway.

Engineer Guzzi stated that Florence Township has applied for grants for the past several years in an attempt to get sidewalks down Cedar Lane. Mr. Stout stated that there were 5 or 6 properties between the Scamporino site and Tall Pines development. This would require major work to connect the sidewalk. He offered that the applicant would extend sidewalk to the end of their property and then post a bond for the difference. Then the Township could work on coming down from the school. Engineer Guzzi said that if the applicant would work down from the highway, then his office could look at what would be involved in extending sidewalk down to the school to meet this. The Board could then take a look at this.

Solicitor Frank stated that it is more possible to intrude on wetlands for the purpose of a pedestrian trail than for most other purposes. There is a statewide general permit that allows this.

Attorney Heinold stated that this application was for preliminary approval. There would be conditions placed on the approval. The applicant will work with the Board's staff to aggressively address the issues.

Attorney Heinold called Deanna Drumm from the firm of Horner and Cantor Associates. Ms. Drumm was sworn in by Solicitor Frank. Chairperson Hamilton-Wood stated that Ms. Drumm had appeared before this Board before and was previously qualified.

Ms. Drumm stated that one of her tasks was to look at the access from Rt. 130. In order to locate at a signalized intersection you have to deal with the New Jersey Access Code. She stated that they had a meeting with the state. There will be some adjustments required to the striping of the jug handle, but it looks promising that they will be given approval for a right in right out closer to the southern end of the property along Rt. 130.

Ms. Drumm stated that the applicant is also seeking access to Cedar Lane, which is a county road. She stated that the applicant is aware of the concern that the Township has regarding the traffic along Cedar Lane to the High School during morning hours. Ms. Drumm stated that morning is the least intense traffic generation for retail.

Ms. Drumm stated that the intersection of Rt. 130 and Cedar Lane is a concern. She stated that they would be supplying information to NJDOT regarding traffic volumes as well as operational analysis. NJDOT will look at the possibility of installing left turn arrow at Cedar Lane. There was a meeting last week with NJDOT that the Mayor and Councilman Ryan attended regarding the entire Route 130 corridor. This intersection at Cedar Lane was one of the main topics.

Ms. Drumm stated that they have submitted an application to NJDOT that is pending review. No comments have come back as of yet.

Ms. Drumm stated that a variance for parking has been requested. There will be shared parking since this is mixed use site. She stated that the recommendation for shopping centers from the Urban Land Institute is 4 spaces per thousand. The applicant is proposing a total of 547 parking spaces. This is 4.25 or 4.3 spaces per thousand. Ms. Drumm stated that in her opinion this would be sufficient parking for the site.

Ms. Drumm said that the proposed width of the drive aisle is 25'. The size of the parking spaces adjacent to the pad sites is 9' x 18'. The parking spaces adjacent to the grocery store are 10' x 20' to allow for the use of shopping carts.

Member Morris asked if there would be a bifurcated island at the access aisle to Rt. 130. Ms. Drumm stated that there is not enough room to provide an island. Due to the jughandle there is only about 100' to work in. If they proposed a bifurcated island they would not be able to have a right in right out access.

Member Smith asked if the access point was located in the decel lane. Ms. Drumm stated that it would not be. Currently the decel lane is over designed and extends almost to the

self-storage units. The NJDOT said that the decel lane was too long and it should be looked at. Member Smith stated that a car exiting the site would be turning into the decel lane to get onto the highway.

Chairperson Hamilton-Wood stated that in reviewing the report submitted by Ms. Drumm it appears that as a result of this build the level of service for all points of this intersection will be "F's". She stated that this is turning from a bad intersection to a worse intersection. Ms. Drumm said that existing conditions show a level of service C. With all the proposed development – the Haines Center, the retail proposed for Harkins Lane, the hotel and restaurant – there would clearly be an impact on decreasing the level of service. Ms. Drumm stated that this could be improved by installing the left turn arrows for Cedar Lane. Mayor Berry stated that the Township had asked the State to investigate adding a third lane at the intersection.

Ms. Drumm stated that the NJDOT is most concerned with moving the traffic through the state highways. Consequently the green time on the side streets is decreased contributing to the decreased level of service.

Ms. Drumm stated that the NJDOT has asked her office to look at this intersection even though the standards that would require a full traffic study aren't met at this intersection.

Engineer Guzzi asked if Ms. Drumm had done an analysis of the a.m. peak. Ms. Drumm stated that they had not done this primarily because this is a retail development. She stated that retail developments don't generate as much traffic in the morning. She said that she agrees that Cedar Lane does have increased traffic in the morning, but when you look at the combination of the site traffic and existing traffic on Cedar Lane it is really the afternoon or Saturday where you see the peak.

