

Florence, New Jersey 08518-2323  
October 18, 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 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 Meeting 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	Paul Ostrander
Mildred J. Hamilton-Wood	Frederick Wainwright, Alt. #1
Tim Lutz	Charles Bauer, Alt. #2
Wayne Morris	

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

ABSENT: James Molimock  
Sean P. Ryan, Council Representative

#### RESOLUTIONS

**Resolution PB-2010-14**  
**Continuing the application of Pulte Group, Inc. for amended final subdivision approval to revise grading and landscaping plans for property known as Estates at Oak Mills. Block 156.01, Lot 2.**

Motion of Berry, seconded by Wainwright to approve Resolution PB-2010-14.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Morris, Ostrander, Wainwright, Bauer  
NOES: None  
ABSENT: Molimock, Ryan

**Resolution PB-2010-15**  
**Granting the application for preliminary and final major site plan approval to Vogelbacher Properties, LLC to convert an abandoned lumber warehouse to an Amish Farmers Market on property located at 2039 US Route 130 South, Florence Township. Block 159, Lot 4.01.**

95.

Motion of Berry, seconded by Lutz to approve Resolution PB-2010-15.

Upon roll call the Board voted as follows:

YEAS: Berry, Lutz, Morris, Ostrander, Wainwright, Bauer  
NOES: None  
ABSENT: Molimock, Ryan

#### MINUTES

Motion of Lutz, seconded by Morris to approve the Minutes from the regular meeting of September 20, 2010 as submitted. Motion unanimously approved by all members present.

#### CORRESPONDENCE

- A. Letter from Planner Petrongolo dated September 23, 2010 regarding compliance review for Application PB#2010-05 for Rocco Gangone.
- B. Letter from the NJ Department of Environmental Protection dated September 16, 2010 Draft Solid Waste Facility Permit Renewal Burlington County Landfill.
- C. Letter from Thomas A. Sahol to Dante Guzzi dated September 27, 2010 regarding Estates at Crossroads Tree Inspections.
- D. Letter from Thomas A. Sahol to Dante Guzzi dated September 27, 2010 regarding Manors at Crossroads Tree Inspections.
- E. Letter from Engineer Guzzi dated October 7, 2010 regarding compliance review for Application PB#2010-05 for Rocco Gangone.
- F. Letter from Burlington County Planning Board dated October 6, 2010 regarding Rocco's Pizza.
- G. Letter from Burlington County Planning Board dated October 7, 2010 regarding CoFlow Subdivision.

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

#### OLD BUSINESS

There was no Old Business to discuss at this time.

#### NEW BUSINESS

Chairperson Hamilton-Wood called for Application PB#2010-07 for Pulte Group, Inc. Applicant is requesting amended final subdivision approval to revise the grading and landscaping plans for property known as Estates at Oak Mills. Block 156.01, Lot 2.

Attorney Nicholas Menas, from the firm of Cooper Levenson, representing the applicant, stated that this application is an amendment to a major subdivision plan that was originally approved by this Board on November 28, 2005 and was then amended in November of 2009 to permit the development of the site to be conducted in 3 phases.

Attorney Menas stated that the application before the Board tonight is a further amendment to the approved subdivision plan. The applicant is requesting approval to revise the grading plan and street tree easement and to permit a new driveway access on Fifth Street for the sales trailer.

Attorney Menas stated that engineer for the applicant, Ed Brady of the firm of Taylor Wiseman Taylor would be testifying at tonight's hearing. Chairperson Hamilton-Wood stated that Mr. Brady had been previously qualified as an expert in the field of engineering before this Board.

Mr. Brady submitted 2 exhibits – Exhibit A1 is the overall subdivision plan and exhibit A2 is a larger scale landscape plan showing the proposed easements and the sales trailer.

Mr. Brady stated that the grading of the originally approved subdivision plan had been based on aerial photography. When the actual construction started, survey work was completed and it was determined that the topography of the site was on an average one foot lower than what the aerial photography had indicated. The applicant would like to amend the plan so that it meets the actual condition on the site. This is essentially a bookkeeping matter.

Mr. Brady said that the alternative would be to build the site up by the one foot. The site is approximately 56 acres and to increase the grade by one foot over the entire site would require bringing in anywhere between 1800 and 2000 truckloads of dirt. There is no proposed change to the drainage design for the site beside the fact that the drainage pipe and storm pipe have been lowered by one foot to meet the existing site conditions.

Chairperson Hamilton-Wood asked how this lowering of the grading would affect the existing roads? Mr. Brady stated that all 3 existing streets abutting the development were surveyed before and the entrance drives into the site have been adjusted so that they gradually blend in. Engineer Guzzi stated that it does not appear that there will be a noticeable drop-off. Mr. Brady stated that there is curbing proposed for all of these roads.

