

FLORENCE TOWNSHIP PLANNING BOARD

RESOLUTION NO. P.B.-2024-05

Application PB#2024-01

**RESOLUTION OF MEMORIALIZATION
APPLICATION OF WHITESELL CONSTRUCTION CO., INC.
PRELIMINARY and FINAL MAJOR SITE PLAN
BLOCK 158, LOT 5.01
GM GENERAL MANUFACTURING ZONING DISTRICT
APPROVAL of EXTENSION OF PERIOD OF PROTECTION
PURSUANT TO NJSA 40:55D-52(d)**

Decided: April 23, 2024
Resolution Memorialized: May 28, 2024

WHEREAS, by way of its Resolution 2022-09, dated July 26, 2022, the Florence Township Planning Board granted preliminary and final major site plan approvals to allow development of a 249,600 sq. ft. industrial building, and associated site improvements including parking, lighting, landscaping and stormwater facilities, at a 17.14-acre property located at 900 Richards Run and known on the Official Tax Map of the Township of Florence as Block 158, Lot 5.01;

WHEREAS, the applicant now seeks a one-year extension pursuant to NJSA 40:55D-52(d) of the period of protection from ordinance changes for the final major site plan approval concerning the subject property;

WHEREAS, the applicant is represented by Lynn Blessing McDougall, Esquire;

WHEREAS, the applicant is the owner of the subject property;

WHEREAS, upon a finding that its jurisdiction was proper, the Board opened a hearing on the application at its April 23, 2024 regular meeting;

WHEREAS, Ms. McDougall and Terrence Huettl, Executive Vice President of Whitesell Construction, appeared before the Board in support of the extension application;

WHEREAS, the Florence Township Planning Board has made the following findings of fact and conclusions of law:

Findings of fact:

1. The applicant is the owner of the subject property, and therefore has standing to bring this application before the Board.
2. Application has been made, pursuant to NJSA40:55D-52(d), for a one-year extension of the period of protection from changes in ordinance standards of the previously granted final major site plan approval;
3. The Board has jurisdiction to hear this application.
4. Through the statements set forth in the letter of Mr. Huettl dated April 2, 2024, the applicant has demonstrated that it has been prevented from proceeding with the development because of delays in obtaining legally required approvals from other governmental entities that the developer has diligently sought.
5. The applicant has submitted the following documents in support of its application:
 - a. Letter of counsel dated April 2, 2024 requesting the extension;
 - b. Proof that no taxes were due on the subject property;
 - c. Application and Escrow Fees in accord with ordinance requirements;
 - d. An executed Escrow Agreement;
 - e. Executed corporate ownership disclosures in the form required by statute are on file with the Township.
6. No public comment was offered on the application.

Conclusions of Law:

The Board finds that the developer has been prevented from constructing the proposed development because of a delay in obtaining necessary outside agency approvals which the developer has diligently sought. The proposed development remains substantially consistent with the Township's Master Plan and relevant standards as set forth in Township ordinances, and the applicant has complied with the Board's procedures for seeking the requested relief.

The Board finds that the proposed one-year extension of the period of protection from ordinance changes for the previously granted final major site plan approval should therefore be approved.

NOW, THEREFORE, BE IT RESOLVED by the Florence Township Planning Board in the County of Burlington and State of New Jersey that the application of Whitesell Construction seeking, pursuant to NJSA 40:55D-52(d), a one-year extension of the period of protection from changes in ordinance standards for development of a 249,600 sq. ft. industrial building, and associated site improvements including parking, lighting, landscaping and stormwater facilities, at a 17.14-acre property located at 900 Richards Run and known on the Official Tax Map of the Township of Florence as Block 158, Lot 5.01, as memorialized in Board Resolution 2022-09 granting preliminary and final major site plan approval, be and hereby is, **GRANTED**, subject to the following conditions:

1. All conditions of previous approval Resolutions not expressly waived or altered herein shall remain in full force and effect.
2. The extension period shall commence on July 26, 2024 and end on July 25, 2025.
3. All taxes and escrow fees for professional review must be paid current and in full.
4. Publication of a brief notice of this decision in the official newspaper of the municipality within 10 days of the date hereof.

The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees.

**MOTION TO APPROVE EXTENSION OF PERIOD OF PROTECTION
FOR PRELIMINARY and FINAL MAJOR SITE PLAN APPROVAL:**

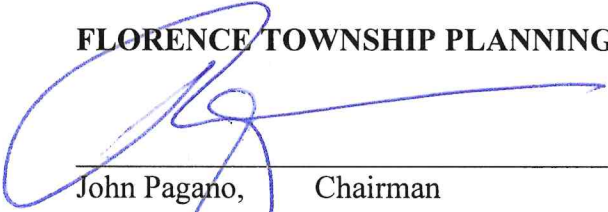
Moved by : Mayor Marter
Seconded by : Mr. Kehr
In Favor : Mayor Marter, Mr. Kehr, Councilman Fratinardo,
Mr. Gabrielle, Mr. Isaacson, Mr. Mattson, Ms. Taylor,
Chairman Pagano
Opposed : None
Abstained : None
Absent : None

MOTION TO ADOPT RESOLUTION:

Moved by : Mr. Fratinardo
Seconded by : Mayor Marter
In Favor : Mr. Gabriele, Mr. Isaacson, Vice Chair Kehr, Mr. Mattson,
Chairman Pagano
Opposed : None
Abstained : None

FLORENCE TOWNSHIP PLANNING BOARD

Dated: May 28, 2024

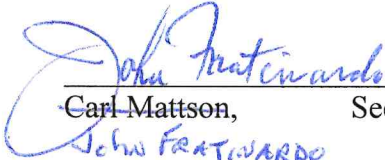


John Pagano, Chairman

CERTIFICATION

BE IT REMEMBERED that the within written Resolution was duly adopted at a regular meeting of the Florence Township Planning Board held on **May 28, 2024** and memorializes a decision taken by the Board on **April 23, 2024**.

Dated: May 28, 2024



Carl Mattson, Secretary