

Florence, New Jersey 08518-2323
November 20, 2006

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 7:31 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:

Councilman John Fratinardo	Philip F. Stockhaus
Mayor Muchowski	Mildred Hamilton-Wood
Thomas Napolitan	Gene DeAngelis
John T. Smith	

ABSENT: Dennis A. O'Hara
Sean Ryan

ALSO PRESENT: Solicitor Nancy Abbott
Engineer Dante Guzzi
Planner Carl Hintz

RESOLUTIONS

Resolution PB-2006-57

Granting submission waivers, deeming complete, and continuing the application of CBC New Home Building for Preliminary and Final Major Subdivision approval and Preliminary and Final Major Site Plan approval for Block 171.01, Lot 1.01 located in an AGR Agricultural Zoning District.

Motion of Fratinardo, seconded by Smith to approve resolution PB-2006-57.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
DeAngelis.
NOES: None
ABSENT: O'Hara, Ryan

Resolution PB-2006-58

Continuing the application of Cream-O-Land, Inc. for amended Preliminary and Final Major Site Plan approval for Block 155.47, Lots 12.01 and 12.03, located in a GM General Manufacturing District.

Motion of Stockhaus, seconded by Fratinardo to approve resolution PB-2006-58.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
DeAngelis
NOES: None
ABSENT: O'Hara, Ryan

Resolution PB-2006-59

Granting Preliminary Major Site Plan approval with variances and design standard waivers to Joseph Gallina for a restaurant, retail use and apartments on Block 110, Lots 3.01 and 8.01, located in a NC Neighborhood Commercial District and Denying without Prejudice a variance for minimum apartment unit size.

Motion of Napolitan, seconded by Stockhaus to approve resolution PB-2006-59.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Stockhaus, Hamilton-Wood,
DeAngelis
NOES: None
ABSENT: O'Hara, Ryan

Resolution PB-2006-60

Deeming complete and continuing the application of Harold M. Boston for Preliminary Major Site Plan approval for Block 147.01, Lot 3.03 located in an SM Special Manufacturing District.

Motion of Stockhaus, seconded by Fratinardo to approve resolution PB-2006-60.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, Stockhaus, Hamilton-Wood,
DeAngelis
NOES: None
ABSENT: O'Hara, Ryan

MINUTES

Motion of Fratinardo, seconded by Napolitan to approve the Minutes from the regular meeting of October 16, 2006 as submitted. Motion unanimously approved by all members present.

CORRESPONDENCE

Chairperson Hamilton-Wood stated that item A requires further discussion and items B and C could be received and filed. Motion of Muchowski, seconded by Fratinardo to receive and file items B and C. Motion unanimously approved by all members present.

Chairperson Hamilton-Wood stated that the Board would move onto discussion of Correspondence A. This is a letter from Maitre Associates regarding the sewer pump station for the Crossroads development (Bottlinger tract). Mayor Muchowski stated that he wanted to have some in depth discussion on this. Chairperson Hamilton-Wood asked if this was a design waiver that could be done in the field or does it require action of the Board. Secondly this seems to be open ended. How long can this go on as a temporary measure and would the Board allow this?

Engineer Guzzi stated that he was not sure that the Township would want to issue a CO for any houses at all if there is no permanent pump station in place. The generator would provide power but this could fail and the Township would be responsible.

Chairperson Hamilton-Wood asked what the procedure would be as this deviates from the plans that were approved by the Board. Engineer Guzzi stated that he was not sure that this was within the jurisdiction of the Planning Board. This might be a Council level issue. The Planning Board made the approval with the pump station. The applicant is asking for relief of this condition to allow a temporary situation.

Solicitor Abbott stated that this situation is not within the section of the ordinance that the Planning Board works with.

Member Smith suggested a 3 phase feed to power the pump station.

Chairperson Hamilton-Wood asked that Board Clerk Erlston send a letter to Council stating that the Planning Board recommends to Council that they give this serious consideration and that the Planning Board does not support either of the proposals set forth in the letter of Jim Murawski dated October 9, 2006.

OLD BUSINESS

Chairperson Hamilton-Wood called for Application PB#2006-21 for CBC New Home Building. Applicant is requesting Preliminary and Final Major Subdivision and Preliminary and Final Major Site Plan approval with bulk variances for property located off of Burlington-Columbus Road, Block 171.01, Lot 1.01.

Chairperson Hamilton-Wood stated that a letter had been sent by the applicant's attorney, Louis Colaguori indicating that they would like to continue this matter until next month.

Mayor Muchowski asked if a letter had been received from the attorney of one of the adjacent residents in Burlington Township contesting the Planning Board's jurisdiction over the application. Chairperson Hamilton-Wood stated that a letter had been received. Solicitor Abbott stated that nothing has been done on this application because the additional escrow had not been submitted. Mayor Muchowski stated that he understood this, but asked if it was appropriate to continue this application. Solicitor Abbott answered that the applicant had requested that the application be continued. If the Board doesn't continue the application, then it would have to be acted on. This action would be to deny or dismiss it. She stated that she did not think that this would be appropriate since the Board has not heard anything on the merits of the application.

Mayor Muchowski asked if in light of the potential litigation is the Board jeopardizing their standing by continuing this. Solicitor Abbott stated that they have taken the position that the Planning Board has jurisdiction to hear this application and by continuing it the Board is just reinforcing that position.

Motion of Napolitan, seconded by DeAngelis to continue application PB#2006-21 until December 18, 2006.

Upon roll call the Board voted as follows:

YEAS: Fratinaro, Muchowski, Napolitan, Smith, Stockhaus, DeAngelis
 Hamilton-Wood
NOES: None
ABSENT: O'Hara, Ryan

Chairperson Hamilton-Wood announce to the public in attendance that the application for CBC New Home Building would not be heard at this meeting, but will be heard at the December meeting.

Mayor Muchowski asked at what time would it be determined that the applicant would be notified that they would no longer be carried on the agenda. Solicitor Abbott said that Mr. Colaguori had represented to her in a phone conversation that he had had difficulty in getting in touch with his client. Mr. Colaguori was not sure exactly where the application would be going. Mayor Muchowski stated that this application should be listed last on the agenda for December.