Engineer Guzzi stated that there would be some morning traffic generated by a McDonalds on the way to the high school. Ms. Drumm stated that even though McDonalds will generate traffic, a shopping center is more intense in the afternoon. Engineer Guzzi asked when the highest amount of traffic at this intersection. Ms. Drumm stated that definitely between 7:00 and 8:00 in the morning. Engineer Guzzi stated that it would be nice to see where that intersection stands now at the a.m. peak and how it would change with the McDonalds and possibly other restaurants/fast food. Ms. Drumm stated that in her opinion the afternoon traffic plus the traffic from the proposed site would be worse than the a.m. peak traffic.

Mayor Berry asked if Ms. Drumm could provide the traffic count for the morning rush. Ms. Drumm said that fast food restaurants generate the least amount of traffic compared to other retail uses. Planner Petrongolo asked if the traffic counts were based on "shopping center" or based on this site, which has a Wawa, McDonalds, possibly a Dunkin Donuts and other retail? Ms. Drumm said that they base their counts on "shopping center" because NJDOT requires it and also the actual users in a center often change. She said that the shopping center studies include internal trips, where one customer will visit several shops within the center.

Chairperson Hamilton-Wood stated that basically what is being reported are generalized numbers that don't have any consideration with this specific site. The Board's concerns are based on the facts of the existing traffic problem impacted by the high school and the Wawa. Ms. Drumm stated that her report is not a generalization. This is a shopping center. She stated that they have data from the morning. Engineer Guzzi stated that they did have counts, but his concern was that the morning counts were not included in the study and he would have liked to see how the a.m. peaks impact this.

Ms. Drumm said that they have the a.m. counts from another project that they did in the area. Member Ryan asked if Ms. Drumm would provide an a.m. count of current conditions at the intersection.

Chairperson Hamilton-Wood said that the applicant has requested variances on the parking spaces. These variances wouldn't be necessary if the Board requested that the applicant scale down the development to meet the ordinance. The Board needs to have accurate data regarding the traffic and parking situation in order to feel comfortable that the development will not have a negative impact on the community. If they are not comfortable then they can't in good faith grant the variances.

Chairperson Hamilton-Wood stated that in her mind this intersection is a huge concern. What will the impact be on the young drivers who travel through this intersection on the way to school in the morning?

Member Morris stated that the applicant is seeking a variance for number of parking spaces. He asked how many spaces were short? Ms. Drumm stated that they were short 45 spaces. Member Morris said that this was 10% less than the ordinance required. He asked Ms. Drumm if she thought this reduction would cause problems? Ms. Drumm answered that it would not. She said that the purpose of a parking ordinance is to make sure that there is enough parking. She said her task is to look at all the published data to determine whether the request for a variance can be justified. Ms. Drumm stated that the Urban Land Institute (ULI) has conducted extensive studies for parking requirements for shopping centers. The results from the ULI have shown that 4 spaces per 1,000 sq. ft. are sufficient for a shopping center of this size. She said that restaurants do have more intense parking requirements, but based on the studies 4 per 1000 is sufficient to meet the parking demand at the site.

Member Morris said that the intersection at Route 130 is going to be very busy especially at the Saturday peak and even more so if a school activity, such as a football game coincides with the peak time. He asked if reducing the square footage of the pad site would reduce the required parking spaces. Ms. Drumm stated that any reduction in square footage in theory reduces the required amount of parking.

Attorney Heinold pointed out that the provided parking calculations were based on the overall site as a shopping center – not on the individual uses. Ms. Drumm agreed and

said that in a shopping center there are multi trips. Ms. Drumm stated that the office use is much less intense on Saturday when the retail use would peak.

Chairperson Hamilton-Wood asked if the proposed office would be for medical use? The applicant indicated that there was no intention at this time to have a medical use. Engineer Guzzi stated that if a medical use was proposed the applicant would have to come back to the Board for a review of the parking.

Member Smith asked if the restaurant pad site would carry a liquor license. Mr. Stout indicated that this pad site was not leased yet and it might be restaurant use or it might be additional retail use. There is no liquor license with this application.

Chairperson Hamilton-Wood asked if the bank site had any other potential uses? Mr. Stout answered that the way the site was laid out was as a bank and this is how it is being marketed.

Chairperson Hamilton-Wood asked if there was any other testimony. Engineer Guzzi stated that the Board should see the building elevations that the applicant had promised to submit. Attorney Heinold stated that the applicant's architect was in attendance and would be testifying.

Bruce Constant, 300 York Street, Burlington, NJ was sworn in by Solicitor Frank. Mr. Constant stated that he had approximately 35 years practicing as an architect, and 25 years as a licensed planner in the state of New Jersey. Mr. Constant said that he is currently retired from Planning, but maintains his architecture license. Chairperson Hamilton-Wood accepted Mr. Constant as an expert.

