

HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

Time: 7:00 PM

November 4, 2021

1. Call to Order

The meeting was called to order at 7:00 pm by Mr. Krollfeifer.

2. Flag Salute

All participated in the Flag Salute

3. Sunshine Law

Notice of this meeting was published in accordance with the Open Public Meetings Act By posting on the municipal bulletin board, publication in The Burlington County Times and Courier-Post Newspapers, and by filing a copy with the Municipal Clerk

4. Announcement of “No new business after 11:00 PM”

5. Roll Call

Present: Mayor Gilmore, Mr. MacLachlan, Mr. McKay, Mrs. Baggio, Mrs. Tyndale, Ms. Kosko, Mr. Krollfeifer, Mr. Bradley,

Absent: Mrs. Kelley, Mr. Tricocci, Mr. Murphy, Mrs. Cuniglio, Mr. Sylk

Also Present: Robert Kingsbury, Esq., Board Attorney
Scott Taylor, Planner
Martin Miller, Engineer
Kathy Newcomb, Zoning Officer
Paula Tiver, Board Secretary

6. Items for Business

A. Case 21-09: Philadelphia Hardware Group
Block 98 Lot 2.04
3 Mary Way
Use variance
Attorney: Patrick McAndrew

Proper notice was given.

Mayor Gilmore and Mr. MacLachlan recused themselves from the use variance.

Mr. McAndrew: I'm representing the applicant with me is Kevin O'Keefe, who is a principal in the application. What we're proposing, we have three sea boxes behind our industrial building off Mary Way. And it's really the backyard of two or three industrial buildings. There's one next door that backs up to our area. And then there's Bruni Plaza, Bruni Square up front, which backs up to us. And what we'd like to do is have these three containers really on a short term basis for storage for roughly a year. Mr. O'Keefe will be my only witness.

Mr. Kingsbury swore in Kevin O'Keefe.

Mr. McAndrew: Kevin. First, tell us who you are and what your position is with-

Kevin O'Keefe: I'm the president and one of the owners of Philadelphia Hardware Group. We also go under Liberty Building Products. And let me explain the situation. So with COVID happening overseas, deliveries has gone out from what used take probably 60 days to 90 days is now out close to 180 days. So what effect that has on the business is our inventory doubles in a building that wasn't really set up to do that much inventory. So we need some extra space for the sea containers. In the meantime, we've just signed an LOI to move two buildings down, to have double the space. And we just need some time to be able to hold the inventory so we can supply customers and make the move. And then we'll sell the sea containers at that point.

Mr. McAndrew: So, the game plan is you're going to move two buildings down, go from 10,000 square feet to 20,000 square feet?

Kevin O'Keefe: Yes

Mr. McAndrew: So then what you're looking for is this temporary be roughly a year or less than a year?

Mr. O'Keefe: Yeah, hopefully less than a year, but you know, sometimes lease stuff takes longer and they have to build an office. So it may take a few months and if it goes a little longer, I'm concerned about having a quick temporary situation, because then we'll be back here saying we need a couple more months rather ask for a little longer and then hopefully. Three to six months.

Mr. McAndrew: Now when the board considers this kind of relief, even though it's temporary, just looking at negative impacts. Can you describe the setting for these containers and whether it impacts the properties around it?

Mr. O'Keefe: Yeah. So we're kind of in the beginning of the end, however you want to look at it of the industrial complex and we're the first building in that area and it's kind of tucked in right, three sea containers right next to each other. There's actually an embankments around two sides of it in our building. Really, I can't say it's not a site issue. People are driving by, you have to come all the way around and it's a dead end. It's really just kind of on its own.

Mr. McAndrew: And the buildings around you, one's industrial building and the other is a commercial building. They all back up to you. It's like a rear yard of three buildings.

Mr. O'Keefe: Yes.

Mr. McAndrew: Does the board have any questions about the proposal.

Mr. McKay: Mr. McAndrew, maybe you could address the Taylor Design Group letter of June 28th, 2021 and more specifically the general comments on page two and three.

Mr. McAndrew: Well, I think some of the letter was focusing on the length of time it would be there. So I think the fact that it'll be temporary resolved, some of these issues. One question is discuss the ongoing permit needs of the proposal and it's not designed to be permanent. And because of that, we're not proposing a replacement building as far as landscaping, the board planner wants to do a site inspection and do some integral landscaping. You know, that's fine.

Mr. McKay: I guess the other thing and take a look at the photo on page three of the Taylor Design letter, and I guess the concern, I'll generalize it to be clutter on the site, clutter from miscellaneous containers, dumpsters, pallets, and whether this amounts to just more clutter on the site. So I guess the suggestion is clean up the clutter.

Mr. McAndrew: Yeah. Part of that is we have a small dumpster. We have the three sea boxes, but we're only one tenant in the building. Some of this other tenants. Can you address that Kevin?

Mr. O'Keefe: Yes. One of the containers, the first one you see on the left isn't ours. And after talking to the township, we did clean up a lot of the pallets and things stacked them and tried to make, tried to address all the issues other than sea boxing, which we were coming to this meeting for.