Mr. Brady stated that the detention basin for the site was over designed so that even in a 100 year storm all stormwater would be retained on site.

Mr. Brady stated that the work that is currently being done on the site is being done at Pulte's own risk against these new plans. He stated that the preliminary grades are already there. When the developer submits for the construction permits for each home the basements will have to be at least 2' above the seasonal high water level so there may be changes in the first floor elevations of the houses depending on the grading.

Vice Chairman Lutz stated that this could cause more of the cellar walls to be visible from the exterior of the home. Mr. Brady answered that the Residential Site Improvement Standards (RSIS) allow up to 10% of the foundation above the ground and these homes won't reach that maximum.

Member Wainwright stated that he doesn't want to see dirt hauled away from this site. Attorney Menas stated that the testimony that had been given did not indicate that dirt would be hauled out. Right now the goal is to have the plans match the actual conditions on the site.

Member Bauer stated that the grading work has already been started and after the fact the applicant has come in to get approval so the Board doesn't really know what the true situation was. Mr. Brady stated that prior to any dirt being moved a survey crew went out to check the grid and in checking they now know what the actual topo is. The survey work was done before any dirt was moved.

Attorney Menas stated that at the precon meeting the issue regarding the actual elevation of the site was identified and Pulte was advised that they would have to return to the Board. Pulte wanted to begin grading the site and they were advised at the precon meeting that they could begin work if they chose, but it would be at their own risk.

Attorney Menas stated that originally there was another developer who was going to do the site work and then turn over finished lots to Pulte for building. This did not work out and Pulte took over the site work. Pulte then met with Engineer Guzzi and started to implement the approved plan. The discrepancy in the elevation was discovered prior to commencing the earthwork. This amendment to the plan is basically a bookkeeping matter to make sure that the plan actually agrees with what is in the field.

Member Bauer said that there was another development in town that couldn't have basements because of the low water table. The developer went ahead and sold houses with basements and those houses have very high foundations.

Eric Ford, Pulte Acquisitions Manager, was sworn in by Solicitor Frank. Mr. Ford said that he wasn't concerned with what other developers did at other sites; he was only concerned with Pulte. All 85 homes are proposed to have full basements. Each lot will be different. Mr. Brady stated that the basements would typically extend 2' to 3' above ground. Engineer Guzzi stated that there will not be "English" or walk out basements.

Engineer Guzzi stated that the problem with relying on aerial topo's is that they are always a little bit off; on a large site like this one that can translate into a lot of dirt.

Mr. Brady stated that the next proposed amendment to the plan is the construction of an access drive off of Fifth Street to the sales trailer. The main access to the development will be an extension of Boulevard. The Fifth Street access would be a temporary drive to the temporary sales trailer so that construction of the site and new road won't interfere with people wanting to access the sales trailer.

Engineer Guzzi asked if the width of the road would meet that originally approved on the plan. Mr. Brady stated that a 70' right of way with an 80' easement is planned. Two telephone poles will have to be relocated.

Mr. Ford reiterated that the entrance from Fifth Street is temporary so they can start constructing the infrastructure of the development.

Mr. Brady stated that the original plan gave the approval for a stone wall and fence with the identification signs at all 3 street entrances. The applicant has asked to amend the signage to a stone pillar with the identification signs on the face of the pillar. The pillar at the main entrance from the Boulevard is 6' high. The other 2 entrances (Winter Street and Sixth Street) have smaller pillars 4.5' high.

Member Lutz stated that he would rather not have signs because they divide a community. Mr. Ford stated that Pulte prefers to have signs for the purpose of branding and they help with the Home Owners Association.

Mr. Brady stated that the last proposed amendment to the plan has to do with the location of the street trees. The approved plans showed the shade trees behind the sidewalks within an easement. The utility companies have started reserving 10' behind the sidewalk as a utility easement and they refuse to allow trees to be planted within that easement. The developer had then put a 6' tree easement behind the 10' utility easement. This resulted in the street trees well into the yards and close to the home thus diminishing their effectiveness as street trees.

Mr. Brady stated that following a meeting with the Board's planner it had been agreed that the right of way strip between the curb and sidewalk will be 5 ½ ft. wide and the street trees will be planted in this strip. Mr. Brady stated that he would work with the Board's planner to determine the best tree species.

Mr. Brady also stated that some trees that were going to be preserved on the site had to be removed as part of the grading that has already begun. He stated that these trees would be replaced.

Engineer Guzzi referred to his October 7, 2010 review letter stating that there were two items that required additional testimony. Item 2 refers to the fact that there is conflicting information on the estimated seasonal high water table (ESHWT). He requested that a soil test pit be performed and witnessed by his office to establish the actual ESHWT. Item 15 of the letter regarding Block 156.07, Lot 1; the plan should be revised to show 2' separation from the ESHWT to the basement floor.