Mr. Constant added that he spent 25 years doing noise abatement on the tops of buildings. He said he would also be addressing some of the earlier comments that the Board had made regarding noise.

Mr. Constant said that the McDonalds would be similar to the one that is being currently constructed in Burlington. This would be an earth tone brick building with stucco panels. The roof would flat with 2 golden arches above it. Mr. Constant submitted exhibit A3 which showed the elevations of the McDonalds.

Mr. Constant stated that the grocery store is 350' long. The side buildings are each 150' long. This brings the overall length of the building to 590'. The building is 70' to 80' wide at the sides and 200' deep at the center. The outward façade of the building will have earth tone colored brick as accent at the base. Above that would be a stucco like material. The building would have green metal roofing.

Mr. Constant said that there would be at least 2 entrances/exits to the grocery store. The basic box of a grocery store, not counting the roof area is approximately 24' high. The elevation shows the 24' and then 6' – 8' of roof screening above that.

Mr. Constant stated that Boards often require roof screening to cover up the mechanical equipment and to hide the noise. He stated that this is often a mistake. Mr. Constant submitted exhibit A4, which is the overall strip elevation, and exhibit A5, which is the partial strip elevation.

Mr. Constant drew an illustration on the white board showing roof screening and the direction that noise travels. He gave suggestions on how the roof screens should be installed to minimize the visual and noise impacts.

Planner Petrongolo asked if the testimony was that appropriate screening would be provided since he had not seen the architectural prior to the meeting and has not done a review of them. Mr. Constant answered that there would be partial selective screening to eliminate much of the noise. The screening would be complimentary to the building and also try to blend with the tree cover.

Engineer Guzzi asked if the materials for the rear elevation would be the same earth tone brick and stucco as the front. Mr. Constant said that they might switch to a different material but would keep the same tonality. They are very concerned in keeping a hard surface so that you couldn't break into the store. The material would probably be a split faced block. Chairperson Hamilton-Wood asked which sides of the building would be brick and which would be block. Mr. Constant said that minimally the brick would be on the front and not beyond unless it is necessary.

Planner Petrongolo stated that the side of the building would be very visible from Cedar Lane. In his opinion there should be multiple fronts with quality materials. Planner Petrongolo stated that the site is being built as a shopping center in his opinion all the building should be similar or work together. The McDonalds that was shown didn't really blend with the retail building that was shown. The site needs to work together.

Mr. Constant said that he agreed in principle. He said that the problem is that the McDonalds is basically a closed box with a few apertures. The retail stores want to be an all glass front with the signage and roofing above it. It is difficult to make them similar. Planner Petrongolo stated that you see a lot of shopping centers that have multiple themed buildings, but all of the buildings are compatible.

It is possible to make all the building of the same materials and in the same colors. The difficulty is that the McDonalds is a flat box. Planner Petrongolo stated that one of his concerns is that the shopping center has a linear roofline. Often in the retail buildings you see variation in the roof elevations to break up the linear scale of the building. Mr. Constant mentioned that the applicant had made the same suggestion and these were not the final elevations for the site.

Frank Scamporino was reminded that he remained sworn from the last meeting. Mr. Scamporino stated that he had intended that Mr. Constant come in with a generic plan because he knew that they would have to work with the township. The plan is to match the brick from McDonalds. They will put brick on the columns outside of the shopping

center and go up from there. The height and the A's may vary but they will work with the Board. Mr. Scamporino said that he didn't want his site to look like McDonalds. This is why he wants to add the stucco to offset the brick. Mr. Scamporino said that the McDonalds design came from corporate and is not negotiable.

Chairperson Hamilton-Wood said that typically an applicant submits a rendering of what they want to do and the Board offers comments. She stated that it is easier to criticize than to create. Mr. Scamporino said that the intent of his presentation was to get a starting point to begin discussions. Attorney Heinold said that as tenants are found for these spaces they may want to have input. Planner Petrongolo stated that yes every corporation has it's own standards, but all the buildings have to work together. Mr. Scamporino stated that he agreed.

Mr. Constant stated that they are proposing a color tonality that is earth toned. The building will be constructed out of bricks and stucco not metal. They are attempting to get a pedestrian scale to a very long building. He stated that there is a 10' walkway that is a covered walk at the grocery store. They are trying to open the appearance by adding brick piers every 30' to 40'.

Planner Petrongolo stated that typically an applicant would submit a proposal to the Board for comments. Engineer Guzzi stated that they would need the side and rear elevations also. Planner Petrongolo said that the applicant also needed to submit details as how to screen the mechanical units.