Mr. McKay: All right. So the boxes in the photos we're talking about, they're not your boxes.

Mr. O'Keefe: No, those are our boxes.

Mr. McKay: Okay. So that's, and that's where they'd stay.

Mr. O'Keefe: Yes, absolutely. And they're all, that's all going in the corner, basically in the end of a parking lot with the trees and everything there. Seemed like a right place to put it out of the way.

Mr. Bradley: Are the items to the right of the safe boxes, yours?

Mr. O'Keefe: Sometimes on a nice day, we bring things out of the warehouse so they can maneuver around and do some cutting and some light manufacturing done. Then it will go back in. If it's plastic, sometimes it'll sit there because it doesn't break down outside. Any of the wood goes back in to the racks. We are just short on space right now.

Mr. Bradley: Any of this, these items be put in sea boxes.

Mr. O'Keefe: So the sea boxes right now, depending on the shipments going in and out are filled. So like we just received a container so that we fill it up and then over the next three months we ship them out. So then they empty out and we just kind of, it's kind of like an ebb and flow on things.

Mr. Krollfeifer: Okay. I have a couple of questions but it's going to sound like a little bit redundant for what Mr. McKay just asked you. But I have to disclose, I was at the site I did visit and everything and I was confused with the application. You're asking for the boxes, additional storage via three sea boxes. And when I was there a couple of weeks ago, the boxes were already there. So are you looking for six or just three?

Mr. O'Keefe: Just three, that are there. That was my error. I didn't realize at the time that you weren't supposed to put the sea boxes there, it was in an area that I thought we were okay to put things. And then when the township came by and looked at it.

Mr. Krollfeifer: So was it any violations issued in this that stimulated the putting in the application?

Mrs. Newcomb: There were notices sent out. I won't have to say that I spoke to the tenant extensively. I also spoke to the previous owners of this site. How this was found out is when I was given a business license, as you would find many of these things, they have been cooperative. The unfortunate part is that the back of this building, the majority of the issues are not theirs. Some of the other tenants have been cited. I now have to get the new owners of the industrial park on board with their tenants because of issues that are outstanding there. But these three were there. And that's why he is here today.

Mr. Krollfeifer: Does anybody else have any questions?

Mrs. Newcomb: You say you're in 3 Mary Way. What unit are you moving to? What building?

Kevin O'Keefe: 7 Mary Way is becoming open because ABC Supply is moving and taking the whole building we're in. So we're kind of swapping with them. The building we're going into is 20,000 square feet.

Mrs. Newcomb: Do we have an anticipated date when this is to occur.

Mr. O'Keefe: So theoretically, March, April, the LOI says February, March right now, but they're already saying March or April. So I'm just a little concerned that things get pushed because they have to build an office for us. It's an open 20,000 square foot warehouse, and we need about 2000 feet of office space there, which is what we currently

have. So that's going to take a couple months and the way things are with materials and things, I'm just concerned that it may bump a couple months and I'd rather be safe-

Mrs. Newcomb: The reason why I'm asking about the date is it affects many of us in my enforcement office, myself, my fire official or business licenses all have to be changed. So I'm trying to get an idea of when to be able to get an idea of when you guys are going to be moving around its important for us to get that.

Kevin O'Keefe: So I met with the landlord last week and they're shooting for April. That's his plan right now. And I know there's probably licenses and things that they have to do.

Mrs. Newcomb: There'll be a lot going along with the changes.

Mr. McAndrew: Actually the reason we ask for up to a year to get out of this space is because we have to sell the containers. We have to get permits and things for the new space and things sort of, it was going to take a little more time than the plan. So we just wanted to have enough time to make sure we were okay.

Mr. Krollfeifer: So will you be taking these sea boxes with you from number five to number seven?

Mr. O'Keefe: So the goal would be to sell them once we move everything into the space, see we brought them just for temp storage. So we hadn't really got that far, but I guess, that would probably some time they're not small. I'm concerned about just having a little time to sell them. Once we move into the space, we're going to have empty sea boxes. And then once they're empty, we can sell them and they are in demand right now. So, that's good.

Mr. Krollfeifer: Can the sea boxes go into building seven? Is there an opening big enough to move them inside if they you move?

Mr. O'Keefe: There's a possibility of that. We haven't laid out our warehouse and our racking, we're working on that now. I don't know it's a question. I guess my first thought would be, I'd like to look at it because we're getting more space because we need more space. We put the sea boxes in there. We probably are going to be a little tight and back in the same kind of situation.

Mr. McAndrew: Yeah, but the question really is are you going to put these sea boxes behind the new space outside and the answer is no I think.

Kevin O'Keefe: No, the idea is not to have, they're not going to be there. We would sell them from the spots they in and try not to move them. You know, we can fork everything else over to the new building because it's pretty close.