Chairperson Hamilton-Wood called for application PB#2005-13 for Cream-O-Land, Inc. Applicant is requesting amended Preliminary and Final Major Site Plan approval with bulk variances for property located at 529 Cedar Lane, Block 155.47, Lots 12.01 and 12.03.

Chairperson Hamilton-Wood addressed Arren Goldman, attorney for Cream-O-Land. She stated that waivers had been granted and the application had been deemed complete back in April. The Board had been continuing this application at the applicant's request for some time.

Attorney Goldman stated that he wanted to provide the Board with an update. Cream-O-Land Dairy had applied for a building permit to install a security fence around its facility on Cedar Lane out of concern for its employees and for safety of its product. A building permit to install the fence was received in September of 2005. In November of 2005 Cream-O-Land received a letter from the Building Department saying that they had erred in issuing the permit and that amended site plan approval was required. Cream-O-Land had received site plan approval from this Board back in 1996.

Attorney Goldman stated that they had submitted an application for amended site plan approval to allow the fence that had been partially installed based on the building permit that had been issued. This was submitted in December of 2005. In April 2006 the application was deemed complete. They appeared in May 2006 on the substance of the application, at which time certain concerns were raised regarding the compliance at the site with certain conditions of the 1996 approval. The Board requested that Engineer Guzzi do a site visit and discuss the concerns that the Board had. There was a meeting on the site on June 1, 2006. Since that meeting the applicant has worked with Mr. Guzzi's office to put together a revised site plan for amended site plan approval.

Attorney Goldman stated that while they were deemed complete in April it appears that they would have to have a completeness hearing for this revised amended site plan. Solicitor Abbott agreed with this.

Chairperson Hamilton-Wood asked if the review letters were based on completeness issues? Engineer Guzzi and Planner Hintz indicated that their review letters were based on the fact that the application was already deemed complete. Solicitor Abbott said that the application had been deemed complete. She asked Attorney Goldman to testify as to how the plan had been changed and why the additional completeness hearing was necessary.

Attorney Goldman stated that they were seeking 2 waivers in terms of completeness. One of which they had requested last time. This was for the submission of the Environmental Impact Statement and obviously the Board had waived this previously when they deemed the application complete. He stated that the other requested waiver was for all trees over 6' be shown on the site plan.

Solicitor Abbott asked for testimony on how the plan had changed in a way that would require another completeness hearing?

Attorney Goldman stated that the applicant's engineer, Jim Marx from Matrix Newworld could offer that testimony.

Mayor Muchowski said that his understanding was that the amended site plan that was provided at the initial hearing only had the fence added as an amendment. A lot had been done on the site since the 1996 approval. The site plan should have been amended to include all of the changes that have occurred on the site since the 1996 approval. Attorney Goldman stated that they had tried to address all the area of concern in this amended site plan.

Solicitor Abbott stated for the record that Mr. Marx had been sworn in and qualified as an expert at the April 17th meeting. She reminded Mr. Marx that he was still under oath.

Mr. Marx stated that there is an existing fence that requires a variance. Existing pavement is also shown on the plan. The landscaping plan has allowed them to provide staggered evergreen trees to allow a continuous screen along Cedar Lane. Along the back side there is Independence Road, along here is the closest point for the variance of the fence – 6.19'. The fence then continues around the property. The reason for the fence is for security. Not only from the normal people trying to come in, but also after 9-11 plants are required to secure their products. It is a necessity for this facility to have the entire place fenced with the gate. They have also proposed an 8' x 8' glass front guardhouse for security.

In the facility asphalt is being removed and replaced by concrete. In the original 1996 plan there was fire lane striping. Additional striping has been added to areas of pavement that were added after the 1996 plan was approved.

Mr. Marx indicated that a dry detention pond is proposed. There is a gravel parking area that is used for long-term trailer parking. There are typically 14 trailers parked here. This area is gravel but is located in a remote area. There won't be debris washing out into the public street. The dry detention pond will collect all the runoff from the gravel lot.

Mr. Marx stated that the applicant has requested an illuminated sign. The sign is 4' x 10' and will be mounted on the wall. The sign is made of acrylic and will be backlit. The sign will be of the Cream-O-Land logo. The site currently has a small sign located on the street. The existing sign is hand painted, has no lighting and has the address on it.

Attorney Goldman said that the last plan they submitted only showed the addition of the fence. This revised plan shows the additional landscaping, the guardhouse, the gravel parking area, the stormwater basin, the new concrete area that is replacing some crumbling asphalt and the new sign.

Mr. Marx stated that lot 12.03 was merged into 12.01. The current plan reflects this. He stated that all the striping was also added to the plan as requested.

Mr. Marx said that in regards to the parking initially there was 119 truck spaces and this has increased to 136. This is an additional 17 parking spaces. Previously there were trucks parked on the outside of the site and these have been removed.

Chairperson Hamilton-Wood stated that she couldn't see any reason to have a new completeness hearing. Solicitor Abbott stated that the Professional Staff does not think a new completeness hearing is necessary either. The Board agreed that the application remains complete from the April meeting.

Chairperson Hamilton-Wood stated that they would move on to the substantive issues. Chairperson Hamilton-Wood asked Engineer Guzzi to go over his review letter. Engineer Guzzi stated that on his report dated November 16, 2006 he had listed 20 some comments related to the site plan. He asked the applicant to address the comments.

Attorney Goldman stated that the correction requested in comments 1 through 5 would be made. Item 6 deals with the Stormwater Management Plan not conforming to the Township requirements and the soil borings were not witnessed by the Township Engineer. Mr. Marx stated that he would work with Engineer Guzzi's office to ensure that the Stormwater Management plan conforms.

Item 7 regarding the variance for the front yard setback for the fence. This has been identified as requiring a variance. Item 8 the sign was not dimensioned and the size of the existing sign was not given. Mr. Marx stated that they would like to keep the existing sign and install the 4' x 10' backlit sign. They will conform to the requirements for a backlit sign. Engineer Guzzi asked how big the existing sign was. Mr. Marx stated that he did not have the exact dimension as it is not a pure rectangle, but it is approximately 3'6" in height is approximately 2' from the ground and approximately 6' in length. Engineer Guzzi said that he would have to check this against the ordinance to see if it conforms.