Planner Petrongolo stated that he would work with the applicant on the proposed tree species and he approved the amendment to the entry signs.

Attorney Menas stated that the applicant agrees with or will conform to all other items in the Board's staff's review letters.

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

Solicitor Frank stated that this application amended the original approval by lowering the site elevation by 1', permitting a temporary drive access onto Fifth Street, replacing the stone wall and development signs with smaller stone pillars with signs at each entrance, and revising the location of the street trees. Conditions include working with the Board's planner on tree species, complying with the review from the Environmental Commission regarding location of shade trees, revision of the piping and utility plan detail to meet the comments on the review letter, confirmation of the seasonal high water table with witness of boring by the Township Engineer, Fifth Street entrance is temporary and will be removed when the main entrance from Boulevard and to be known as Winter Street is completed and drivable, and the subdivision needs to be re-filed.

Motion of Berry, seconded by Wainwright to approve Application PB#2010-07.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood called for Application ZB#2010-08 for Harkins Lane Plaza, LLC. Applicant is requesting amended final major site plan approval for property located at Harkins Drive and Route 130 south. Block 159, Lots 5.02 & 5.06.

Attorney David Shafkowitz representing the applicant stated that the site had received final land use approval in 2006 for construction of a 17,500 sq. ft. shopping center consisting of a strip of retail stores and a bank pad site at the intersection of Route 130 and Harkins Drive. Construction did commence and most of the site work has been completed. As the developer moved to the outer part of the site the utility company notified the developer that the proposed ingress/egress on the Route 130 side of the site would interfere with an existing pole the carries several different utilities. The utility company asked the developer to relocate the ingress/egress. The developer redesigned the access to the site and applied to New Jersey Department of Transportation for a permit approving the new access. NJDOT issued the permit and the developer then approached Florence Township with the proposed change. The Township staff determined that this changed warranted a return to the Board for amended plan.

100.

Attorney Shafkowitz introduced Jeffrey Rauch, P.E. from the firm of Feist Engineering. Mr. Rauch stated that he was the engineer for the originally approved plans and had also prepared the revised plans. Mr. Rauch was sworn in by Solicitor Frank. Chairperson Hamilton-Wood stated that Mr. Rauch had been previously qualified as an expert in engineering.

Mr. Rauch stated that the subject property is located on Harkins Drive and Route 130 south. He stated that the original plan had a two-way access at the western most corner of the property along Route 130. This was a right in/right out only access. During construction there was an issue with one utility pole. The utility company did not want to relocate the pole and asked the developer to move the access to the site.

Mr. Rauch submitted Exhibit A1, which is Sheet 3 of 19 from the previously approved plan and Exhibit A2 Sheet 3 of 15 from the revised site plan showing the proposed new entrance to the site from Route 130.

Mr. Rauch stated that the egress to the site retained the originally approved position. The entrance to the site was redesigned to be a two-lane ingress and relocated to a position east of the original location and closer to Harkins Drive. The two-lane ingress offers a right turn lane to access the perimeter drive or a straight/left turn lane to enter the center of the site. He stated that no other revisions were proposed for the rest of the site. Mr. Rauch stated that the proposed revision has no impact on the stormwater for the site.

Chairperson Hamilton-Wood stated that the Board needed to make a determination on the completeness of the application prior to proceeding with the public hearing. Engineer Guzzi stated that he supported the requested waivers. Planner Petrongolo stated that he had no comments on the issue of completeness.

Motion of Berry, seconded by Lutz to grant the waivers and deem the application complete.

Upon roll call the Board voted as follows:

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

Mr. Rauch stated that NJDOT had to approve the revised entrance to the site and submitted Exhibit A3, which is the approval letter from NJDOT.

Engineer Guzzi referred the Board to Item 1 in his review letter dated October 7, 2010, regarding the size of the barrier free parking stalls. ICC/ANSI A117.1-2003 requires that the barrier free parking spaces and access aisles should be 20' in length. Mr. Rauch stated that the handicap spaces in front of the building are 19' per ADA. He requested a waiver of this requirement because all the internal curbing has been constructed and they would have to pull it out to gain the 1'. At the time of the original approval 19' met the

requirements. Engineer Guzzi stated that if the size of the handicap spaces is not increased to 20' there would be a construction code issue.

Engineer Guzzi stated that the aisle width is 25' and the other parking stalls are 18' long. He suggested reducing the aisle width to 24' to allow the parking spaces along the building to meet the 20' requirement. This would require the granting of a design waiver but would eliminate the necessity of removing the existing curbing. Mr. Rauch agreed to this change.

