

Florence, New Jersey 08518-2323
February 25, 2008

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:29 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	Councilman Sean Ryan
Mildred Hamilton-Wood	David Woolston
Wayne Morris	James Molimock
John T. Smith	

ABSENT: Gene DeAngelis
Craig Wilkie

Also Present: Solicitor David Frank
Engineer Dan Guzzi
Planner Joseph Petrongolo

RESOLUTIONS

Resolution PB-2008-06

Continuing the application of Punam Corporation for Preliminary and Final Major Site Plan approval for construction of a retail building on Block 160.01, Lot 14, located in an HC Highway Commercial Zoning District.

Motion of Smith, seconded by Morris to approve Resolution PB-2008-06.

Upon roll call the Board voted as follows:

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

Resolution PB-2008-07

Granting the application of Rocco Gangone for Minor Site plan with variances to permit an addition to the rear of the building for the purpose of expanding the kitchen area.

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Motion of Ryan, seconded by Morris to approve Resolution PB-2008-07.

Upon roll call the Board voted as follows:

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

MINUTES

Motion of Berry, seconded by Ryan to approve the Minutes from the re-organization/regular meeting of January 28, 2008 as submitted. Motion unanimously approved by all members present.

OLD BUSINESS

Chairperson Hamilton-Wood called for application PB#2008-17 for Punam Corporation. Applicant is requesting Preliminary and Final Major Site Plan approval with bulk variances to permit construction of a 5,317 sq. ft. retail building at 2000 Route 130 North, Block 160.01, Lot 14.

Chairperson Hamilton-Wood stated that a letter had been received from applicant's attorney Charles Petrone requesting a continuance until the March 17, 2008 meeting of the Board.

Motion of Berry, seconded by Smith to continue application PB#2007-17.

Upon roll call the Board voted as follows:

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

NEW BUSINESS

Chairperson Hamilton-Wood stated that she would be going out of order on the agenda and called for application PB#2008-03 for TSMC, LLC. Applicant is requesting amended Final Site Plan approval to permit a daycare center at 2144 Route 130 North, Block 166.12, Lot 2.

Councilman Ryan recused himself due to a conflict and left the dais.

Solicitor Frank stated that he had reviewed the public notice for the application and that the Board did have jurisdiction to hear the application.

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Attorney Gary Backinoff from the firm of Teich Groh stated that he was representing TSMC, LLC. The property in question is located at the corner of Fairbrook Drive and Route 130. He stated that a few years ago the Board had granted major site plan approval for the site.

Attorney Backinoff said that there is a request for a minor modification to the approved site plan. The applicant has entered into a lease agreement with The Learning Center day care facility. The Learning Center would like to utilize one of the buildings (approx. 10,000 sq. ft. for the day care facility). Attorney Backinoff stated that it was his understanding that this would be the first childcare center of this nature in Florence Township.

Attorney Backinoff stated that there would be no changes to the buildings from the previous approval. There would be a reduction of some of the impervious surface in the parking. There would be a loss of 10 parking spaces from the original plan to allow for an approximately 4,500 sq. ft play area. Even with the loss of the 10 spaces there would still be adequate parking for The Learning Center and the rest of the retail center. There would also be a change in the approved landscape and lighting plans.

Engineer Guzzi stated that the first order of business would be for the Board to review and rule on the requested submission items. He stated that these items were outlined in his February 21, 2008 review letter. The majority of the items were either submitted or waived at the original site plan hearing.

Engineer Guzzi said that he would point out a few highlights. Item I is the soil erosion and sediment control plan, an amendment may be required for this. It would be the responsibility of the applicant to apply for any amendment required if the application were approved.

Engineer Guzzi stated that waivers were requested for the utility layout and the drainage areas and calculations, but it doesn't seem like there were any changes from the approved plans. The one other item to be addressed is that the applicant has submitted a revised landscaping plan that is not signed and sealed. The Board could certainly move forward tonight, but it should be made a condition of approval that it be required.

Attorney Backinoff stated that there would be no problem in having the landscape plan signed and sealed. He stated that this was an oversight on their part.

Chairperson Hamilton-Wood stated that she did not have any concern with granting the requested waivers. She asked if any members of the Board had any questions or concerns regarding the waivers.