Items 9 & 10 Mr. Marx stated that the spot elevations would be provided. Item 11 Mr. Marx indicated that the proposed outfall pipe would be provided as requested. Item 12 the fire lane striping dimensions and materials will be provided. Item 13 Mr. Marx stated that the utility connection for the guardhouse will be underground and this will be shown on the plan.

Item 14 the existing stone parking lot encroaches into the wetlands buffer area. Mr. Marx indicated that they had applied to the DEP for a general permit for this. Mayor Muchowski asked if they could use this area while they were waiting for the approval. Mr. Marx stated that if you look at the 1996 plans the wetlands were shown but not the buffer line. The new wetlands that were designated grew a little larger and that is why the gravel parking area is now within the buffer. This is an isolated wetlands area. It has intermediate value and in Mr. Marx's assessment the permit will be granted and in his opinion conditional approval should be given for the gravel parking lot.

Item 15 states that curbing is required around the parking area and no curb is proposed for the gravel parking area. Mr. Marx said that they would like to maintain the as is condition of the gravel area simply for the fact that this is not a prime parking space. It is more of a long term of trailer positioning. Chairperson Hamilton-Wood asked if any

tractors would be parked in this lot. Mr. Marx said that it would be used for box trailers and some few trucks.

Mayor Muchowski asked if the spots would be designated as “trailer only”? Mr. Marx said that there were trailers and some box trucks. Planner Hintz asked what would prevent the trailers from encroaching into the detention area or the wetlands. Mr. Marx said that there is a delineation line that is easy to see. The drivers know where to position these vehicles.

Mayor Muchowski stated that this gravel lot was installed after the 1996 approval and it encroaches into the wetlands buffer. Engineer Guzzi stated that he thought that the applicant would be able to get a transitional buffer. Mayor Muchowski asked if the State would ask for some kind of a barrier. Engineer Guzzi said that he did not think that a barrier would be required.

Item 16 states that the parking areas have to be paved in accordance with the ordinance requirements. Therefore Items 15 and 16 would require design waivers.

Engineer Guzzi stated that there should be some testimony regarding Item 17. There doesn't appear to be a break in the curbing between the paved lot and the adjacent stone lot. How do vehicles access this lot? Mr. Marx stated that this is long-term parking. The trucks can go over the curb. It is less than 6". Engineer Guzzi said that the section of curbing should be recessed to access the back stone parking lot. Mr. Marx stated that there is an area that has been ramped 3 to 1 to allow the trucks to go over. Engineer Guzzi stated that it would be safer to remove the section of asphalt. Chairperson Hamilton-Wood stated that she would not want to see an ambulance try to jump the curb with an injured person being transported. Engineer Guzzi stated that there should be unrestricted access to the stone parking lot. Attorney Goldman stated that the applicant would be agreeable to that.

Mayor Muchowski asked what the gravel was made up of. Chairperson Hamilton-Wood stated that the trailers could sink in the gravel. Mr. Marx stated that the trailers are not sinking. Engineer Guzzi stated that he had seen the site and the gravel is pretty firm. Mayor Muchowski asked if there was a minimum standard of what the gravel is? What is the make up and how many inches thick is it? Mr. Marx stated that he would supply a typical cross section of existing gravel and if necessary will supplement the gravel area. Engineer Guzzi said that Item 16 would be a conditional design waiver.

Item 18 states that 4 additional shade trees would be required. Attorney Goldman stated that given the nature of the parking area they would seek a waiver from the requirement regarding shade trees. Mayor Muchowski stated that those trees would be better utilized in the front of the site. Attorney Goldman stated that he agreed with this. Engineer Guzzi stated that this would be a partial waiver. They will supply the trees but put them out front.

Item 19 a lighting plan has not been submitted for the stone parking lot. Mr. Marx stated that there are lights on the asphalt parking lot. Since this is a long-term lot lighting is not necessary. Mr. Marx stated that there is ample lighting for the guardhouse area with adding any additional lights. Planner Hintz stated that the gravel lot does not need separate lighting.

Item 20 states that the landscaping plans must be prepared by a licensed landscape architect. Mr. Marx stated that they have complied with this.

Mr. Marx indicated that they would comply with Items 21, 22, 23, and 24.

Chairperson Hamilton-Wood asked Planner Hintz to review his letter.

Planner Hintz stated that the proposed fence requires a variance. The guardhouse is not listed as a permitted accessory use but is an accessory structure. A variance will be required from the requirement that no accessory building be located closer to the front property line than the rear building line of the principal building and no closer to the side or rear yard property line than the height of the accessory building.

Planner Hintz stated that there are 2 places where there are gaps in the proposed landscaping that could be fixed by deciduous shrubs to screen the fence. Item 6.3 tree protection fence should be added instead of tree wrap.

The detail of the security fence should be added to the detail plan.

Planner Hintz stated that the New Jersey Turnpike Authority requested that their letter dated October 4, 2006 be read into the record. Solicitor Abbott stated that the letter has been submitted and is already part of the record and does not have to be read out loud. Planner Hintz stated that the Turnpike is concerned with their fiber optic cable near the fence. Mr. Marx stated that they would locate that fiber optic cable on the next revision of the plan.

Planner Hintz asked if there would be lighting inside the guardhouse. Mr. Marx stated that there would be light in the guardhouse.

Planner Hintz stated that there would be no affordable housing obligation.

Mayor Muchowski asked if there were architectural drawing of the guardhouse. Mr. Marx said that the detail is on the plan. The guardhouse is a modular unit. Mr. Marx stated that this is a standard guardhouse building. Member Smith asked if this building was secure. Mr. Marx stated that there would be a telephone and computer network. He stated that this was more for monitoring and having someone positioned there to watch over the entrance to the site.

Mayor Muchowski asked what side of the fence the guardhouse was on? Mr. Marx stated that it was partially in and partially out of the fence. They tried to push this building as far back from the road as possible but still maintain the view of the entrances.

Mayor Muchowski stated that the architecture of the guardhouse does not match the architecture of the building. Mr. Marx stated that this is a standard guardhouse. Attorney Goldman stated that the applicant intends to have someone stationed at the guardhouse.