Member Smith asked if the retail stores on either side of the grocery store had access to the rear of the site. Mr. Constant said that there were service entrances only. Member Smith asked if the trailers backing to the loading area would they block this service entrance? Mr. Stout answered that they would not. He stated that the last bay was left open. There will be no tractor-trailer in that space. The spaces are 68' x 12'. Member Smith commented that this was a variance.

Planner Petrongolo asked how would a tractor-trailer unload at the retail stores adjacent to the grocery store. Mr. Stout stated that there are no bays for the retail units. There are only man doors. Deliveries would be from box trucks that would more than likely use the front door.

Engineer Guzzi said that truck loading area is near to the closest residence. There will be noise. He asked if there was a way to screen this area from the residence? He mentioned that the back side of a grocery store are often an area for storage of skids, boxes, recyclable items, etc. Mr. Stout said that the current plans show 8 spaces. One of these spaces could be designated for cardboard.

The Board had a discussion of the Delran Shop-Rite shopping center. Mr. Stout again stated that the design of this site works much better because of the drive through circulation.

Chairperson Hamilton-Wood stated that there were several completeness waivers. She asked if they had all been met. Engineer Guzzi stated that the elevations had been submitted. There were several waivers that were granted, but the applicant would have to submit them as a condition of approval. Solicitor Frank stated that the Board was concerned with traffic impact. Chairperson Hamilton-Wood stated that the Board has concerns with the elevations and the buffering of the site.

Solicitor Frank said that the variances requested for the buffering are related to the intensity of use of the site and the proximity of the buildings to the residential property lines.

Motion of Smith, seconded by Berry to open the hearing to public comment. Motion unanimously approved by all members present. Seeing no one wishing to comment motion was made and seconded to close the public comment. Motion unanimously approved by all members present.

Chairperson Hamilton-Wood stated that the applicant was looking for Preliminary approval with variances. She asked the professionals to list the requested variances.

Planner Petrongolo listed the variances from the following ordinance standards:

- Distance between buildings
- Front yard setback
- 100' residential buffer
- 40' parking setback from the street line
- Off street parking space dimension
- Number of parking lot trees and foundation plantings
- Number of parking spaces
- Loading space size and number of loading spaces
- Parking areas must be curbed

Mr. Stout indicated that the curbing had been removed and curb bumpers added for stormwater management for passive recharge areas, which is the NJDEP's requirement. Planner Petrongolo requested solid curb with pockets of open spaces so the water can run through. The applicant agreed to do this.

Mr. Stout indicated that the architectural drawing would be provided. Mr. Stout indicated that they had provided a lighting plan, but they would work with Planner Petrongolo to revise this. Mr. Stout stated that a complete sign package would be submitted at Final.

Chairperson Hamilton-Wood said that in her opinion there is so much missing that she has no idea what the final plan would look like. She stated that she is not comfortable with reducing the loading spaces or the elevations of the building. She said that too many things are still pending. She would like to see the plans revised and resubmitted for review by the Board's staff.

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Member Ryan said that the rear of the site where there is the closest impact to the Tall Pines development would be the biggest hurdle. The applicant will have to demonstrate that all of the residents in that area will be clearly protected from noise, light glare, and negative visual impact. He stated that he would like to see a plan for off site buffering.

Member Smith stated that he was very uncomfortable in granting preliminary approval at this time.

Attorney Heinold stated that he sees 3 areas where information should be submitted. He said that the Board has requested more information from the traffic engineer on the intersection, there needs to be a good understanding of the mixture of items that will held to buffer the back and side of the property from noise and light and the architectural.

Member Smith indicated that he was uncomfortable with the number of parking spaces that don't meet the standard. Attorney Heinold said that they could look at this but they were going to continue to seek this variance. Attorney Heinold asked for a recess to confer with his client.

The Board took a 5 minute recess. The Board returned to the regular order of business at 10:03 p.m.

Chairperson Hamilton-Wood announced that the Board has a rule that they will not begin hearing a new application after 11:00 p.m. She then stated that the Board would continue with the hearing on Application PB#2008-12 for Frank Scamporino, Jr.

Attorney Heinold said that the applicant would like to continue the hearing until the December 15, 2008 meeting of the Board.

Motion of Berry, seconded by Smith to continue Application PB#2008-12 until December 15, 2008.

Upon roll call the Board voted as follows:

YEAS: Berry, DeAngelis, Morris, Smith, Ryan, Wilkie, Hamilton-Wood
NOES: None
ABSENT: Molimock

Attorney Heinold indicated that the applicant's professional staff would be in contact with the Board's staff and they would be submitting revised plans prior to the December meeting.

