

Florence, New Jersey 08518-2323  
July 26, 2016

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:

Chairperson Mildred Hamilton-Wood	Tim Lutz
Vice Chairman James Molimock	Mayor Craig Wilkie
Wayne Morris	Councilman Ted Lovenduski
Thomas McCue	

Also present: Solicitor David Frank  
(Engineer Hugh Dougherty was excused)  
(Planner Barbara Fegley was excused)

Absent: William Federico, Ray Montgomery

## RESOLUTIONS

**Resolution PB-2016-13**  
**Dismissing with prejudice the application of Brian Gordaychik for Minor**  
**Subdivision approval at 387 Delaware Avenue, Block 147.06, Lot 4.**

Motion by Lutz, seconded by Molimock to approve Resolution No. PB-2016-13.

Upon roll call the Board voted as follows:

YEAS: Lutz, Molimock, Hamilton-Wood, Morris, Wilkie, McCue  
ABSTAIN: Lovenduski  
NOES: None  
ABSENT: Morris, Federico

**Resolution PB-2016-14**  
**Approving the application of Liberty Venture I, LP for an Amended Final Major**  
**Site Plan located on Cedar Lane; Block 155.47, Lot 12.02**

Motion by Lutz, seconded by Molimock to approve Resolution No. PB-2016-14. Motion unanimously approved by all members present.

## MINUTES

It was the Motion of Lutz, seconded by Morris to approve as submitted the minutes of the Regular Meeting of May 11, 2016. Motion unanimously approved by all members present.

## CORRESPONDENCE

- A. 2017 Meeting Schedule for review.
- B. Letter from Hugh Dougherty of Pennoni Associates, Inc. regarding compliance review for application PB#2016-03 for 500 Cedar Lane, LLC, 400 Cedar Lane site known as Block 148.06, Lot 2.
- C. Letter from Barbara Fegley of Environmental Resolutions, Inc. regarding compliance review for application PB#2016-03 for 500 Cedar Lane, LLC, 400 Cedar Lane site known as Block 148.06, Lot 2.
- D. Letter from Barbara Fegley of Environmental Resolutions, Inc. regarding compliance review for application PB#2016-02 for 500 Cedar Lane, LLC, 500 Cedar Lane site known as Block 148.06, Lot 1.
- E. Letter from Hugh Dougherty of Pennoni Associates, Inc. regarding a Bond Estimate for Paul Konrad (PB#2015-03), 1270 Emerick Avenue, Block 144, Lot 9.

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

## APPLICATIONS

- A. Application PB#2016-07 for G & B Business Associates, Inc. who is requesting 3 one-year extensions of the approval for Preliminary and Final Major Site Plan with Bulk Variances on property located at 2012 US Hwy. Route 130 North, Block 160.01, Lot 1.02.

Kevin Moore of Sills Cummis & Gross, representing G & B Business Associates, Inc., stated that the board correctly set forth the address and Block and Lot in the request. He stated that this approval was granted at the April 22, 2014 Planning Board meeting, the resolution memorialization was adopted by this board on June 24, 2014, and the site plan was signed on September 2, 2014. The preliminary and final site plan approval and bulk variance approval was to demolish the existing gas station and replace it with a modern gas and diesel fueling facility consisting of gasoline fueling stations with positions for 12 cars, diesel fueling positions for 3 trucks, and a 4,350 square foot 7-11 brand convenience

store; also, 1,000 gallon propane tank with refilling of individual hand carried canisters only and 18 parking spaces for the convenience store customers.

Mr. Moore stated that the economic times have been challenging for gas stations so they have not been able to start construction but they have met all the conditions of the approval. He stated that they are requesting 3 one-year extensions giving them the approval through June 30, 2019. Mr. Moore stated he and his client are here tonight to answer any questions the board might have.

Chairperson Hamilton-Wood asked Solicitor Frank if this was just a procedural vote. Solicitor Frank stated the extension specifically provides that the Board has the authority of the law to grant up to 3 one-year discretionary extensions. Chairperson Hamilton-Wood asked if it was common that the board would grant all 3 at one time. Solicitor Frank stated that it was the Board's pleasure on that issue. He stated he could certainly understand an applicant wanting to go to the maximum because it minimizes the possibility that they would have to come back to the Board. He stated that approvals don't really expire under the law; what really happens is that they lose their protection from changes in the ordinance. Now this is a peculiar approval because it's in a redevelopment area pursuant to the redevelopment plan so it's a little bit different than a typical approval. Mayor Wilkie stated he didn't think this application had a redevelopment plan. Mr. Moore confirmed that it did not but it was in a redevelopment area in a highway commercial zone. Solicitor Frank stated that what the applicant is essentially asking for is merely the maximum certainty that he could be protected for a length of time against potential changes in ordinance standards that could potentially invalidate somewhat all, or part, of the approval.

Chairperson Hamilton-Wood asked if there was a construction timetable in line at this point. Mr. Moore asked his client Mr. Amar Gill, the president of G & B Business Associates, to speak in regards to that question. Solicitor Frank stated to Mr. Gill that he was previously sworn in in accordance for this application and to consider himself still to be sworn. Mr. Gill stated yes. Mr. Gill then stated they are waiting for financing and that they do not have anything lined up at this point. He also stated that it was going to cost \$3,000,000.00. Chairperson Hamilton-Wood asked if anyone else had any questions. Being there were none, Chairperson Hamilton-Wood thanked Mr. Gill.

Solicitor Frank stated that what the law does is it says that when you get a preliminary approval, you get 3 years. And when you take that preliminary and convert it to final, you get 2 more years. Applicants can then sometimes disadvantage themselves by doing it all at once. But from the perspective of an applicant seeking financing, they want that final, so the law sort of puts you in this box. In reality, if they stepped the process, they're not asking for any more than they would otherwise have gotten. Solicitor Frank restated that it is the Board's discretion.

Solicitor Frank stated that this approval would be under the same conditions as the original approval. Mr. Moore stated that all the conditions had been met that were able to be met at this time. There are other conditions but that they cannot be met until it is built.

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It was the Motion of Lutz, seconded by Lovenduski to approve Application PB#2016-07.

Upon roll call, the Board voted as follows:

YEAS: Lutz, Lovenduski, Hamilton-Wood, Molimock, Morris, Wilkie, McCue

NOES: None

ABSENT: Federico, Montgomery

Being there was no other business on the agenda, it was the motion of Lutz, seconded by Morris to open the meeting to the public. Motion unanimously approved by all members present. Seeing no one wishing to be heard, it was the Motion of Lutz, seconded by Molimock to close the public portion. Motion unanimously approved by all members present.

#### ADJOURNMENT

It was the Motion of Morris, seconded by Molimock to adjourn at 7:42 p.m. Motion unanimously approved by all members present.

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Wayne Morris, Secretary

WM/kf