Mayor Muchowski said that he doesn't have a problem with the concept of a guardhouse, but the site is nice and a modular glass and fiberglass building does not fit in the site. Mr. Marx stated that this building is not an eyesore and it is durable. This building is unobtrusive in view. Mayor Muchowski stated that he would like to see a color picture of the guardhouse. Mayor Muchowski asked what color the guardhouse would be? Mr. Marx stated that the color had not been chosen yet but would probably be white or green. Mayor Muchowski stated that this would clash with the reddish brown fence. Mr. Marx stated that in most instances you could get earth colors, they could probably provide brown or white. Mayor Muchowski said that this site is on a main thoroughfare entering the community. The building is beautiful and the grounds have been well kept. He said that he wants to make sure that the guardhouse adds to the aesthetics of the site. Attorney Goldman stated that the applicant would be willing to work with the Board's professional's to insure that they approve the look of the guardhouse and plantings.

Engineer Guzzi stated that he had looked up the sign requirements for the zone and only one sign is permitted in the zone per use. If the applicant wants to have 2 signs they will have to request a variance.

Chairperson Hamilton-Wood asked for a quick summary of the variances. Solicitor Abbott said that variances were requested for the setback of the fence, setback of the guardhouse and the number of signs. Design standard waivers were requested for curbing around the stone parking lot, paving of the parking lot, number of trees in the parking lot and the lack of lighting in the stone parking lot.

Mayor Muchowski stated that he has 2 concerns. The landscaping plan out front if the Board deems it appropriate to leave the fence in its variant location and the guardhouse which is incorporated in the landscaping plan and the aesthetics of the front of the site.

Chairperson Hamilton-Wood stated that she concurred with the Mayor on this and said that she had one other procedural type question. There is the permit request out to the DEP for the gravel parking lot in the wetlands buffer. What happens if the DEP rejects this request? Engineer Guzzi stated that the applicant would have to remove the portion of the parking lot that encroaches into the buffer area.

Mayor Muchowski asked if it was agreed that the Board was going to limit that parking lot to 14 trailer and 5 box trucks. The box truck is a 2-axle truck. Chairperson Hamilton-Wood asked about power units for the trailers? Mr. Marx stated that these would not be stored on the gravel. Chairperson Hamilton-Wood asked if there would be any

refrigerated trailers stored at this location? Mr. Marx stated that some are stored there but they are not running.

Attorney Goldman reiterated that the applicant would be happy to work with the Board's Professional's in terms of the landscaping and the guardhouse.

Member Smith asked if the Fire Marshall had reviewed the plan. Chairperson Hamilton-Wood stated that we did not have a review from the Fire Marshall. Member Smith asked if emergency vehicles would have access. Mr. Marx said that if there were a lock on the gate a key would probably be given to the Police and the Fire Department.

Mayor Muchowski said that he believed that Cream-O-Land worked under emergency management closely with the Fire District and the Police Department. He stated that he would assume that incorporated into the new amended plan would be a meeting with the police and fire to upgrade and supplement whatever plan is in place for the facility.

Motion of Napolitan, seconded by Stockhaus to open the hearing to the public. Motion unanimously approved by all members present.

Hearing no one wishing to speak motion was made by Fratinardo, seconded by Smith to close public portion.

Solicitor Abbott stated that the conditions attached to the approval would be compliance with all items set forth in the November 16, 2006 report of the Board Engineer and the November 15, 2006 report of the Board Planner. The applicant will work with Engineer Guzzi to resolve the issues of the soil logs and soil boring, the curbing will be removed to provide unobstructed access to the rear stone parking lot, the 4 shade trees required for the parking lot will be placed elsewhere on the property or other landscaping will be provided pursuant to the recommendation of the Board Planner. There will be driveway access to the stone parking lot in the rear. Approval by NJDEP required for the wetlands buffer area. The architectural details of the guardhouse shall be provided as part of Final approval as well as landscaping around the guardhouse. The rear stone parking lot will be limited to 14 trailers and 5 box trucks. Security provisions will be worked out with the police and fire officials. Typical cross sections of the gravel will be provided and supplemented as required.

Solicitor Abbott suggested that the Board might want to put a time limit on filing for Final approval. Engineer Guzzi stated that the DEP approval might take some time. Chairperson Hamilton-Wood suggested 60 days. Mayor Muchowski stated that the important thing was that the Board was looking to move the application forward and that the planting could be done during the spring planting season.

Motion of Fratinardo, seconded by Napolitan to approve for Preliminary only with the conditions, variances and design standard waivers as set forth by the Board's Professionals.

Upon roll call the Board voted as follows:

YEAS: Fratinaro, Muchowski, Napolitan, Smith, Stockhaus, DeAngelis
 Hamilton-Wood
NOES: None
ABSENT: O'Hara, Ryan

Solicitor Abbott stated that this approval was only for Preliminary. She asked if the applicant would agree to continue the application for Final approval and waive the time requirements for Board action for 60 days. Attorney Goldman agreed to this. Solicitor Abbott stated that additional notice would only be required if new variances were requested.

Chairperson Hamilton-Wood called for application PB#2006-23 for Harold M. Boston. Applicant is requesting Preliminary and Final Major Site Plan approval for a 26,751 square foot office building on property located at 837 Railroad Avenue, Florence Township, Block 147.01, Lot 3.03.

Chairperson Hamilton-Wood stated that the Board would like to deviate from the agenda and asked the applicant's attorney, Jonas Singer, if he would mind allowing the application for Roebing Bank to be heard first as it would be a short application. Attorney Singer agreed.

Chairperson Hamilton-Wood called for application PB#2006-25 for Roebing Bank. Applicant is requesting an extension of site plan approval or in the alternative, amended site plan approval for property located at Route 130 and Delaware Avenue, Block 109, Lots 1-5 and 7.03.

Charles D. Petrone, of Counsel for the law firm of Raymond and Coleman appearing on behalf of Roebing Bank. Attorney Petrone stated that they were seeking an extension to the previously approved site plan approval the granted by the Planning Board in August of 2004 for the expansion of the parking lot at the Roebing Bank at Rt. 130 and Delaware Avenues.

Attorney Petrone related that in May 2005 Florence Township did vacate a portion of Tilton Lane and the unnamed alleyway as the original site plan showed. In May 2006 NJDOT approval was finally received for the entrance driveway onto Route 130 and in June 2006 the Burlington County Planning Board approved the project as well, subject to the granting of an easement to the County along Delaware Avenue. The reason that the applicant could not meet the 2-year requirement was that they were waiting for the approvals from these outside agencies.