Mr. Taylor: Just a couple to clarify. I don't know if it was Mr. McAndrew or Mr. O'Keefe. You indicated that the other there's another storage trailer or storage office out there and that's one of the other tenants that's in your building now or in that same building?

Mr. O'Keefe: Yes. So the three sea boxes are ours and then some other containers, some different tenants, every tenant kind of has their own garbage container. And then some people recycle, but there are some other things people have, has nothing to do with us, but there's like a boat and cars and there's other stuff there that's not has anything to do with us.

Mr. Taylor: And that's why I want to try to make sure we sort of focus your thing on you and but you guys indicated that ABC is going to move in and take this entire building.

Mr. O'Keefe: Yes. That problem's going to go away because the tenants that are in there now are not going to be in there in the future. ABC will have that whole building. So this right now, just four tenants, including us in that building. I think that's right. And two others. So it'll be one tenant ABC in that building.

Mr. Taylor: So in 12 months when you're hopefully in your new building and an inspection gets done out here, there won't be anything out there.

Mr. O'Keefe: There'll be no sea boxes. Those tenants will be gone. I know what's going on there. And that stuff is the other tenants who won't be there.

Mr. Taylor: So let me ask another question. Are you hoping that it's six or nine, but you're asking for 12?

Mr. O'Keefe: I'm hoping we stick to the goal, which is what the landlord had said is April. So that would be three or four months. Right. And then I'm thinking a little time let's say a month or 60 days to sell the sea boxes. So hopefully I wrap it all up in about six months, but if the office takes longer to build or if there's permit issues or different things going back and forth and it extends, I wouldn't want to be bumping up on the timeframe.

Mr. Taylor: And I think as long as some of those other items of, and whether that's the owner or landlord or whoever's issue that is, none of those parking spaces are striped as shown on the plan. There is no handicap accessible parking. There's a handful of sort of things would be identified. And you agree to comply with those issues.

Mr. O'Keefe: Yes we would.

Mr. Krollfeifer: Okay. Just on the same subject. Would it be all right, let's say we approve this through June 30th, I'd say, but you can come back to Mrs. Newcomb for an extension and avoid coming in here. Is that okay with you Mrs. Newcomb?

Mrs. Newcomb: Yes. I just would like to see that in a resolution. Included for that timeframe to be in there.

Mr. Krollfeifer: And the maximum would be, let's say December 31st.

Kevin O'Keefe: Sure, that would be great.

Mr. Miller: Speaking of the site by itself right now, we don't have a site plan that's in compliance with the existing conditions. So I'm not sure how we're going to get a compliant site plan if this goes to a new tenant and he doesn't and he's within all of the zoning requirements. I don't know how it has to do a new site plan of the things. So I don't know how we get to that position.

Mrs. Newcomb: What Mr. Miller was speaking about is the previous owners of this site had come to us submitted. You may remember probably a good three to four, if not five years ago, in regard to redoing many of the buildings, the front, redoing the parking lot, striping, trash container, enclosures, and things such as that. At this point, they have never finale the site plan out. And this was a discussion that I had is that the site is the whole entire site, not just building three, but is not compliance at all. They've never final out anything. And now we have a new set of owners.

Mrs. Newcomb: So I believe where Mr. Miller is going, which I agreed with him is that we have a tenant here is looking to try and do things right. And now we have kind of switching buildings and going into different sites. And we still don't have compliance with whole site itself from the new owner now. And I always think that, that's something that should be brought into the thought process when, if this review approved today, having the rest of the site completed because it's building three, building five, it's the whole thing. So, and I believe is that correct Mr. Miller of where you're going with this?

Mr. Miller: Yes. Like, you said, I don't have, as I think it was buildings two and three, like where the potato chip people are and the gym and all that. At least there was a plan there for that. There was no plan for this building. I haven't seen any, a completed plan.

Mrs. Newcomb: So my feeling is that if this were to be approved, you certainly can deal directly with this issue here. And I think then it would be my job to follow up with the new owners in regards to what is still outstanding on the rest of the site.

Mr. McKay: Is given the swapping of building tenants. I suppose this is a question, would that be a sufficient change in use to trigger the requirements for a site plan?

Mr. Kingsbury: Any change of use can trigger a site plan. Yes. There's different requirements for each type of use.

Mrs. Newcomb: So that's where it comes in that I require all the businesses and it's imperative, that the owners of these properties understand that when their tenants change units, that they are to notify us. Because again, I'm not the only one effected there's effect for a lot of things, especially when they start going, their use starts going to much larger buildings that truly affects the fire official. Then it gets into the point where now I got to take a look where you bringing more trucks in, or you bringing more employees in. So it does have an effect.

Mr. Taylor: But the change of tenancy is somewhat different than the overall site plan for the center that was never followed up on or perfected by the owner. So this should sort of live and die on its own. And the overall site plan.

Mrs. Newcomb: I agree.

Mr. Taylor: Should be handled as a site plan enforcement violation issue to bring them either back or do what those conditions of the prior site plan approval were.