Motion of Morris, seconded by Woolston to grant the submission waivers and deem the application complete.

Upon roll call the Board voted as follows:

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

Chairperson Hamilton-Wood said that the Board would now proceed with the application starting with the swearing in of all witnesses.

The following individuals were sworn in by Solicitor Frank: Francis Goeke, project engineer, Thomas Hoffman, architect, Greg Scozarri, developer.

Attorney Backinoff called Mr. Goeke to testify. Mr. Goeke gave a brief description of the plan. The area to be changed is outlined in red. The building will not be modified in the exterior appearance but there will be a new floor plan. The drives at the rear of the building will remain the same.

The area to be changed originally had been parking. A total of 8 spaces have been removed. The green area on the north side of the building will now be a playground for the childcare center. There will be a door that exits the building directly into the playground area. There have been changes to the landscape plan because of the modifications that have been made. There was one change to the lighting plan that will be modified further based on the comments from the Board's engineer. Mr. Goeke stated that the traffic circulation hasn't changed and none of the major parking areas have changed.

Attorney Backinoff stated that during the original approval there had been extensive testimony regarding the landscaped buffer between the commercial site and the residential area to the rear. Mr. Goeke pointed on the plan where a heavily landscaped berm was located as a buffer between the commercial and residential uses. This landscaped buffer area has not been changed. The only landscape changes are to what was around the original parking lot and to the area to the rear of the building.

Mayor Berry asked about the lighting modification. Mr. Goeke stated that there had been a light fixture on each side of the area that was previously a parking lot (now a play yard). Due to the changes the applicant proposed to move one light fixture to the side of the driveway.

Engineer Guzzi stated that as the lights got closer together it created a hotspot. He recommended that the wattage be lowered in that area so it does not have a negative impact on the adjacent neighbor.

Mayor Berry stated that there was some additional fencing shown on the plan that was not part of the original application. Mr. Goeke said the fence along the rear of the building would be eliminated. He stated that there would be a 6' high white vinyl fence enclosing the play area. The fence will end at the corner of the building.

Mayor Berry asked how many parking spots were eliminated? Engineer Guzzi stated that even though they are losing 8 parking spaces, a daycare center has less of a parking requirement than retail. Attorney Backinoff stated that the applicant had their traffic engineer review the amended plans and found that there is no significant impact. There will be an increase of additional trips in the morning hours, but this is during the hours where the retail uses are closed. Saturday trips will be less because the day care will be closed. There would not be any noticeable change in the evening hours. Solicitor Frank asked that a copy of the updated traffic report be submitted to the Board.

Solicitor Frank stated for the record that Mr. Goeke had previously been accepted as an expert.

Engineer Guzzi stated that he had reviewed the plans and there were no other significant changes other than those that Mr. Goeke had outlined. Engineer Guzzi stated that his lettered outlined some minor comments regarding the engineering aspects. He stated that he and Planner Petrongolo had met with the applicant regarding the comments and the applicant was cooperative.

Attorney Backinoff called Thomas Hoffman to testify. Mr. Hoffman stated that he had a Bachelor's in Architecture from Texas Tech University. He stated that he was licensed in the state of New Jersey since 1991. Mr. Hoffman said that for the last 2 ½ years he has been the architect for The Learning Experience. He stated that there were approximately 50 sites either open or in the process of being opened and he had worked on about half of those. He stated that he had testified before 12 Boards so far.

Mr. Hoffman stated that The Learning Experience is a daycare provider. There are approximately 50 locations opened or in the process of being opened with about another 30 under construction. They provide daycare from ages 6 months up to 6 years. The hours of operation are 6:30 a.m. to 6:30 p.m.

The morning drop off time is from 6:30 a.m. to 9:30 a.m. There are 7 to 9 parking spaces at the front of the building for drop-off/pick-up. The average time for drop-off is approximately 7 minutes; pick-up takes a little longer approximately 12 minutes.

There is a curriculum. There are set times for class. Food service is provided on site. There is delivery of pre-cooked food. The kitchen is a warming kitchen only.