Attorney Petrone stated that with him this evening was Nancy Jamino, the project engineer from Environmental Resolutions, who would be describing the changes of the plans from August 2004 until the present.

Nancy Jamino, Professional Engineer in the state of New Jersey and Pennsylvania was sworn in by Solicitor Abbott. Ms. Jamino stated that she has represented many Boards including Chesterfield Township, Burlington City and Eastampton Township. Ms. Jamino stated that she had a Bachelor's degree and a Master's degree in civil engineering from Villanova University. Ms. Jamino was qualified as an expert.

Ms. Jamino stated that the major change in the plan was along Route 130, shifting the entrance way north away from the turning lane onto Delaware Avenue. She stated that it took a lot of time and effort with DOT to get that coordinated. Burlington County required an additional easement along Delaware Avenue from the existing right of way for an additional 16' to go to a total of 66' for the right of way. Everything has been worked out. They have the soil erosion control permit. All the approvals are now in place and Roebling Bank would like to move forward with the improvements.

Mayor Muchowski asked if there had been any change to the Delaware Avenue or Wallace Avenue sides of the project. Ms. Jamino answered that she did not recall any changes. On the Wallace Avenue side there was the vacation of the alley that provided access to the house on Lot 7.01. The County required the easement and wanted a curb replaced at an inlet, but there were no substantial changes that would be noted.

Mayor Muchowski said that a resident had called in about the vinyl fence shown on the plan. Attorney Petrone said that they had received 2 review letters. One from Alaimo Associates who was the engineer when the project was originally approved. He stated that all the comments had been addressed. There was also a review letter from Planner Hintz which indicated that the original approval required a 6' high vinyl fence and the new plan showed a 4' vinyl fence. The original approval stands so the plan will be modified to show a 6' high fence and all the other comments in the Planner's letter will be complied with.

Mayor Muchowski stated that basically this is a minor amendment due to the relocation of the Route 130 entrance because of the DOT approval. The change does not affect the neighboring residents.

Motion of Smith, seconded by Fratinardo to open the hearing to the public. Motion unanimously approved by all members present.

Tracy Horbatt, 970 Wallace Avenue, was sworn in by Solicitor Abbott. Mrs. Horbatt asked if there would be a fence along the back side of the Wallace Avenue homes. Ms. Jamino stated that the plans show an existing fence, but doesn't show that this fence would be removed or replaced. Mrs. Horbatt stated that there was a very old barbed wire fence currently. Ms. Jamino said that there is no fence proposed for that location.

Mayor Muchowski stated that when the entrance got changed everything got shifted down from the original plan. It shifted toward the back of the houses. Mayor Muchowski asked what the buffer was from the back of the houses. Engineer Guzzi

stated that it was 13' from the edge of the property line to the edge of the parking lot. There are plantings proposed and 2 existing 30" trees to remain.

The applicant agreed to put a 4' vinyl fence along the back of the properties to replace the old barbed wire fence.

Motion by Fratinardo, seconded by Napolitan to close the public portion of the hearing. Motion unanimously approved by all members present.

Motion of Napolitan, seconded by Fratinardo to extend the protection period of Final approval for one year until September 20, 2007.

Mayor Muchowski questioned whether this should be an amendment to the plan? How will the addition of the fence be added to the plan if it is not an amendment? Engineer Guzzi stated that the plans haven't been signed yet because all the approvals were not in place. Attorney Petrone stated that they had to submit revised plans incorporating the comments of Planner Hintz onto the plans. The plan would also be changed to show the 4' vinyl fence onto the plan. Mayor Muchowski agreed that an amended plan was not necessary.

Member Stockhaus recused himself from voting as he is within 200' of the site.

Upon roll call the Board voted as follows:

YEAS: Fratinardo, Muchowski, Napolitan, Smith, DeAngelis, Hamilton-Wood
NOES: None
ABSENT: O'Hara, Ryan

The Board returned to application PB#2006-23 for Harold Boston.

Attorney Jonas Singer said that since the last meeting the applicant's professionals had met with the Board's professional staff. Revisions were submitted. The applicant received the review letters late last week and did not have time to re-submit revised plans, however, they are prepared to address the comments raised by Planner Hintz and Engineer Guzzi.

Attorney Singer stated that the applicant's engineer; Raymond Worrell was in attendance as well as the architect and the traffic consultant for the project.

Raymond L. Worrell II, of Lord, Worrell and Richter, was sworn in by Solicitor Abbott. Mr. Worrell stated that he had testified before this Board on many other occasions. The Board accepted Mr. Worrell as a qualified engineer.

Mr. Worrell stated that the proposal was for a 26,067 square foot office building and associated parking. The ordinance requires 153 parking spaces. The applicant is proposing 135 spaces. There are handicap spaces proposed. There is one-way traffic that

goes in, around the building and comes back out. The on-site drainage is being addressed by a detention basin in the back and a small detention basin in the front.

Mr. Worrell stated that the front yard setback in the front from the property line to the parking area is 17.14'. On the side there is a 20' setback on each side. In the back there is a 5.5' setback.

Mayor Muchowski asked the applicant to address the letter from the Fire Official. Attorney Singer stated that they had not received this letter. Board Clerk Erlston stated that she had faxed a copy of this letter to Patrick Ennis, at Lord, Worrell and Richter who was the other engineer who was working on the project. Mr. Worrell stated that Mr. Ennis was no longer employed by the firm of Lord, Worrell and Richter. Board Clerk Erlston stated that she did not know that Mr. Ennis had left the firm. Attorney Singer asked that this discussion be deferred until the traffic consultant arrives. Mayor Muchowski stated that the emergency access to the site was a major issue.

Mr. Worrell stated that he would like to go over the review letter from Engineer Guzzi dated November 14, 2006. Attorney Singer stated that Items 1 through 5 have been satisfied and asked Mr. Worrell to comment on the Stormwater Management Plan. Mr. Worrell stated that he would meet with the Engineer Guzzi to work out the issues remaining with drainage from the property. Mr. Worrell stated that a fence would be installed along the back of the retention basin.