Mrs. Newcomb: I agree. I think this is a sole issue. I don't think the tenant should have to pay the price for what the land owners are not doing, but if they decide to approve it, yes. Then we'll look at this solely and then I'll go back to the new owners now because they exchanged hands what, several months ago.

Mr. McKay: All right. Just to follow up that point then where are we then with the issues of cleaning up the clutter, the temporary office, the parking stalls, those things under D in Taylor Designs letter, but are we going to impose those requirements on this applicant, this tenant, or leave that to the larger site plan?

Mrs. Newcomb: Yes. I will agree with that.

Mr. McKay: Since the tenant's not going to be there in four months or maybe six months.

Mrs. Newcomb: Again, many of these issues report onto the applicant. They are the other two or three tenants, which I am constantly having to clean up the cat and mouse game what comes out [inaudible 00:24:07].

Mr. McKay: Well, I'm not suggesting that this applicant clean up others mess, but just deal with his own mess and his own three boxes. So locate them, put them down any garbage that he has do the right thing with time limited.

Mr. Taylor: And maybe that could happen. And maybe the way to sort of facilitate this and create that distinction is, or November now that by December 15th or December 31, once a resolution might be memorialized, we conduct a site visit. And that way you can basically be able to say to me Marty or Kathy, these are our three sea boxes. These are our two trash dumpsters. All of this stuff is theirs. Then Kathy has sort of a starting point and we know you've cleaned up all of your things and anything else is part of their violation. And then you've cleaned up those items. And those have it be at a time when any of the stuff that you move out during the day has been moved back in. So literally your site is, and that'll sort of give Kathy a baseline to be able to go back to those other folks. And the board knows that you cleaned up all your stuff except for the sea boxes and the dumpsters.

Mr. O'Keefe: Okay. That sounds fine by me. Makes sense.

Mr. Krollfeifer: And the new location, I assume, will have the handicap parking spaces properly, which is mentioned in Mr. Taylor letter.

Mr. O'Keefe: Now that you say, it didn't dawn on me, before you just said that. Because I actually drove there today just to kind of look at, some of the changes we're making. The front of that building looks better than most of the buildings in that area. They must have redone the parking lot there at some point. I don't know the history on it, but we're moving in seven. That area seems a lot.

Mr. McAndrew: But I think in the other cases like Herr's in the sports facility, the owner came in building by building. Because we were here in the past at least twice. I can remember. And I think with this building, that were vacate, when we're going to, if there's a fit up required, you can always say, well, you have to come in. Returning permits and approvals. So I think that's how we've done in the past and probably what will be done in the future.

Mrs. Newcomb: You're correct.

Mr. Taylor: And I think the town can withhold a change of tenant permit. If the conditions of the prior site plan approval, aren't perfected and they don't have their accessible parking and any of those other improvements. And that will get the owner to show up pretty quickly as well.

Mrs. Newcomb: Which would affect this applicant and ABC.

Mr. Taylor: Right on their next site for their building swap, so.

Mr. McAndrew: That's how you reel them in, in the past.

Mrs. Newcomb: Well, I'll have to set up a meeting with him to have him come in and speak with me.

Mr. Krollfeifer: Will this applicant, have to come back in again, to move into the other building, or are we taking care of it all at one point?

Mrs. Newcomb: He's going into bigger space, but the use is permitted through the entire site. So that doesn't come into play with in regards to now he decides to bring in 20 different trailers in there, then that's going to be another issue.

Mr. Taylor: And the only distinction would be, if any of the improvements that were supposed to have happened on that building have not in fact been implemented, then they would need to be done before you guys go in. So you guys may want do that as part of your own due diligence. And you guys may want to reach out to the owner and sort of bring them to the table from both sides.

Mr. O'Keefe: Right. Okay.

Mr. Krollfeifer: Any other comments from our professionals or board members? Now I'll open it to public comment. We have anybody that would like to speak regarding this application? Seeing no hands. How about, can they hear me online? We have people who've called in, so okay. Hearing none, then I'll close the public comment. Turn it back to the board. What's your pleasure?

Mr. McKay: Mr. Chairman, I'll make a motion to grant the application for the use of variance. Conditions would be the allowance of the three boxes placed by agreement with our planner and the resolution of any of this applicants, other business property on the

site in terms of organizing it or clearing it. Again in consultation and the approval of our plan and the time limit Mr. Chairman.

Mr. Krollfeifer: I think, well, I suggested June 30th, but then Mrs. Newcomb can extend it at her at the request. So they don't have to come back into the board again.

Mrs. Newcomb: Correct. What I can do is if we put a timeframe on there, let's say June 30th and obviously it's about a year. They need to get back to me, vice versa. If I don't hear from them, and then I can do an administrative update to the board and let you know what's going on. Then if you feel the applicant needs to come back for some reason, otherwise the administrative approval will be enough.

Mr. McKay: So, my motion would be a June 30 deadline with the ability to get two 60 day extensions. Upon application at least two weeks prior to the deadline, to the town, seeking the extension. And it will be within the sound discretion under the motion of sound discretion of town officials, as to whether the grant, the extensions for good cause.

