

Florence, New Jersey 08518-2323
August 28, 2018

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:

Mildred Hamilton-Wood	James Molimock
Ray Montgomery	Wayne Morris
Thomas McCue	John Pagano
Carl Mattson	Council Representative Ted Lovenduski

ABSENT: Mayor Craig Wilkie

ALSO PRESENT: Solicitor David Frank
Engineer Hugh Dougherty
Planner Barbara Fegley

RESOLUTIONS

- A. **Resolution PB-2018-18:** Granting approval to Primestone Properties for Preliminary & Final major Site Plan for the construction of a hotel on property located on Hunt Circus Drive, Florence Township. Block 163.02, Lot 13.02

It was the Motion of Mr. Molimock, seconded by Mr. Montgomery to approve Resolution No. PB-2018-18.

Upon roll call, the Board voted as follows:

YEAS: Molimock, Montgomery, McCue, Morris, Lovenduski, Hamilton-Wood

NOES: None

ABSTAIN: None

Motion carried

MINUTES

It was the Motion of Mr. Molimock, seconded by Councilman Lovenduski to approve the minutes of the regular meeting of July 24, 2018 as submitted. Motion unanimously approved by all those present.

CORRESPONDENCE

- Letter from Burlington County Planning Board regarding Effisolar Energy dated 7/30/18
- Letter from Burlington County Planning Board regarding Cedar Lane South Industrial Park (Amazon building) dated 8/10/18
- Letter from Burlington County Planning Board regarding Academy Woods Apartments dated 8/10/18
- Conformance Review No. 2 from Engineer Dougherty regarding Academy Woods Apts. dated 8/21/18
- Soil Erosion & Sediment Control sheet regarding Primestone

It was the Motion of Mr. Molimock, seconded by Councilman Lovenduski to receive and file correspondence A through E. Motion unanimously approved by all those present.

APPLICATIONS

- A. **Application PB#2018-06:** Application for Burlington Coat Factory for Amended Preliminary & Final Major Site Plan for the addition of a parking area on property located at 2000 Route 130 North, Florence Township. Block 160.01, Lot 1.01

John Gillespie of Parker McCay introduced himself on behalf of the applicant. He stated this is a simple application. He introduced Bob Stout of Stout & Caldwell and Mr. Stout was here to explain the application. Mr. Stout was sworn in by Solicitor Frank. Solicitor Frank stated Mr. Stout is an expert witness in the field of site and civil engineering. Chairperson Hamilton-Wood agreed.

Mr. Stout explained he has three exhibits to show the Board. The first, A1 is an aerial of the site as it's built. He explained this view is a couple of years old. The area outlined is an approximate 35-acre tract that was part of redevelopment done and approved as part of the November 2012 application. The access drive comes off Route 130 and there is an interconnection with Burlington Township. He pointed out the township line that was at the top of the exhibit. He explained that what is shown is what was constructed.

Exhibit A2 is what the approved site plan was in 2012 with some slight modifications. He pointed out the entry drive and the building in the front. The 2012 application was approved for a 198,000 sq. ft. consisting of a 3-story and a 4-story separate area. The outlined area in front of the building was for a 72,000 sq. ft. expansion which was never built as part of that application and he stated the applicant is abandoning that portion of the 2012 approval as part of the improvements that will be shown to you. The back section of the site has approximately 500 parking spaces that were approved as part of the original application. He explained these are no longer going to be built because the solar field is being built in place of those parking spaces; the solar field was an application that was approved by this Board last year. He added that there is enough existing parking that meets the township's ordinance requirements without these 500 spaces. Because the 2012 applicant was from a redevelopment plan, the parking was set a little lighter than was thought needed because they weren't sure at the time of the redevelopment how much parking would be needed. The 500 parking spaces have been eliminated, as well as the 72,000 sq. ft. expansion.

Mr. Stout explained that one of the pluses of this is that all of the drainage for this entire site has been taken into account. The 4 basins that were represented on the exhibit are constructed and already done. They meet the solar management requirements and everything is in place. The front section that is the interconnection between the Burlington Township and the Florence Township tract has a pump station and an area that was approved for the expansion of the building. They are now looking to increase the parking and place it closer to the building rather than the remote areas that were approved in 2012. They are in the process of doing some campus redesign/realignment and will be back in front of this Board for that application. As a precursor to that, they are looking to put in additional parking that will help as they get into the next phase.