Item 9 on Engineer Guzzi's report refers to the requirement to provide sidewalks along the Railroad Avenue frontage. Engineer Guzzi stated that they had discussed adding sidewalk from the site toward Delaware Avenue. Chairperson Hamilton-Wood asked why sidewalk wasn't provided along the entire frontage of the property. Engineer Guzzi stated that he had spoken with the applicant about just installing the minimum of sidewalk toward Delaware Avenue. Solicitor Abbott stated that they did not want to encourage foot traffic in the other direction toward Cedar Lane. Chairperson Hamilton-Wood stated that unfortunately there already is foot traffic there.

Mayor Muchowski asked what had been approved for the ReadyPac site. Engineer Guzzi stated that they don't have sidewalk across the front. Attorney Singer said that during the meeting with the Board's professionals it was determined that the foot traffic would be generated from Delaware Avenue. Chairperson Hamilton-Wood stated that she had an issue because there were 3 residential properties there and these properties would not have sidewalk access to Delaware Avenue. Engineer Guzzi stated that certainly the Board could require the sidewalks; they had just suggested that as a minimum that should be provided. Mayor Muchowski stated that the applicant is proposing 80' of sidewalk. The Board had a discussion regarding where sidewalk should be placed. Mayor Muchowski suggested connecting sidewalks from Delaware Avenue to the entrance of their property. Attorney Singer stated that the applicant would do whatever the Board suggested in regards to the sidewalk.

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Mayor Muchowski asked about curbing for the site. Engineer Guzzi stated that they are extending curb in front of their site, but not beyond.

Item 12 refers to the required 50' minimum buffer. Mayor Muchowski stated that there had been discussion of a significantly enhanced buffer for the site. Attorney Singer stated that the applicant had provided the enhanced buffer.

Item 13 a variance is required for the 9' x 18' parking spaces. The handicap spaces do not require the variance, they are 10' x 20'

Item 14 the landscaping plan proposes 40 trees. Mayor Muchowski stated that Engineer Guzzi indicated that the applicant is not meeting the ordinance for landscaping. Therefore the applicant is not providing enhanced buffer. Engineer Guzzi stated that ornamental trees don't count as shade trees. Attorney Singer stated that they would get together with the Board professionals on the landscaping plan.

Item 17 regarding the trash/recycling center. Mr. Worrell indicated that there will be a double dumpster, one side for trash and the other for recyclables. The details have not yet been provided. If need be the size of the dumpster can be increased. Mayor Muchowski stated that the plan is already under on the parking space requirement. You would not be able to easily enlarge the size of the dumpster without losing more spaces. Attorney Singer stated that you could increase the frequency of the pickup if necessary. Mayor Muchowski stated that since this site abuts residential uses there should be a condition placed on the time of the trash pickups.

Engineer Guzzi asked if the area that has been proposed for the trash/recycling was adequate for the proposed building size. Mr. Worrell stated that he did not know. They would have to ask the builder.

Attorney Singer stated that the applicant has indicated that 50% of the building will be for medical and 50% for general offices.

Charles L. Wells III was sworn in by Solicitor Abbott. Mr. Wells stated that he is part owner in this project. Mr. Wells stated a standard size dumpster will be used and if multiple pick-ups were required they would do this. Trash pick-up would be during standard business hours. Mr. Wells estimated that trash pick-up would be twice a week and recyclables once a week. Mr. Wells agreed that if the Township should determine that the frequency of the trash pick-up needed to be increased they would increase it.

Item 18 refers to the required variance for 2 loading spaces when 4 are required. Mr. Worrell stated that since this is an office complex they don't think that additional loading spaces are required.

Item 20 the applicant agrees to provide latex striping and will add this to the plan.

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Item 23 the applicant will provide additional spot elevations to detail the accessible routes from the barrier free parking.

Item 24 regarding the dimension of the sidewalk. Mr. Worrell stated that the sidewalk into the rear and the west side is proposed at 6' wide. The sidewalk along the east side is 4' wide. This is 4' wide because it is where the loading zone is located. There will be less people traveling in this area. The barrier free handicap parking is on the other side.

Item 28 the applicant will provide an easement agreement for review. Mr. Wells stated that he had approached the owner of Lot 3.04 with respect to obtaining a drainage easement. He stated that the owner had agreed to the easement and this will be provided before Final approval.

Engineer Guzzi stated that there is grading work proposed on the neighboring property to address the drainage problems and the easement would be required for this.

Item 29 refers to signage. Mr. Wells provided a picture of the proposed site sign. This sign identifies the building itself. He indicated that the individual users would sign their doors for individual identification. The first floor tenants could be signed on the outside of each door. There would be an interior directory for the second floor tenants. Mr. Wells stated that he did not know if the proposed sign met the ordinance or not. Engineer Guzzi stated that this was the first that he had seen the sign details. Attorney Singer asked that this be held over until Final. Mr. Wells stated that they would like a 2-way sign located perpendicular to the site in the middle of the front swale. There will be no internal lighting. The sign will be spot lighted.

Attorney Singer stated he had addressed all the open items in Engineer Guzzi's report and would like to move on to Planner Hintz's report dated November 15, 2006.

Attorney Singer stated that in regards to the parking in the buffer area. The landscape architect had submitted plans that they thought would meet the intent of the Board for the buffering. If the Board requires additional buffering, Attorney Singer will have the applicant's landscape architect contact Planner Hintz to work this out.

Attorney Singer stated that the existing septic system will be located and removed and the site will be serviced by public sewer.

The applicant's architect George Fett was sworn in by Solicitor Abbott. Mr. Fett is a licensed architect in New Jersey and Pennsylvania. Mr. Fett stated that he had graduated from the University of Arkansas with a Bachelors degree in architecture. He received his New Jersey license in 1980. Mr. Fett stated that he has been qualified by Boards in Hamilton, Princeton, Hopewell, Ewing and Mansfield. Mr. Fett was accepted as a qualified licensed architect.

Mr. Fett stated that each tenant on the first floor has individual entrances on the exterior. There are also 2 side doors for people to enter and use the stairs or elevator to access the second floor.