Mr. O'Keefe: That'd be great.

Mr. Taylor: Does that also included an inspection by December 31st of this year?

Mr. McKay: No, it doesn't, but it does now. It didn't but it does now. Got that, Mr. O'Keefe. So that gives you almost your year, but it also keeps you on a leash. So you've got to go back and talk to us if you need more time.

Kevin O'Keefe: Yes. That should work. Hopefully we stay on schedule for April and I don't have to have an extension that's the goal. Thank you.

Mr. Krollfeifer: Just for clarity purpose, Mr. Kingsbury, do you want to read back what you're going to be preparing?

Mr. Kingsbury: The motion was to approve a use variance for three boxes to be placed in, as recommended by the planner. There will be a cleanup of his property on the site. The boxes would be allowed to be there until June 30, 2022. If they need an extension, they can request that to Mrs. Newcomb. They would have to apply for it that 14 days before the expiration of that date. She would have the authority to grant two 60 day extensions or refer the matter back to the board. And there will be an inspection of the site by December 30th, 2021.

Mr. Krollfeifer: Do we have a second on that motion?

Second: Mrs. Tyndale

Roll call: Mr. McKay, yes; Mrs. Tyndale, yes; Mr. Bradley, yes; Mrs. Baggio, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries.

Mr. Krollfeifer: Good luck. I'm glad your business is expanding.

Mr. O'Keefe: Thank you for the help. I really appreciate it.

B. Case 20-11A: Bluewater Property Group

Block 24 Lots 4.01, 11, 12.01, 12.02, 12.03, 12.04, 12.05

710 Marne Highway (Marne Highway Redevelopment Area)

Preliminary & Final Site Plan

Proper notice was given.

Michael Floyd: Good evening, I'm an attorney with Archer & Greiner appearing on behalf of the applicant, Bluewater Property Group, LLC., which has submitted an application for preliminary and final major subdivision of approval for property located at the intersection of Martin highway and the Mount Holly bypass and identified as block 24, lots 4.01, 11, 12.01, 12.02, 12.03, 12.04, and 12.05 on the township's official tax maps. The property has an address of 710 Marne Highway, and the property is governed by and it's consistent with the Martin Highway Redevelopment Plan. The applicant this evening is not seeking any variances with his application. It is a by rite site plan application.

With me this evening, we do have three witnesses. We have on behalf of the applicant, Michael Coppola, a partner with Bluewater Property Group. We have Richard Burrow, a licensed professional engineer with his lead AP designation, executive vice president of Langan Engineering and Environmental Services. And last but not least, we have Zach Wester, we a licensed architect in the state of New Jersey and a project manager with M and H Architects. And we are in receipt of the technical review letters issued by Alaimo Engineering and Taylor Design Group. We also submitted point by point response letters to those first two review letters, and our goal this evening with our presentation, our testimony, and our exhibits will be to hopefully answer all those commenting and questions in the review letters.

One last housekeeping matter. We do have seven exhibits that we plan to reference this evening. Exhibit A-1 will be an aerial photograph of the property and the surrounding uses. Exhibit A-2 will be a zoomed in aerial photograph of the property. Exhibit A-3 will be a rendered site plan. Exhibit A-4 will be the concept floor plan. Exhibit A-5 will be the conceptual elevations. And exhibits A-6 and A-7 will be rendered perspectives of the building corner and from the Martin highway perspective. And what is proposed with this application is the construction of 149, 510 square foot warehouse distribution facility. Along with related site improvements, including 131 parking spaces, 29 loading berths, 39 trailer stalls, and related site improvements.

But if there's no questions at this time, what I'd like first have is Michael Coppola come up, introduce himself, and talk about Bluewater Property Group. The nature of this development. It is speculative nature and talk about the project.

Mr. Krollfeifer: Okay. And what about just save some time, have your three witnesses come up and be sworn in, and then we'll hear your professionals and move on from there.

Michael Floyd: Yes. I would ask Michael Coppola, Richard Burrow, and Zach Wester come up.

Mrs. Tiver: Can we just make an announcement that all the exhibits are online, they are on the Township website on the Land Use Board Page.

Mr. Kingsbury: Do you swear the testimony you give to be the truth, the full truth, nothing but the truth, so help you God?

Michael Coppola: I do.

Mr. McKay: Maybe one of your witnesses just as a little footnote can answer a question, hopefully that I had. Do they know when creosote manufacturing plant ceased operation?

Michael Coppola: So that would be the subject of the next application.

Mr. McKay: So your property doesn't include any of that. The other side of the Conrail tracks.

Michael Coppola: That is correct.

Mr. McKay: Okay. Sorry.

Michael Floyd: If you can come up to the podium, please. Just give them your name for the record again, and your licenses, education and experience.