Chairperson Hamilton-Wood called for Application PB#2008-13 for Sterling Bank. Applicant is requesting amended Final Major Site Plan approval with bulk variances to permit a temporary bank (trailer) for property located at 2 East Front Street (4 Broad Street) Florence. Block 58, Lots 3 & 4.

William F. Hyland, Attorney for the applicant stated that the bank is proposing to install a temporary banking facility on the approved parking lot of the branch office. This will allow the bank to remain open during the renovation period. Attorney Hyland stated that the parking lot construction had already begun and once that was completed they are hoping to obtain permits for the temporary bank.

Attorney Hyland said that it would appear that this could be treated as a construction trailer and therefore would be an accessory use to the principle use on the property. He added that a setback variance would be required and a plan has been submitted indicating the location of the temporary structure on the parking lot.

Attorney Hyland stated that they had reviewed the letters from Engineer Guzzi and Planner Petrongolo. The letters indicated that there were some items that should be added to the plans. Attorney Hyland stated that there was no problem with providing this information. He stated that in attendance to testify this evening was Greg Woodring, architect for the applicant and Scott Horner, representing Sterling Bank. Both witnesses acknowledge that they remain sworn from last month's meeting.

Chairperson Hamilton-Wood stated that there was a misstatement in Attorney Hyland's opening statement. She said that she did not think that status of the temporary building had been decided yet.

Engineer Guzzi said that he did not think that this building could be considered a temporary construction trailer. Attorney Frank stated that he had consulted with several attorneys regarding this issue and the consensus is that this is an accessory building that is not permitted in the zone. The bank use already exists. The question is what is this extra building going to be? He stated that this is a temporary accessory use.

Attorney Frank said that he was suggesting that two variances are required. One variance for a building not permitted in the zone and one for setback.

Scott Horner stated that they would like to keep the community banking with them. The extent of the renovations will require that the building be closed to the public for 2 to 3 months. Sterling Bank is concerned that if the bank is closed for this period of time the customers will be inconvenienced and possibly take their business to another bank in the area.

Attorney Hyland said that the Department of Banking has rules regarding these kinds of buildings for security and safety. Mr. Horner said that even though this is a temporary facility it would adhere to these rules.

Greg Woodring, Evergreen Unlimited, said that he had brought some drawings of what the facility would look like. Planner Petrongolo asked if signage was being requested as part of this approval tonight. Attorney Hyland stated that there was no signage included with this application, but he would be including it with the amendment for signage that

they would be coming back with for December. He stated for the record that there would be one sign on the front reveal of the temporary building.

Solicitor Frank stated that the photograph of the bank would be marked as exhibit A1 and the floor plan would be marked as exhibit A2.

Attorney Hyland said that the trailer would be parallel to the existing building. The ramp will be toward the existing building. Mayor Berry asked how much space would be between the proposed trailer and the existing building. Mr. Woodring said that there would be about 8'. Chairperson Hamilton-Wood asked why the entrance was proposed in the space between the existing building and the trailer. Mr. Woodring said that if he put the entrance along Front Street it would encroach into the right of way. Chairperson Hamilton-Wood asked if this would be a security issue? The bank customers will be walking up into this 8' space to enter the bank.

Member Ryan said that in addition this would be a construction site. The customers to the bank will be entering the temporary building in the 8' space directly adjacent to the construction site. What will be done to insure the safety of the customers? Mr. Woodring stated that there would be an 8' construction fence along the ramp. The public will not be able to access the site.

Mr. Woodring said that the parking lot would be finished and then the trailer would be set on a temporary foundation. The customers would be able to use the parking lot and enter the trailer from that side of the site.

Responding to Member Ryan, Mr. Woodring stated that the entrance to the temporary structure would be between the 2 building and he stated that he did not have any concern with the bank's employees or customers entering the bank from this area.

Solicitor Frank asked if there was a functional reason why the trailer could not be turned around 180 degrees? The ramp would then face out and be visible from the street. Mr. Woodring said that this would less flexible for the builder. Mayor Berry said that the trailer could be moved the width of the ramp (approximately 4') closer to the building and then locate the ramp on the other side of the trailer you would be taking up the same amount of space and there should be any adverse impact to the builder. Mayor Berry stated that this would be safer and more appealing to the customers.

Planner Petrongolo asked about the sight triangle? Engineer Guzzi stated that the sight triangle is shown on the plan. Member Smith said that the sight triangle issue was discussed at length with the original approval and there is no problem seeing around the corner from Broad Street.

Member Ryan stated that he would like to get a clear definition of "temporary". Attorney Hyland stated that temporary means that it would go away. Attorney Hyland said that the estimate from the contractor is that it will take 60 days to do the renovation work. The

applicant is planning on 90 days. Mr. Woodring stated that there should be a month allowed for the trailer to be set-up so it would be more like 120 days.