Mayor Muchowski stated that he thought that there were 2 main entrances with interior access off the atriums. Attorney Singer stated the second floor would have the interior access, but it had always been proposed that the ground floor would have entrances at grade level. Mayor Muchowski stated a concern over having all the handicap access on one end of the site and then the entrances all along the building.

Mayor Muchowski stated that he did not recall any conversation about the outside entrances. Attorney Singer stated that this had always been the plan. Chairperson Hamilton-Wood stated that the Board had not seen the architect's rendering until tonight so there would have been no way for them to know this.

Planner Hintz questioned whether the handicap spaces should be dispersed throughout the site. Engineer Guzzi stated that especially considering that these are medical uses it might make sense spread out the handicap spaces. Mr. Fett stated that there is access to each office from the inside of the site, so you could enter from the side door adjacent to the handicap parking and access all the suites from there.

Engineer Guzzi asked if public access for all the suites would be from the inside and the outside. Mr. Fett said yes for the first floor suites. The second floor would only have interior access.

Chairperson Hamilton-Wood stated that it was not realistically practical to assume that doctor's offices would have reception areas on both the outside and the inside of the building. Mr. Fett stated that he designed buildings similar to this all the time. Mr. Fett stated that the thinking was that if you were going to offices on the upstairs and the downstairs they could both be accessed from the interior.

Mayor Muchowski stated that from a practicality view he didn't think that each suite would want or require dual access. He stated that the front of the building would become a smoking area. Member Stockhaus stated that an area could be designated at the back of the building for smoking so that people coming into the site would not see the smokers.

Chairperson Hamilton-Wood asked for the square footage per suite. Mr. Fett stated that the interior suites are 900 square feet and the corners are 1,000 square feet. Mr. Fett stated that he has designed many different office complexes and most of those have been divided into 1,000 to 1,500 square foot suites. Member Stockhaus stated that he rents a 1,000 square feet space and he thinks the size of the suites are fine. He stated that he would not want a dual access to his suite.

Member Napolitan stated that if you did away with the exterior access you could eliminate some of the sidewalks and make the parking spaces longer.

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Member Stockhaus said that he thought that most of the businesses would use the interior entrance.

Mayor Muchowski said that if you design an office off of an interior atrium wouldn't most tenants set up their offices with the reception office off of the interior atrium?

Member DeAngelis suggested leaving the dual access on the corner suites and only allowing interior access for the balance of the site.

Chairperson Hamilton-Wood stated that the loading zone is set up in the rear. The UPS driver is not going to utilize the loading zone. They will park near the closest door. She stated that the layout of the parking appears that it is a 2 entrance atrium style. That is not what is going to happen. The design of the traffic flow is that you would use the main entrance.

Attorney Singer asked if they did all interior entrances and they had the loading zone on one side and the handicap spaces on the other side where would the UPS driver park. Chairperson Hamilton-Wood stated that he would park in the loading zone because he would not park in the handicap spaces. Attorney Singer stated that the UPS would park in the second row behind the handicap because it was closer to the entrance. Attorney Singer said that if the design of the parking meets the handicap criteria then with all due respect the Planning Board should not be designing the building. That is the job of the architect. Mayor Muchowski said that the applicant is asking for variances on number of spaces and size of spaces.

Attorney Singer asked if this reached the point where the Board could design the building where there were no exterior entrances? Chairperson Hamilton-Wood said no, but maybe the parking lot should be redesigned. She said that when the Board looked at the parking lot they were under the impression that it would be a main entrance into the atrium. The Board could look at the possibility of requiring the 10' x 20' parking spaces instead of granting the variance for parking space size.

Member Smith asked about postal delivery. Chairperson Hamilton-Wood asked if the post office would deliver to the building or require a box at the street. Mr. Fett stated that there could be an interior mailbox.

Mayor Muchowski asked what was the applicant's thinking in having dual access to 1,000 square foot suites where 50% is earmarked for medical. Mr. Wells stated that it could be for employee access and customer access. This gives the tenant the availability to use whichever door. He stated that he didn't intend that each tenant would use both doors for the public.

Member Napolitan suggested adding another atrium to create an X and then there would be a main access from each side of the building.

Mr. Fett stated that he had redesigned an older building by adding dual access. This plan is not unusual in the office space industry.

Mayor Muchowski stated that the thought this was going to be a building with one entrance. The atrium was created to bring light into the building. Obviously the applicant had a different thought process and that is what they are trying to resolve right now.

Attorney Singer asked if there was an objection to the design as proposed. Mayor Muchowski stated that most professional uses are going to set up to the atrium. The front of the building is being used as a façade and the Board eliminated buffering requirements in the front. The Board allowed some things because of the beauty of the building. They are allowing the building to be the buffer. Now you are going to create what becomes the back of the building facing Railroad Avenue. He stated that in his opinion a lot of the doors will be signed as employee only and direct people to the interior of the building. He suggested only allowing the dual entrances at the backside of the site.

Chairperson Hamilton-Wood asked how this affects the parking. Engineer Guzzi stated that the parking works better when you have more entrances because the parking is all around the building, but allowances should be made for the barrier free parking.

Planner Hintz asked about the rooftop units. Mr. Fett stated that they would be hidden behind the parapet. They will not be visible.

Planner Hintz stated that he was concerned with the handicap spaces being clustered. He also mentioned that the plans from the landscape architect show a different layout for handicap spaces.

Ch said concerned with the handicap spaces being clustered. He said that the landscape architect plan show a different layout for handicap spacing.

Mayor Muchowski stated that in any professional building you enter a lobby to access different suites. This is not a strip mall, where the customers come in the front and the product comes in the back.

Attorney Singer stated that the applicant would agree to a strictly atrium type building where there is one entrance from the sides of the atrium instead of the multiple doors.

Mayor Muchowski suggested having the loading zone in the back. Then have an entrance in the center of the front of the building and the 2 side entrances.

Attorney Singer stated that they would ask the architect to redesign the building to eliminate the exterior entrances.

Planner Hintz stated that the colonial type lighting is proposed for the building and shoebox type lighting is proposed for the parking lot. He stated that the parking lot should be complimentary to the building lights.

Planner Hintz stated that details for the lighting of the sign and the footing details with dimensions should be provided. The side dimension of the sign and the lettering material and size of the lettering should be provided.