Attorney Backinoff asked if Mr. Hoffman thought there was sufficient drop-off area parking. Mr. Hoffman stated that there is a Learning Experience adjacent to his office. There is a pretty good turnover from 6:30 a.m. to 9:30 a.m. Then the parking lot is empty during the day except for employees. Mr. Hoffman said for a 10,000 sq. ft. facility they would have between 22 and 25 employee parking spaces. Employees do not park in the front spaces these are kept open for the drop-off/pick-up.

Attorney Backinoff asked about the food deliveries. Mr. Hoffman stated that deliveries are made by a box truck. He stated that they could designate a delivery area behind the building. The food delivery is not daily, maybe 2 times a week. They also have occasional Fed-Ex deliveries.

Attorney Backinoff said that as a result of the type of use there is less of a need for parking. Even though they are losing 8 spaces the plan meets all the requirements of the township ordinance. Chairperson Hamilton-Wood asked if the daycare center operated on the weekend. Mr. Hoffman answered that it was only open Monday through Friday. There is no janitorial work on the weekend the site is totally closed.

Chairperson Hamilton-Wood asked if The Learning Experience sites were often part of a shopping center area. Mr. Hoffman stated that 75% of The Learning Centers were stand alone buildings and 25% are in shopping center or office parks.

Engineer Guzzi stated that the only item in his report that was not touched on was item 3 pertaining to the playground equipment. He stated that the applicant had agreed to provide a copy of the layout of the playground equipment.

Chairperson Hamilton-Wood asked if the playground would be locked up on the weekend. Mr. Hoffman stated that the playground would only be for the use of the daycare center. It would not be open to the public and would only have equipment for young children. Member Smith asked if there had been any resolution regarding the manholes that were located in the playground area. Attorney Backinoff stated that there would be rubber on top of the manholes and then 9" of woodchips for safety.

Mayor Berry asked when the anticipated date of occupancy would be. Greg Scozzari said if approval were granted this evening they would be expecting September for occupancy.

Engineer Guzzi said that the applicant had touched on the restricted parking and identified 5 spaces that are identified with signs indicating that they are for drop-off/pick-up. He said that the applicant has agreed to pull back the fence along the 5 parking spaces to allow a little more room for landscaping.

Attorney Backinoff stated that there is some signage for the project, but they are not coming before the Board for signage at this meeting. The signage that was originally approved would stay with the plan until a future application was filed for the signage.

Member Woolston asked if after the daycare lease expired would the site revert back to retail? Engineer Guzzi said that it would stay as a daycare use. If TSMC, LLC wanted to convert back to retail they would have to file a new application and convert the playground back to parking.

Attorney Backinoff stated that the lease was initially a 15 year lease with one 10 year option.

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Motion of Smith, seconded by Morris to open for public comment. Motion unanimously approved by all members present.

Chris Vlahovic, 110 Fairbrook Drive asked what the occupancy would be? Mr. Hoffman stated that the state would license a 10,000 sq. ft. building for approximately 220 children. The actual occupancy would probably be 160 to 185 children. In regards to trip generations they have averaged 7 minutes per drop off.

Mr. Vlahovic stated that he is in favor of the daycare center. He said he was concerned with light spill over onto his property. Engineer Guzzi showed where the lighting would be located and stated that there should not be a negative impact on Mr. Vlahovic's property.

Seeing no one else wishing to testify motion was made by Smith, seconded by Berry to close the public portion of the meeting. Motion unanimously approved by all members present.

Member Smith stated that in his opinion this use would be more beneficial to the neighbors than the previously approved retail center.

Planner Petrongolo stated that his office had also reviewed the application. Most of the comments have already been addressed. He stated that he had met with the applicant and the applicant has agreed to conform to the items listed in the letter.

Planner Petrongolo stated that he had asked for shade trees to be provided within the playground area. The applicant said that this actually becomes an attractive nuisance for the children. The applicant will be proposing shade structures so Planner Petrongolo indicated that he would be withdrawing that comment.

Member Morris asked if there was any noise mitigation for the playground. Mr. Hoffman stated that there is a 6' board on board vinyl fence as well as substantial landscape buffering to mitigate the noise. Attorney Backinoff stated that in the original application there was a lot of discussion regarding the noise. The berm adjacent to the residential development will also reduce noise.

Motion of Woolston, seconded by Berry to approve amended Final Site plan with compliance to the professional's review letters.