Attorney Hyland stated that they would not bring the trailer in until the parking lot had been completed. The parking lot would take about 2 weeks to finish, then the foundation would be installed and then the trailer would be placed. Planner Petrongolo mentioned to the Board that they had the ability to put a limit onto the time frame that the trailer would be used. He stated that they would accept a 6 month time frame.

Chairperson Hamilton-Wood asked if since they were going to have steps come in from Broad Street would they be backing the building up any? Attorney Hyland stated that they would move it back a few more feet. Mayor Berry stated that the ramp would run parallel to Front Street. He cautioned the applicant that the steps not be located in the right of way.

Chairperson Hamilton-Wood asked about the lighting? Mr. Woodring stated that there would be a gooseneck light over the ramp and the door.

Engineer Guzzi asked if all 5 parking spaces would be available for customers? Mr. Woodring indicated that they would be available. Then he said that there might be one area for construction materials on a temporary basis. Engineer Guzzi said the applicant needed to be more specific on which part of the parking lot would be used for construction.

Attorney Hyland said that they would specify that 4 spots would be open at all times. Engineer Guzzi stated one spot would be temporarily used as the barrier free spot and one spot would be used for construction. Attorney Hyland indicated that the lighting for the parking lot would be up and running prior to the opening of the temporary structure.

Member Smith stated that the bank is operating now without a parking lot. He didn't know why we were spending all this time discussing parking. Engineer Guzzi said that he is concerned with the interaction between the contractors and construction workers and bank customers and employees in the parking lot.

Attorney Hyland said that if the bank decides to use the parking lot they would make sure that 4 spaces are available.

Engineer Guzzi stated that variances are required for front yard setback for both Front Street and Broad Street sides.

Solicitor Frank said that the Board is looking at an application for an accessory building (a temporary bank) that is not permitted in the zone. Solicitor Frank listed the following conditions:

If the applicant chooses to open the parking lot they will then keep 4 parking spaces available for customers.

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The trailer will be rotated so that it's entry faces on Front Street instead of as shown on the current drawing.

The trailers location would be adjusted toward the main building and into the parking area to provide for the steps and ramp so that it does not encroach into either right of way.

The trailer would be removed within 6 months of being brought to the site.

All site lighting will remain operational during the construction process.

The trailer will arrive only after the parking lot is completed.

Signage will be part of a subsequent approval for the overall site sign package even though this is a temporary component.

There will not be an ATM or a night depository.

Solicitor Frank said that the requested variance is a C2 variance. The Board must weigh the positive benefits to the community versus the detriment from the standards to the zone. He stated that the benefit that was articulated by the applicant is that they would be keeping the facility open to the public through the duration of the renovation project. The detriment to public good would be safety related, but because this is a temporary condition any detriment would be mitigated.

Engineer Guzzi stated that his review letter and Planner Petrongolo's letter had several items that needed to be added to the plans. Attorney Hyland stated that the applicant would comply and these items would be added to the plan. Engineer Guzzi stated that the Board should state whether the parking lot should be open to the public during construction or not.

The Board indicated that it did not matter whether the parking lot were open or not, but if the bank chooses to open it they must allocate 4 spaces and it must be safe for the customers.

Attorney Hyland said that he would discuss the issue of the parking lot with his client. Mr. Woodring said that his preference would be to not open the parking lot to the public during construction. Engineer Guzzi said that if the bank decides to not open the parking lot then it should be indicated with a sign and this should be added to the plan. He also mentioned that any fencing should be addressed and shown on the plan. The fence can be on the property line, but not in the right of way. The temporary trailer will not be located in the fenced in area.

Member Smith commented that during the Veteran's Day ceremony at the Broad Street memorial the contractors very graciously stopped their work during the ceremony.

Motion of Ryan, seconded by Woolston to open the hearing to public comment. Motion unanimously approved by all members present. Seeing no one wishing to comment motion was made by Ryan, seconded by Berry to close the public comment. Motion unanimously approved by all members present.

Motion of Wilkie, seconded by Smith to approve Application PB#2008-12 with variances and conditions as noted.

Upon roll call the Board voted as follows:

YEAS: Berry, DeAngelis, Morris, Smith, Ryan, Wilkie, Hamilton-Wood
NOES: None
ABSENT: Molimock

Chairperson Hamilton-Wood called for Application PB#2008-14 for Whitesell Construction Company, Inc. Applicant is requesting amended Preliminary and Final Major Site Plan approval with variances to permit parking on Block 158, Lot 5.

Lynn McDougal, attorney for the applicant, said that this application is for Preliminary and Final Site Plan approval. Lot 5 in Florence Township will be for a parking lot that is going to support an existing building in Burlington Township. She stated that Terrance Huettl is the Vice President of Whitesell Construction Co., Inc. He is also Director of Development and is a licensed engineer. Chairperson Hamilton-Wood stated that Mr. Huettl has previously been qualified as an expert by this Board.