James Kochenour, Aurora & Associates, was sworn in by Solicitor Abbott. Mr. Kochenour stated that he was a licensed professional engineer in New Jersey and Pennsylvania. He stated that he had been working as a traffic engineer for 36 years. He has a master's degree in civil engineering from Drexel University. Mr. Kochenour stated that he had appeared before this Board on many occasions. Mr. Kochenour was accepted as an expert.

Mr. Kochenour stated that he had prepared a study for the applicant regarding the on-site circulation. He stated that the 3 main components of the site plans that he reviewed on behalf of the client were access, circulation and parking.

There are 2 access points proposed. Mr. Kochenour stated that both driveways would accommodate 2-way traffic. Also the corner radii provided on the east side are both 25' and on the west side both are 20'. This will accommodate the passage of all of the different classes of vehicles that are expected to access this site. He stated that in his opinion the proposed access provisions are adequate to handle the traffic flows associated with the site.

Mr. Kochenour stated that the second component that he looked at dealt with the circulation. This means how traffic will move throughout the site. There is traffic circulation around all 4 sides of the building. This is accomplished by having 2 way aisles except in the area of the loading zone area. The access into the loading zone will be one way in the northbound direction. The parking field to the east of that will have 2-way traffic.

Mr. Kochenour stated that a comment had been made that a fire truck would not be able to access the front of the building. Mr. Kochenour stated that he used a program called Autoturn. This is a software program that is intended to replicate different travel paths for different classes of vehicles. The firetruck that is used in the Autoturn program is an average type truck that is derived from the AASHTO (American Association of State Highway and Transportation Officials) design vehicles. They basically dictate the type of vehicles that are to be used in the design of streets, highways and site layouts. When he employed the fire truck provided in Autoturn the study revealed that he truck basically could circulate through the site, in and out of all the aisles.

Mr. Kochenour said that the comment made by the Fire Official indicated that there was a question as to whether the fire truck can access the front of the site. The truck that they used was 36 to 38' long. This was a small ladder truck where the ladder extended from

the front of the cab throughout the entire truck body. They also used a 42' long ladder truck that had a width of 8 1/2'. Mr. Kochenour stated that he could revisit this issue if the Fire Official can give dimensions of the fire trucks used in Florence.

Member Smith stated that this was based on vehicles that are parked in the lot being only 18' long. If there are longer vehicles parked in the 18' parking spaces they will protrude into the drive aisle. Member Smith stated that all the calculations are based on the 25' drive aisle. Mr. Kochenour stated that this was true, but the parking spaces are based on 18' but you do have the front overhang which gives you 20'

Chairperson Hamilton-Wood asked about the fire truck accessing the front of the building. Mr. Kochenour stated that the vehicle they used was able to access the front of the building. Mayor Muchowski stated that he was sorry that Mr. Kochenour had not received the letter from the Fire Official sooner because the Fire Official would have been able to provide the necessary information on the size of the fire trucks.

Mr. Kochenour stated that the Fire Official's concern seemed to be with access into the front aisle. What may have to happen is a re-working of the turning radius into this area.

Chairperson Hamilton-Wood asked where the Autoturn has the vehicles entering the site. The area of concern is the front of the building. Will the fire truck be able to turn in one of the driveways and then make either the left or right hand turn to access the front of the building or do they have to go straight in and circle the building in order to access the front.

Mr. Kochenour stated that the vehicle that they used could access the front from either driveway. He stated that there might be a vehicle that is being used in Florence that is not capable of making this maneuver. In this case they will have to make revisions for the front aisle to allow access.

Mayor Muchowski asked where the fire connection points were located on the building. Mr. Worrell stated that the fire connections would be located wherever the Fire Official designated.

Mayor Muchowski said that it was very important that Mr. Kochenour meet with the Fire Official as soon as possible. Fire protection capability needs to be addressed.

Attorney Singer asked Mr. Kochenour to describe the parking. Mr. Kochenour stated that the parking surrounds the building on all four sides. All four sides have double loaded aisles. (parking on both sides of the aisles) The spaces are laid out at 9' x 18'. He stated that in his opinion this is adequate for the proposed use. Generally 10' wide spaces are provided in a retail use where there are carts.

The site plan shows 157 spaces of which 7 are handicap accessible. The applicant was proposing a 50% general office and 50% medical office split. To start with he took the worst case scenario, using the Special Manufacturing requirement of 5 spaces per 1,000 for 13,000 square feet and took the Medical requirement of 150 square feet per space.

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When he combined these 2 components the parking requirement was 155 spaces which was 20 spaces more than what is proposed.

Mr. Kochenour stated that there is another section of the ordinance that says you can provide parking for general office use at 4 spaces for 1,000 square feet. When he took the medical office component and added the general office requirement it came up to be 141 spaces required. This is closer to the 135 proposed parking spaces.

Mayor Muchowski stated that technically the SM should be applied. Is it appropriate to use the general office requirement? Engineer Guzzi stated that he thought it was appropriate to use the general office parking.

Mayor Muchowski stated that if the applicant were to redesign the building to have 4 access points and give up 1,500 square feet. You achieve 4 entrances into the building. You might make your parking more effective and possibly eliminate the need for the variance. There is no off-site parking available so the applicant is going to have to make the use work. Which is more important to have the 50% mix or the space?

Mr. Kochenour stated that to make the current parking work the site would have to be 60% general office and 40% medical use. Mr. Kochenour stated that he would touch base with the Fire Official and supply an updated report.

Attorney Singer said that the architect and the applicant needed to look at redesigning the building to make it work.

Attorney Singer stated that he would have the landscape architect contact Planner Hintz to discuss the enhanced buffering.

Attorney Singer said that he would ask his professionals to get together and follow up on the issues that were raised. Attorney Singer agreed to waive the time requirement for Board action.

Mayor Muchowski stated that the professionals were going to look at usage, some architectural, maybe some entrance modification or use modification.

Motion of Smith, seconded by Stockhaus to continue the application until the December 18, 2006 meeting. Motion unanimously approved by all members present.

Chairperson Hamilton-Wood stated that we would do our best to put Boston Properties first on the agenda.

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

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Motion of Napolitan, seconded by Stockhaus to adjourn. Motion unanimously approved by all members present.

John T. Smith, Secretary

JTS/ne