Richard Burrow: Good evening. Richard Burrow, with Langan Engineering and Environmental Services. I'm a civil engineer with 28 years' experience. I have a bachelor's degree in civil engineering from the University of Glasgow in Scotland. I've been practicing civil engineering here in New Jersey for 22 years. I've testified in front of many boards, but this will be my first time in Hainesport and I am a licensed professional engineer with the current license here in the state of New Jersey.

Mr. Krollfeifer: Okay. Unless the board has any objections. Acceptable.

Zach Wester: Zach Wester, I'm a project manager with M and H Architects. And I have been with M and H for 11 years. I have a master's of architecture from Kansas State University. I'm a licensed architect in the state of New Jersey. I've worked on approximately 10 million square feet of industrial projects in the state of New Jersey and about another 25 million nationally. And I've recently testified in several other townships in the state, but have yet to testify to this board.

Mr. Krollfeifer: Any objections from anybody on the board? If not, it's acceptable.

Mr. Floyd: Well, Mr. Coppola, have you had a chance to review letters by Alaimo Engineers and Taylor Design?

Mr. Coppola: Correct.

Mr. Floyd: So just to start, can you talk about your experience with Bluewater Property Group and Bluewater's experience with industrial development?

Mr. Coppola: Sure. And good evening and thank you for your time. It's a pleasure to be before this board again. My name's Mike Coppola. I'm a partner with Bluewater Property Group. I know some of you or all of you may be familiar with us based on our previous appearance before this board and subsequent construction of the Hainesport Commerce Center. However I did want to take a minute just to provide a quick overview. Bluewater is an experienced industrial developer, with a long history in the state of New Jersey. Between Bluewater and our predecessor companies, we've developed approximately a 7 million square feet in the state of New Jersey and 35 million square feet across the country. Design of the subject property tonight's hearing is reflective of this experience and our understanding of tenant needs in modern distribution buildings. This is a speculative development, so we're not able to provide specifics as to the operations that will ultimately be located at the property.

But based on our 20 plus years of experience in the sector, we certainly can convey what is typical for this type of building. Further. We have designed the facility to maximize efficiency and long term operational viability with no variances from the Marne Highway redevelopment plant. We anticipate this to be a single tenant asset, but the design provides for flexibility to have as many as two tenants in the building with dedicated parking along the front, and either end of the building and ample trailer parking along the entire length of the truck court. The plans you have in front of you shown an approximately 10% office build out, which reflects the upper end of the range we would expect. We would typically building like this be more in the 5 to 7%, but we've shown the upper end of the anticipated office build out range. Number of employees will vary by user type and operation, but for facility of this size, we typically see between 100 and 125 full-time employees across the two to three shifts.

There will likely be some limited amount of additional visitor and part-time employee traffic. These operations are typically 24 hours, but for a building of this size, we anticipate very little overnight trucking activity as reflected in our traffic report. Shift volumes can have some seasonal fluctuation and typical shift hours range from eight to 12, depending on the tenant's operations.

In terms of the types of operations that would be located at the subject property, this is what we would consider more traditional storage warehousing, where product will come in on containerized pallets, be broken down from there and placed on racking, and ultimately orders are fulfilled either direct to consumer or to retail locations. Given the population density in the surrounding area. This could be a direct to consumer operation, but would lend itself the product that has a much lower turnover rate. Think bulky appliances, furniture, home improvement, that type of thing.

The project conforms to current codes designed to minimize or eliminate noise, glare, motor safety hazards, and air and water pollution. Trash and recycling collection will be handled by third party haulers contracting directly with the end user. Most tenants require a single trash compactor in one of the dock positions as shown on our plan. And the

recycling is typically sorted and stored internal to the building and then handled by a private cleaning company or recycler. Ample parking for employees and guests are provided on the plan in either a single tenant or two tenant lease up, and 39 trailer spark trailer spots are provided on the plan, which is used for short-term parking and storage with typical trailer turnaround times of 24 to 48 hours for most operations.

I just wanted to end by thanking the board's professionals and representatives of the township for what's been a collaborative process from the development of the redevelopment plan through the review of the site plan. We truly appreciate the time that's gone into providing feedback, and I'm happy to answer any questions now or as they arise during testimony. Thank you.

Mr. McKay: Just in terms of the traditional storage use comment that you made. Just to clarify. So this is going to be, in sort of plain language, just a dry storage facility. Appliances, or package goods or whatever. No manufacturing going on here?

Mr. Coppola: That's our expectation.

Mr. McKay: No processing of any materials?

Mr. Coppola: That's our expectation. The redevelopment plan does contemplate end processing, finish processing, and has different parking standards for the different uses that could be in the building. But we would expect that to be a small portion of an operation, not the entire building itself, if anything.

Mr. McKay: Any anticipated chemical storage or petroleum storage.

Mr. Coppola: No

Mr. McKay: Other than what you do to run machines.

Mr. Coppola: Correct.

Mr. Krollfeifer: Are you going to introduce exhibits with your other professionals?

Mr. Floyd: That's correct.

Mr. Krollfeifer: Do you want to go forward with that? And we'll hold questions.