Terrance Huettl was sworn in by Solicitor Frank.

Mr. Huettl stated that the building in question is located at 700 Richards Run in the Haines Industrial Center. Mr. Huettl submitted exhibit A1, which is a plan of the Haines Industrial Center and exhibit A2, which is a colored version of the site plan that was submitted with the application.

Mr. Huettl stated that the existing building is 81,000 sq. ft with a 3,000 sq. ft. office in the front. There is a loading area for trucks on both side of the office. Mr. Huettl said they were proposing to move the car parking lot from the side of the building to the front near the office. This will allow people to get to the office without having to cross through a loading dock. The balance of the parking on the 2 sides is tractor and trailer parking associated with the new tenant in the building.

Mr. Huettl said that the building was constructed roughly 20 years ago and has had multiple tenants and is currently empty. Whitesell is finalizing lease negotiations with a tenant called Frozen Foods Express. They are one of the largest motor carriers of food in the country. This would be a 15 year lease. The new tenant requires additional parking than what the building can accommodate.

Mr. Huettl stated that the only portion of this project that is in Florence is the section of trailer parking and stormwater basin. He stated that there is a similar situation where there is a large 4 acre storm water basin in Burlington that serves several buildings in Florence Township.

Mr. Huettl said that the proposed parking lot includes 26 trailer stalls. There is no driveway in Florence Township. The only access is located in Burlington.

Chairperson Hamilton-Wood asked if the basin is a new condition or was it existing to support the building? Mr. Huettl showed the location of the original basin, which was in Florence, but it is not in the current location. He continued that when Whitesell was in front of this Board for the subdivision for the Florence portion of the Haines Industrial Center, which included the construction of the road Richard's Run, they provided a new basin for that building so they could provide for future expansion of the site. That basin was reviewed and approved by the Board in 2001. Mr. Huettl stated that Burlington Township granted approval for the application on their side of the line last Thursday.

Mr. Huettl stated that there were review letters from the Planner and Engineer. He said that he had not received a letter from the Fire Official, but he had spoken with the Fire Official, Kevin Mullen who had verbally stated that there were no issues. Board Clerk Erlston verified that Fire Official Mullen had also called her and verbally indicated that there were no issues.

Mr. Huettl stated that he would start with Engineer Guzzi's letter dated November 13, 2008.

Item 1 is a variance for the parking stall dimension for tractor-trailers. Mr. Huettl said that the trailer stalls that they were proposing are 12' wide and 53' long. He stated that 12' is adequate for the 8.5' trailers. The 53' dimension is based on the legal limit for trailers in New Jersey, which is 53'. There is a 100' wide maneuvering area between them so there is adequate space for a tractor-trailer to drop off a trailer. Responding to a question from the Board Mr. Huettl stated that the trailers would be moved by both tractors and yard-jockeys.

Item 2 is a variance for a fence within the front yard setback. Mr. Huettl stated that due to the fact that this tenant transports and handles food they are bound by regulations by the FDA and Homeland Security. The plan calls for a 6' fence topped with barbed wire and a manned guardhouse is located at the entrance. The fence is proposed just of the end of the pavement and 32' of the right of way or 42' off of the edge of the road.

Mr. Huettl stated that this variance is related to the variance for the pavement and it might be appropriate to talk about that at the same time. Mr. Huettl stated that there was an existing loading dock on each side of the office out front. There is a minimum distance of about 120' between the building and the edge of the pavement where the tractor-trailers will maneuver. Based on the shape of the property and the location of the existing building it is not possible to have a driveway that crosses in front of the loading

docks and complies with the 75' setback. The variance is requested to permit this driveway to exist infringing on that 75' setback because if it were pushed back they would not be able to use the loading docks on the building. Related to that is the fence variance because obviously the fence has to be outside of the pavement.

Item 4 pertains to the requirement for curbing around all parking lots. Mr. Huettl said that this edge of the parking lot has a stormwater management feature called a vegetative filter strip. The stormwater from this parking lot in Florence will sheet flow off the edge of the pavement and pass through a 35' section of lawn that is sloped away from the pavement and then collected in a swale that will take it to an inlet that is proposed. Water from that inlet will be conveyed to the basin. This feature is designed to reduce the amount of suspended solids and other materials that are in the stormwater. The edge of the pavement can't be curbed, as this would impede the sheet flow of water. Mr. Huettl said that they are proposing concrete wheel stops to assist in keeping the trailers on the pavement.