Exhibit A3 is a colorized rendering of the site landscape plan submitted as part of this application. The existing building is 174,567 sq. ft. as opposed to the approved 198,000 sq. ft. The existing building also has a basement that is approximately 43,000 sq. ft. which was done as part of the construction of the building. If you take all of this square footage, the parking requirement is still met. There are no variances being requested for this application. In the area

originally meant for the 72,000 sq. ft. building expansion, they would not like to leave a large area for additional landscaping and have an additional 116 parking spaces. Everything has already been designed for drainage and stormwater. Additional lighting will be put in and will match exactly what is there now; 20-foot high LED light. There is already a lot of landscaping along the perimeter. All trees and hedges that would be disrupted will be transplanted. Mr. Stout stated this application is a minor change. He believes they probably already have approval for all of this, it's just not being put where it was approved for. The extent of what they are looking to do at this time is to move the parking lot from the back of the site to the front.

Engineer Dougherty stated that he met with the applicant in July as to what was being proposed. He and Planner Fegley agreed that this application would be an Amended Site Plan because it had already received approval on the whole complex. The application was then submitted the end of July. He then issued a letter dated August 15th with some clarification requested to be put on the plans. He stated Mr. Stout has done that and subsequently submitted revised plans August 22nd which led to his most recent letter of August 24th. Engineer Dougherty stated from a planning standpoint, it is pretty clean but there are some submission items that waivers are being requested. Because this is an amended application, many items, such as the environmental impact statement, political boundary lines, utility layouts, right-of-way to be dedicated, building use and facilities plans, delineations of wetlands, drainage calculation, etc. are not required since they were already approved with the original application. There is no need for the applicant to resubmit these items. He has no objection for the Board to grant the waivers for those submission items and declare the application complete.

Engineer Dougherty did ask for clarification as to the number of new parking spaces. Mr. Stout had said 116; however, his report states 106 and he believes the actual number is 114 spaces. Solicitor Frank stated there are 133 spaces and 19 are being removed, leaving a net of 114 spaces. Mr. Stout agreed that 114 spaces is correct and apologized for the incorrect number given earlier.

Chairperson Hamilton-Wood asked for a motion to deem application PB#2018-06 complete with granting the waivers for the submissions of the items previously stated.

It was the Motion of Mr. Molimock, seconded by Mr. McCue to deem application PB#2018-06 complete with the submission waivers.

Upon roll call, the Board voted as follows:

YEAS: Molimock, McCue, Montgomery, Morris, Lovenduski, Hamilton-Wood, Pagano

NOES: None

ABSTAIN: None

Motion carried

Chairperson Hamilton-Wood stated we could now move forward on the substantive issues and asked Engineer Dougherty to go over his review letter.

Engineer Dougherty stated that as a result of the submission on August 22nd, everything was ironed out at that time. The drainage will be going to the same areas. Engineer Dougherty stated he only had one comment, and it is consistent with Fire Marshal Richardson's comment with regard to the fire hydrant; which was to coordinate the relocation of that hydrant and abandon or cap the existing water line with the Florence Township Water & Sewer Department. That would be a condition of approval. Mr. Stout stated he is in agreement with that. Mr. Stout stated the Fire Marshal has also asked that this be tested and marked, which they are also in agreement with. Chairperson Hamilton-Wood stated that would be for the flow test. Mr. Stout said that is

correct. Engineer Dougherty stated that all the outstanding issues stated in his August 24th letter have been addressed.

Planner Fegley stated her first letter was dated August 15th and after the resubmission on the 22nd, she did an additional review letter that is dated today, August 28th. All of her comments have been addressed with the exception of #5. When looking at the plans, there were two locations where the sidewalk was too close to one of the trees. If they moved the sidewalk a little bit, they wouldn't have to relocate the tree; however, when she looked at the plan in more detail, there are actually two locations on the eastern side where the sidewalk was too close to the existing trees. She spoke with Mr. Stout prior to this meeting, and he stated they can shift the sidewalk. Mr. Stout stated he agreed to Planner Fegley's suggestion to shift the sidewalk from meandering through the center and relocate it along the edge as to not interfere with the existing trees. The location of the proposed trees will just be moved to the other side. Planner Fegley stated that all other comments have been addressed.