Mr. Floyd: I'll have Richard Burrow come up, our engineer. And Richard, if we could start with exhibit A-1. This is the aerial photograph of the property and the surrounding usage. Could you just orient toward the property and the road network and the surrounding use please.

Mr. Burrow: This is a new exhibit that shows property highlighted in yellow. Our boundaries are two county roads. Marne Highway to the north and Mount Holly bypass to the east, Christian Assembly to the west, railroad tracks to the south and Route 38 is just further down to the south.

Mr. Burrow: So exhibit A-2 is another ariel photograph. It is focused on the site. Again, 10 acres. You can see the site has two houses and a barn. And today, there's a limited number of trees and most the site is empty. It is relatively a flat site.

Mr. Krollfeifer: Could you go back to the first exhibit and explain who your neighbors are? North of you is residential I believe, right?

Mr. Burrow: North is residential. To the east is the cemetery. To the south, the railroad track and Americycle, and to the west, the Christian Faith Church.

Mr. Floyd: And the question from Mr. McKay earlier regarding the creosote site that is directly south on the Atlantic Woods.

Mr. Burrow: So let me mark exhibit A-3, which illustrates the proposal for seeking approval for unit. So this is the proposed and 149,271 square feet of warehouse on this 10 acre parcel, 131 car parking spaces, 29 parking spaces. It complies with all of the requirements of the redevelopment plan. The setback, the buffers, the building coverage, the low coverage, every bulk standard in the redevelopment plan was designed to be compliant.

A specific design that was very similar to this, and you were asking me to comment on the differences. The concept at the time, the redevelopment plan, this one. So I'll do that, but for most point, it's very, very similar. If you go to page 14 of the redevelopment plan. So one of the differences is the number of storm water basin and the concept design was contemplated in late 2020. Since then the state adopted new storm water rules in March of this year. We've done some extensive testing on site to verify the existing soil conditions, thus process to go from four storm water basis is fine. The additional basin placed on the corner of the Mount Holly bypass along the highway.

Due to the new rules, you have a larger number of basins, close to the source. And you think about, we have a large amount of pavement in the back, so have more basin here. There's some pavement in the front, facing there. We didn't have anything on the corner, which causes us to have a basin to comply with the new stormwater rules. The sidewalk comes along Marne Highway then makes a straight turn into the proposed. That's another substantial difference.

The basin two was originally showing just with slopes on all sides. And we did slopes on all sides and that doesn't provide sufficient bottom surface area for the stormwater filter into the ground. So we have a wall. So it's seven feet high, just on basin two, approximately eighty feet long, and in the direction of Marne Highway, about 20 feet long, back out to the road. It's a small wall, and I don't think it's a significant wall. I don't think it changes the context of the design, in my opinion.

Mr. Krollfeifer: What's the construction material on the wall?

Mr. Burrow: The wall is expected to be a modular block wall.

Mr. Krollfeifer: Okay.

Mr. Burrow: We had contemplated a screen wall facing the Marne Highway. We anticipated screening from the residents as you mentioned from a visual perspective and from a site perspective, in development and design, and we worked sound expert who works with our associates, and studied this in more detail. In the concept, to the wall. The wall facing Marne Highway is 20 feet high. It's a plywall wall, which that absorbs sound. And we have often used in the circumstances where it's appropriate.

Mr. McKay: What's the durability of that with weather, wind?

Mr. Burrow: It is as durable as the buildings. The slight difference to the wall height which really wasn't specified. The one illustrated I think it was 13 feet high. This wall is properly designed and 20 feet high. And the wall also has a sliding gate. So, at night time and when the storage is not in use, the gate will be closed, preventing a visual and audio barrier.

Mr. McKay: Same material for the gate.

Mr. Burrow: All one uniform surface. The wall also extends now down about half of the truck court at lower height, 10 feet. Again, this wall was designed in collaboration with a sound expert. It meets state sound requirements with respect to the current circumstances. The rest of the truck court is fenced with an eight feet high chain link fence. The fence is also in compliance with the redevelopment plan.

Mr. McKay: I couldn't follow it on the plans because they were small. And I didn't have them on the computer. So I couldn't exactly figure out where the chain link fence went. Can you show us?

Mr. Burrow: Certainly. Chain link fence starts from the southwest corner of the building. It crosses across the access road. There will be a gate here, that'll have a lock box in case emergency access is needed. It just then follows the edge of the pavement and then to the back southwest corner of the truck court, then goes approximately halfway up the truck court. Then it connects to the 10 foot tall plywall.

Mr. McKay: Why doesn't the sound wall run the whole length of the building all the way to the Conrail tracks?

Mr. Burrow: The receptors for sound are the church next door and the houses across the street. The railroad tracks and the properties are not receptors for sound. So there is no need to screen for sound here. There is a need to screen for sound to the west and to the north.

Mr. McKay: By not putting a sound barrier along the whole trailer park line. You're not allowed the leakage of sound around it?