Engineer Guzzi said that technically the curbing is required all the way around but the Board's jurisdiction stops at the Florence line. Mr. Huettl stated that Burlington Township did not require curbing around the balance of the site. Engineer Guzzi stated that he doesn't have an issue with a variance for this curbing because of the stormwater management aspect. He stated that there is an issue with concrete wheel stops because the tractor-trailers push the stops around the parking lot. Member Woolston said that this shouldn't be an issue because there will be a concrete strip for the landing gear of the trailer that would be used as a guide. Mr. Huettl stated that they do have over 2,000 tractor-trailer stalls at the Haines Industrial Center both in Burlington and Florence and the majority of these are not curbed and have 6" concrete wheel stops.

Member Ryan said that he recalls testimony at a previous hearing on another application regarding Whitesell's policy on site maintenance issues. Mr. Huettl said that Whitesell owns all of the buildings that they build with the exception of the CTS building in Florence Township that was sold. They have a property management division that drives by every building in the Haines Center every day. There are weekly property management reports that go to the tenants. All of the property manager have cell phones where they can automatically email a tenant to inform them of a violation and then follow up with another inspection. Mr. Huettl said that he was not aware of any maintenance issues.

Item 5 pertains to lighting. Mr. Huettl stated that the Township's Ordinance requires a minimum of a 0.5 foot candle. This large trailer parking area is 200' across from one side to another. It is difficult using perimeter lighting to get light into the middle of that parking lot. There obviously can't be islands with light poles in the lot because they will get hit by the trailers. They try to light as best they can from the perimeter but it is still difficult to meet the ordinance requirement. Mr. Huettl stated that all the vehicles have headlights. Additionally it is not a safety issue for pedestrians because all of the car parking is on the other side of the site and the entrance to the building is up front by the office. There shouldn't be pedestrians walking around this area. Planner Petrongolo

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asked if a similar condition existed in any other site in the Haines Center. Mr. Huettl stated that 1100 John Galt Way has this situation and potentially 280 John Galt Way.

Engineer Guzzi said that it appears that on the Burlington side the lights throw a lot further than on the Florence side. Mr. Huettl stated that they had made a change on the engineering plan. They are now proposing 3 light poles where there is currently 2 proposed with a type of head that will throw the light further to the interior but this still won't meet the Ordinance. Engineer Guzzi asked about the building mounted lights. Mr. Huettl said that unfortunately the building is not as high as the light poles. The mounting on the wall packs is much lower and they can't throw the light as far.

Mr. Huettl stated that Items 7, 8 & 9 pertain to changes in grading and the changes will be made as requested in the engineer's review letter.

Mr. Huettl stated that he had one other comment. The last item in the review lists other agencies having jurisdiction over the application. He stated that this application does not require DEP approval so they would prefer that this not be a condition of any approvals granted tonight.

Solicitor Frank stated that Mr. Huettl had not commented on Item 6 regarding stormwater management calculations. Mr. Huettl said that the information requested in Item 6 would be provided.

Chairperson Hamilton-Wood asked Planner Petrongolo to go through his review letter.

Planner Petrongolo stated that the ordinance requires that off street parking be set back 20' from any property line. Mr. Huettl said that they are proposing a driveway across the back of the building. Because the building is only 35' off the property line in order to have that driveway there is less than a 20' setback. Behind the building the setback is approximately 6'. The setback widens as you clear the building to be 16'. There is also a 0' setback along the property line where the trailer parking is proposed.

Planner Petrongolo stated that he had asked for some landscaping notes to be added to the plan. He said that he would email the standards to Mr. Huettl. Planner Petrongolo said that he would like to see the rear buffer along the back of the building be beefed up a little bit. Mr. Huettl said that the ordinance requires 1 tree for every 5 parking stalls. Currently there are 26 stalls proposed and 26 trees proposed so the current ratio is 1 tree per stall so there is 5 times more than the ordinance requires. Planner Petrongolo said that section 91-117 requires that all parking areas be screened from streets by building, landscape berms, natural ground elevation or plantings. Mr. Huettl said that would agree to add additional trees to screen this parking.

Planner Petrongolo asked Mr. Huettl if this improvement creates a COAH obligation would he honor it? Mr. Huettl answered that he would conform to COAH if it applies.

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Solicitor Frank stated for the record there is no public in attendance at this time so there is no need to open public comment.

Motion of Smith, seconded by Berry to approve Application PB#2008-14.

Upon roll call the Board voted as follows:

YEAS: Berry, DeAngelis, Morris, Smith, Ryan, Wilkie, Hamilton-Wood

NOES: None

ABSENT: Molimock

Motion of Berry, seconded by DeAngelis to adjourn the meeting at 11:30 p.m.

Motion unanimously approved by all members present.

John T. Smith, Secretary

JTS/ne