

Florence, New Jersey 08518-2323  
August 16, 2010

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:

Mayor Bill Berry	Wayne Morris
Mildred J. Hamilton-Wood	Paul Ostrander
Tim Lutz	Frederick Wainwright
James Molimock	Charles Bauer

ALSO PRESENT: Solicitor David Frank

ABSENT: Council Representative Sean P. Ryan  
Engineer Dan Guzzi  
Planner Joseph Petrongolo

Chairperson Hamilton-Wood stated that Engineer Guzzi and Planner Petrongolo had been excused from this months meeting.

## RESOLUTIONS

### **Resolution PB-2010-10**

**Granting preliminary major site plan approval to Whitesell Construction Co., Inc. for a 1.25 million sq. ft. industrial building at 1000 John Galt Way, Florence Township. Block 158, Lots 7 & 8.**

Chairperson Hamilton-Wood stated that a draft resolution had been provided to the applicant and their attorney and there appears to be some outstanding issues. The applicant has requested that action on the resolution be delayed until a meeting can be held with Solicitor Frank to work out the differences.

Mayor Berry said that he thinks it would be a good idea for Solicitor Frank to have a meeting with the applicant to sort out the issues, but if the differences cannot be worked out then it is his opinion that the resolution should be adopted as submitted.

Chairperson Hamilton-Wood stated that she was in agreement with the Mayor and asked if the Board were to move to table this resolution for one month would there be any legal

ramifications? Solicitor Frank said that the law states that the Board has an obligation to adopt a memorializing resolution within 45 days of the decision. However, since the Board is acting on a request by the applicant to postpone the adoption there should not be a problem. This is actually the second time that the adoption of the resolution is being postponed because the applicant has requested that not be adopted pending further discussion.

Vice Chairman Lutz asked a question regarding the email that was sent by Whitesell requesting that the Board table the resolution. The Board discussed this email and the correspondence that had gone back and forth regarding the COAH language in the resolution.

Solicitor Frank asked the Board to read the COAH language on the resolution and to advise him of any changes or corrections that they thought were necessary.

Chairperson Hamilton-Wood asked Solicitor Frank if he thought a meeting with the applicant would be productive. He stated that he did think so and that he would approach this with an open mind in an effort to sort out the differences. He said that the Board should remember that the resolution is the Board's resolution not the applicants. As a professional courtesy the draft resolution is shared with the applicant's attorney. Most times the attorney's agree to the resolution as written or suggest changes or corrections and the resolutions are adopted without a hitch.

Mayor Berry stated that if Solicitor Frank comes back to the Board next month and reports that the issues were not able to be resolved in a meeting then in his opinion the Board should adopt the resolution as written.

The Board had a lengthy discussion on the history of COAH.

Motion of Berry, seconded by Wainwright to table the application until September 20, 2010.

Upon roll call the Board voted as follows:

YEAS: Berry, Hamilton-Wood, Lutz, Molimock, Morris, Ostrander  
Wainwright  
NOES: None  
ABSENT: Ryan

**Resolution PB-2010-11**  
**Finding Ordinance 2010-14 substantially consistent with the Master Plan and**  
**authorizing a report to the governing body.**

Motion of Berry, seconded by Lutz to adopt Resolution PB-2010-11.

84.

Upon roll call the Board voted as follows:

YEAS: Berry, Hamilton-Wood, Lutz, Molimock, Morris, Ostrander, Wainwright  
NOES: None  
ABSENT: Ryan

**Resolution PB-2010-12**

**Granting preliminary and final amended major site plan approval with variances to Roma Bank II (Offices at Mallard Creek) for a proposed 25,720 sq. ft. medical and general office building at 2160 Route 130, Block 166.13, Lot 1.**

Motion of Berry, seconded by Wainwright to approve Resolution PB-2010-12.

Upon roll call the Board voted as follows:

YEAS: Berry, Hamilton-Wood, Molimock, Morris, Ostrander, Wainwright  
NOES: None  
ABSENT: Ryan  
ABSTAINED: Lutz

**Resolution PB-2010-13**

**Granting preliminary and final major site plan approval with bulk variances to permit construction of an addition to the existing restaurant and to add an off-street parking area to support the restaurant on property located at 310-312 West Front Street, Block 36, Lots 5, 22, & 23.**

Motion of Berry, seconded by Lutz to approve Resolution PB-2010-13.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Molimock, Morris, Ostrander, Wainwright  
NOES: None  
ABSENT: Ryan  
ABSTAINED: Hamilton-Wood

**MINUTES**

Motion of Berry, seconded by Morris to approve the Minutes from the July 19, 2010 meeting of the Board as submitted. Motion unanimously approved by all members present.

**CORRESPONDENCE**

- A. Letter from Burlington County Planning Board dated July 26, 2010 regarding CoFlow subdivision Block 165.01, Lots 2.10, 2.11 & 2.12.

85.

- B. Letter from Burlington County Planning Board dated July 30, 2010 regarding Rocco's Pizza, 310-312 West Front Street, Florence, Block 36, Lots 5, 22 & 23.
- C. Letter from Marathon Engineering and Environmental Services, Inc. dated August 2, 2010 regarding Treatment Works Application for 1000 John Galt Way, Block 158, Lots 7 & 8.
- D. Minutes from June 30, 2010 special joint session of the Township Council and Planning Board.
- E. Township Ordinance No. 2010-14 an ordinance of the Township of Florence amending Chapter 91 of the Florence Township Code and specifically amending Section 91-74 to require sidewalks as a condition of Land Use Approval and providing for payments into a dedicated Sidewalk Trust Fund as an alternative under certain circumstances.

Motion of Berry, seconded by Lutz to receive and file Correspondence A through E.  
Motion unanimously approved by all members present.

Chairperson Hamilton-Wood stated that there was no Old, New or Other Business to be discussed.

Motion of Berry, seconded by Lutz to open for public comment. There being no one present to offer public comment motion was made by Berry, seconded by Lutz to close the public comment. Motion unanimously approved by all members present.

Motion of Berry, seconded by Lutz to adjourn the meeting at 8:02 p.m.

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Paul Ostrander, Secretary

PO/ne