Chairperson Hamilton-Wood wanted clarification. She stated Planner Fegley had a net gain of 106 parking spaces. Is it 114? Planner Fegley said to look at the August 15th letter, the counts were all off and it was overlooked and not changed in her August 28th letter. Mr. Stout stated they actually changed the design. With the modifications made because of Engineer Dougherty's letter, they were actually able to increase the parking spaces to 114 total spaces.

Seeing no more questions from the Board, it was the Motion of Mr. Montgomery, seconded by Councilman Lovenduski to open the meeting for public comment. Motion unanimously approved by all those present.

Rob Forberger of 49 Clydesdale Drive in Burlington Township came forward. Mr. Forberger stated he was here to see if this application was going to affect the field along Bustleton Road which is behind Burlington Coat Factory. Mr. Stout stated the rear area is a separate lot and this application does not affect the rear lot. Chairperson Hamilton-Wood stated this application is for the Route 130 side of the building. Mr. Forberger asked if there were any future plans for the lot in the rear. Solicitor Frank stated that the Board does not have any knowledge of anything about that at this time. Chairperson Hamilton-Wood stated the application before us is for the Route 130 side and we do not have any information of anything else at this point.

Seeing no one else wishing to be heard, it was the Motion of Councilman Lovenduski, seconded by Mr. McCue to close public comment. Motion unanimously approved by all those present.

Solicitor Frank stated this is an Amended Preliminary & Final Site Plan and the conditions of approval would be to comply with the comments in the review letters of the Fire Marshal dated August 27th, the Board Engineer dated August 24th and comment #5 of the Board Planner's letter dated August 28th. He suggested to add that all conditions of prior approvals that were not expressly waived or modified would continue in full force and effect; plus, the usual conditions in regards to the applicable performance guarantees, outside agency approvals, etc.

Mr. Stout commented that in Engineer Dougherty's letter in regards to outside approvals, there are two that are needed; Burlington County and Soil Conservation. He stated they already have the County's approval as part of the original application and there are no county improvements proposed and they have applied to Soil Conservation.

It was the Motion of Mr. Montgomery, seconded by Mr. Molimock to approve application PB#2018-06 with the conditions mentioned above.

Upon roll call, the Board voted as follows:

YEAS: Montgomery, Molimock, Morris, McCue, Lovenduski, Pagano, Hamilton-Wood

NOES: None

ABSTAIN: None Motion carried

Resolution No. PB-2018-20: Solicitor Frank addressed Chairperson Hamilton-Wood and stated that because this was such a straight forward application, he took the liberty of preparing an approval resolution, in the hopes that the applicant can start the parking lot in the upcoming weeks. Solicitor Frank reviewed the draft resolution with the Board. He mentioned he would be making a couple of slight corrections to an incorrect date and square footage that was referenced.

It was the Motion of Mr. Morris, seconded by Mr. Pagano to approve Resolution PB-2018-20 with the proposed edits mentioned by Solicitor Frank.

Upon roll call, the Board voted as follows:

YEAS: Morris, Pagano, Lovenduski, McCue, Molimock, Montgomery, Hamilton-Wood

NOES: None

ABSTAIN: None Motion carried

OTHER BUSINESS

Chairperson Hamilton-Wood asked Mr. Gillespie to stay a moment to discuss an item. She stated Clerk Federico had gotten a request for a special meeting. Clerk Federico stated she does have an application that was submitted from B&H Foto on August 16th. They are currently in the process of submitting a revised plan by this Friday, August 30th. They had anticipated on being heard at tonight's meeting; however, their application was not submitted in time to be on the agenda. They have requested for the Board to have a special meeting because the September 25th regular meeting falls during their religious holiday. Mr. Gillespie stated the application is for an electrical room, new generators, additional parking and revised landscaping. They are hoping to receive approval in September so they can put in the new electrical room in time for the anticipated increased volume during their peak season. Chairperson Hamilton-Wood stated it is here understanding that any additional cost the township would have, B&H Foto said they would be responsible for. Mr. Gillespie stated that is correct.