Engineer Guzzi stated that Item 2 of his review referred to Township Ordinance 91-74, which requires that sidewalks should be installed along all roads adjacent to the development. The applicant is required to provide sidewalks along the road frontages or request cash in lieu at 120% of the Township's cost of installing them. The only alternative to this requirement would be withdrawing the amendment and reverting to the already approved plan. Attorney Shafkowitz stated that he would advise the owner of this requirement.

Engineer Guzzi stated that Item 3 of his report refers to the recycling containers. This is a County ordinance and the Board cannot offer any flexibility for this requirement. Engineer Guzzi stated that he would work with Mr. Rauch to meet this requirement. Engineer Guzzi stated that all the other items in his review letter have been addressed.

Mr. Rauch said that Item 8 of Engineer Guzzi's report is regarding the addition of lighting for the relocated entrance drive. He stated that there is a small spot in the middle of the driveway where the light measures 2 foot candles and the minimum requirement is 5 foot candles. He stated that they could install another light pole but that would result in spillover onto Route 130. Engineer Guzzi stated that he would work with Mr. Rauch to provide adequate lighting without spillover onto the highway.

Mr. Rauch said the last Item on Engineer Guzzi's report had to do with the maneuverability of a fire truck into the new entrance. Mr. Rauch submitted Exhibit A4 showing the turning radius of the fire truck into the site from the new Rt. 130 access. Fire trucks will now be able to access the site from Route 130 or from Harkins Drive.

Chairperson Hamilton-Wood asked Planner Petrongolo if there were any items that needed to be addressed in his review letter? Planner Petrongolo indicated that there were issues regarding the southern property line's landscape buffer and also with some of the tree species proposed. Mr. Rauch agreed to work with Planner Petrongolo on the buffer and tree species. Mr. Rauch also indicated that he would obtain any outside approvals necessary.

Mayor Berry stated that a good amount of work has already been completed on the site and asked for the timeline for developing the site. Attorney Shafkowitz stated that the applicant plans to start the remainder of the development as soon as possible.

102.

Member Morris stated that the signage plan shows “No Right Turn” and “Do Not Enter” signs proposed for the left branch of the access drive and suggested that similar signage should be added to the right branch of the access.

Motion of Berry, seconded by Bauer to open the hearing to public comment. Motion unanimously approved by all members present.

Avtar Heir, owner of the adjacent HP gas station property was sworn in and then stated that there is a one-way only entrance to the gas station from Harkins Drive that is currently used for tractor-trailers to access the diesel pumps. This was designed to keep the car and truck traffic as separated as possible. Mr. Heir said he is concerned that this will become a cut through for traffic leaving the Harkins Lane Plaza site and wanting to go into Florence or to the Cedar Lane light to travel north on Rt. 130.

The Board agreed that this is a concern and suggested installing a “No thru traffic” sign and having this enforced by the Florence Township Police.

Motion of Lutz, seconded by Berry to close the public comment. Motion unanimously approved by all members present.

Solicitor Frank listed conditions as follows: the applicant agrees to work with the Board engineer on the parking stall depth, provision of sidewalks or payment in lieu in accordance to Ordinance 91-74, supply sufficient capacity to satisfy the recycling ordinance, the applicant will work with the Board’s professional staff to provide adequate lighting at the new access and to revise the tree species on the site, the applicant will comply with plan details and design comments, confirmation of outside agency approvals, additional signage to be added for traffic headed south at the northern part of the Rt. 130 access, and a sign indicating No Thru Traffic at the entrance to the Hapco site on Harkins Drive.

Motion of Berry, seconded by Lutz to approve Application PB#2010-08.

Upon roll call the Board voted as follows:

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

#### OTHER BUSINESS

##### A. Tentative dates for 2011 Planning Board meetings

Mayor Berry suggested moving the start time for the meeting to 7:00 p.m. as opposed to 7:30 p.m. Following a brief discussion the Board decided to leave the start time at 7:30 p.m.

103.

- B. Resolution No. 2010-211. A resolution authorizing and directing the Florence Township Planning Board to cause a preliminary investigation to be made pursuant to the New Jersey local development and housing law, as to whether certain property owned by Griffin Pipe along West Front Street within the Township of Florence is “An Area In Need of Redevelopment” within the meaning an intent of said statute.”

Mayor Berry advised the Board that they will be receiving a report in their next packet and a public hearing will be held on this matter at the November 15, 2010 meeting.

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

Solicitor Frank advised the Board that Whitesell had requested that the Board revise the language regarding affordable housing in the resolution for 290 Daniels Way. The Board stated that they did not want to revisit that resolution at this time but would be willing to revise it when the appropriate time comes.

Motion of Lutz, seconded by Wainwright to adjourn at 9:05 p.m.

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Paul Ostrander, Secretary

PO/ne