Upon roll call the Board voted as follows:

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

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Chairperson Hamilton-Wood stated that the Board would take a 2 minute recess. She stated that she had to leave the meeting and Member Smith would take over the duties of the Chair.

The Board returned to the regular order of business.

Acting Chairman Smith called for application PB#2008-02 for R. M. Sunny's Inc. Applicant is requesting Site Plan waiver and change of permitted use from automobile body shop to massage therapy center for property located at 2032 Route 130 North, Block 160.10, Lot 2.02.

Richard Foga was sworn in by Solicitor Frank. Mr. Foga stated that the site in question used to be a body shop and they were proposing to turn it into a massage therapist. He said that he and his wife have been renting from Mr. Wilson for the past 7 years. Mr. Wilson has sold the building and R. M. Sunny's is forced to re-locate. He indicated that they would like to keep the business in Florence Township.

Mayor Berry asked, as a point of reference, what the current name of the property was.

Maryjo Giancola was sworn in by Solicitor Frank. Ms. Giancola stated that she was the owner of the subject property located at 2032 Route 130. Ms. Giancola stated that she has had a body shop at this location for many years. It had previously been known as "Elmer's Auto Body" and is located across from Bung's. She stated that there have been issues over the years with the auto body shop. She stated that she thought that this would be a cleaner operation.

Ms. Giancola stated that R.M. Sunny's would be located in the building in the front of the site. The auto mechanic in the back building will remain on the site and the house is in the process of being restored after the last tenant left.

Ms. Giancola stated that they would like to propose the site plan that was previously approved in 2001. She stated that the lot has to be re-graded. The plan is to use the existing structure and take out the garage doors and add plate glass windows. The exterior façade will be enhanced. There will also be changes to the interior of the building.

Engineer Guzzi referenced his report dated February 21, 2008. He stated that in regards to parking the approved plan meets the requirements. The proposed use actually has fewer requirements for parking than the auto body use. Engineer Guzzi asked for confirmation that the paved area in front of the building not be used for parking. There are 2 faded no parking signs that should be replaced so it is clear that this is an area of no parking.

Engineer Guzzi stated that the barrier free parking sign has to be changed. The fine for parking in the handicapped spot is now \$250.00 and the sign should be changed to reflect that.

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Engineer Guzzi stated that the stone area should be regraded.

Mr. Foga stated that they would comply with the request from the Police Department requesting a stop sign and no left turn sign at the ingress/egress from the parking lot.

Member Morris asked about proposed signage. Mr. Foga stated that they would use the existing sign and change it to reflect their name and the address of the site.

Member Woolston asked if there would be any DOT issues. Engineer Guzzi stated that since there were no changes to the approved site plan there shouldn't be any DOT issues.

Engineer Guzzi asked for a description of the operation. Mr. Foga stated that the hours of operation are 10:00 a.m. to 10:00 p.m. 7 days a week. There are 4 licensed therapists. The business operates by appointment only.

Mayor Berry asked about the one story dwelling on the site. Ms. Giancola stated that this was a 3 bedroom dwelling that had been rented. They are in the process of renovating after the last tenant left and would be offering the dwelling for rent.

Fire Official Kevin Mullen stated that he did not have any issues.

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

Hearing no one wishing to testify motion was made by Berry and seconded by Ryan to close the public portion. Motion unanimously approved by all members present.

Motion of Morris, seconded by Berry to approve the site plan waiver and change of use subject to the conditions called out in the review letters from Engineer Guzzi and Police Chief Fazekas.

Upon roll call the Board voted as follows:

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

OTHER BUSINESS

The Board discussed appointing a member to be the representative to the Environmental Commission. Solicitor Frank stated that it must be a Class IV member and it can be an alternate member. The Board will make the appointment at the March meeting.

The Board discussed the pending Master Plan review. The Board requested a copy of the re-examination document that was prepared by Clark Caton Hintz that was prepared for

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review in 2007. The Board did not yet adopt this document. Solicitor Frank stated that there would be further changes to the Housing Element portion of the Master Plan based on the revised COAH rules that have been proposed.

Motion of Ryan, seconded by Berry to adjourn at 8:49 p.m.

John T. Smith, Secretary

JTS/ne