Clerk Federico stated the applicant is asking for the Special Meeting to be held on Thursday, September 13th at 7:30 p.m. She asked who would be available for that meeting so as to see if there would be a quorum. Mr. Montgomery and Mr. Mattson stated they are not available on the 13th. Clerk Federico will send out an email tomorrow to verify if there are enough members available for a quorum and let Mr. Gillespie know.

PUBLIC COMMENT

It was the Motion of Mr. Montgomery, seconded by Mr. McCue to open the meeting for public comment. Motion unanimously approved by all those present.

Seeing no one wishing to be heard, it was the Motion of Councilman Lovenduski, seconded by Mr. Molimock to close public comment. Motion unanimously approved by all those present.

PUBLIC HEARING

A. Amendment to the Third Round Housing Element of the Master Plan and Fair Share Plan

Mary Beth Lonergan of Clarke Caton Hintz was sworn in by Solicitor Frank. Solicitor Frank stated for the record that Ms. Lonergan has appeared before this Board many times as a professional planner and is considered an expert in the field of affordable housing and compliance.

Ms. Lonergan stated she was here before the Board tonight for a minor amendment to the Third Round Housing Element and Fair Share Plan that this Board adopted in April 2018. She stated this document, as well as other court documents, were submitted to the Special Master, Betsy McKenzie. Ms. Lonergan stated Ms. McKenzie reviewed all of the township's documents and submitted a letter dated June 27, 2018 requesting a few minor amendments. Those amendments were submitted to the Board and put on file for this public hearing to amend the housing elements. Ms. Lonergan stated these changes fully address the Master's request and added that the township has a compliance hearing in front of Judge Harrington scheduled for October 1, 2018. The hope is that with this plan amendment and a few additional documents that are being taken care of by the governing body, the township will receive a judgement of compliance from the court.

Ms. Lonergan briefly explained the amendment to the plan. There are some minor changes to the judicial and legislative background section, pages 10-16. In addition, the Master asked for some minor changes to the township's means to address its rehabilitation share. Ms. Lonergan stated they've eliminated the potential rehabilitation at this point for Roebing Arms and instead may be working with the Housing Authority on renovations of those units. Also, there have been some corrections to a compliance chart to ensure the correct figures for addressing the settlement agreement terms with the Fair Share Housing Center. Lastly, there was one minor change to the spending plan on the rehabilitation issue, and the governing body will be acting on documents included in the amendment, including a pro forma draft agreement with a non-profit affordable housing provider for the 100% affordable housing site at Route 130 and Hornberger Avenue. With the Board's approval, this document can go to the governing body for their endorsement.

Chairperson Hamilton-Wood asked if these changes suggested by the Master will have to go before her again for possible more changes or if this will fulfill what we need before going before Judge Harrington. Ms. Lonergan stated she sent these changes to the Master and she has signed off on them so this will be the final amendment. Chairperson Hamilton-Wood stated that we really have no choice because we have to satisfy the Master who ultimately should satisfy the Judge because we need the judgement compliance. Ms. Lonergan stated that is correct and this will give the township protection from builder remedy law suits through July of 2025.

Solicitor Frank stated he wanted to acknowledge for the record that there is no public present so there is no need to open for public comment.

Solicitor Frank stated the motion of the Board is really about whether this amended plan remains consistent with the goals and objectives of the township's Master Plan and the Master Plan Reexamination Report. Solicitor Frank has prepared a draft resolution stating the amended items and the findings of the Board. He will make some minor adjustments to it to fix a couple typos and reflect the correct name of the Master. The resolution is as follows:

Resolution PB-2018-19: Adopting Amended Third Round Housing Element for Master Plan and Fair Share Plan.

It was the Motion of Mr. Pagano, seconded by Mr. McCue to approve the Amendment to the Third Round Housing Element and the resolution as set forth by Solicitor Frank.

Upon roll call, the Board voted as follows:

YEAS: Pagano, McCue, Montgomery, Molimock, Morris, Lovenduski, Hamilton-Wood

NOES: None

ABSTAIN: None

Motion carried

MASTER PLAN DISCUSSION

No Master Plan discussion took place.

ADJOURNMENT

It was the Motion of Mr. Montgomery, seconded by Mr. Morris to adjourn the meeting at 8:11 p.m. Motion unanimously approved by all those present.

Wayne Morris, Secretary

/kf