Mr. Burrow: The sound will go in this direction to the south, yes. But the sound is not, there's nothing in that direction.

Mr. Floyd: So the sound wall has been designed to comply with the applicable DEP requirements for the maximum daytime and nighttime decibel levels. But I think more

importantly, we are aware that the Joint Land Use Board granted approval for preliminary site plan approval for a potential residential project on the church property. And I can state for the record that we, the applicant, we have been in negotiations with the township solicitor, John Gillespie regarding the redevelopment agreement. And I could state for the record that there will be a provision in the redevelopment agreement regarding the potential future expansion of that sound wall, should that residential development come in the future. That will be an obligation on the redeveloper.

Mr. McKay: You mentioned there was going to be a chain link fence there with a gate. Okay. Can you explain to us how the traffic's going to flow in out of here real quick? Or is this going to be done at a later time?

Mr. Burrow: So if you're coming from route 38, you come up, you might only bypass and there's the median there. So you can't make a left in or driveway to the bypass. You need to make a left at the intersection and then added a left turn on Marne Highway so you turn into our entrance on Marne Highway.

The entrance of Marne Highway is the freeway entrance. That's where most of the travel will come and go from because it's a full driveway and provides easy access for the truck and to the car parking. The traffic coming from the west, will come along Marne Highway, make a right into the facility. You can see that we've provided some whitening on frontage alert to a little bit of deceleration to turn into the site and just a continuation of the right turn lane onto the right bypass. The traffic also coming from the north can choose to make a right to come into the site, or can keep going straight and make a right into a right in, right out driveway onto the Mount Holly bypass. Once it's on the site, cars can come in, drive to the car parking lots.

Mr. MacLachlan: So if I'm leaving and I want to go back to 38, how am I going to get out of there?

Mr. Burrow: So basically the cars or trucks would leave likely via this driveway and the right gate

Mr. MacLachlan: So that gets me back to the fence. Your description of the gate led me to believe it was sort of there only to be opened if there was an emergency. So did I misunderstand what you said?

Mr. Burrow: I said it would have a lock box, so if it was locked and there was an emergency. It would depend on the tenant.

Mr. MacLachlan: I'm glad you said that because common sense, it doesn't always rule, but I guess the easiest way to get out of there back to 38 is to go around the back of the building and make the right. Because I'd like to see the traffic cut down as much on Marne Highway as possible. Because that's hard getting in there. Even like if you're coming south on the bypass to not turn right on Marne Highway. Get in the back, I don't know how we should do that.

Mr. Burrow: If you come in say, on the bypass, come straight, make a right turn then. You'd have to make a right then. Why would you make two movements right.

Mr. MacLachlan: Hopefully it's easier for a truck to maneuver and they'll learn the easiest way real fast after the first visit. Right?

Mr. Floyd: Just for the sake of clarity too, if this is a 24/7 operation, that gate would presumably be open during the entire operation. So there wouldn't be any closure of it, limiting cars and trucks from going after the right in right out. That gate would only be closed in the event of, say a 12 hour operation for security purposes, but then traffic's not an issue.

Mrs. Tyndale: So this is a 24/7 operation.

Mr. Floyd: Well, I think as Mr. Coppola testified, they don't know yet, but based on historical experience, it could be up to a 24/7 operation.

Mr. Kingsbury: I believe he mentioned that there would be little to no overnight traffic.

Mr. Coppola: Because this is speculative nature, I can't say definitively what the end use is going to be. So to be very clear about that, but in our experience, especially for a building of this size, which is significantly smaller than the other project we've done in town, we would not expect heavy overnight car or truck traffic, but that's an expectation, not a guarantee.

Mrs. Tindale: Well, I have another question then. So there are a couple houses on Marne Highway. I mean, there's more than a couple, but in that picture there, there's three, right? Or four houses am I seeing there, across from where your property is? Correct? So those houses, I know at least one, maybe two even have children that live in those houses and the children that live in those houses do not get busing to the high school because they are 1.9 miles and two miles is what's needed for them to get bused to the high school. So they have to walk across the bypass. My concern is now you're going to add however many trucks throughout the day. And I'm sure you don't know what time they are or anything else. So I would propose that you make some kind of arrangement with the school district, even that they would provide busing for those kids that live there. And if you can't get any further with that, then I would also propose that sidewalks be installed on that side of the street as well. So that it gives them a little bit more buffer from the traffic and the truck traffic that will be there with the warehouse.

Mr. Coppola: Sidewalk. I'm sorry. I just went sidewalk on the opposite side of Marne Highway. I think as you know, is a county highway. So we've been in discussions with the county and expect to be on the December county planning board agenda. So in review of this with the county, we've incorporated the comments that they've had here. I can't condition our approval on a discussion with an outside agency that we don't really control. We'd be happy to look into safety measures, whether that's a crosswalk to our sidewalk, but absent that, I really can't guarantee anything.

Mr. Floyd: What we can do is, should the court grant their approval tonight with the applications, we can agree to express your concerns and any other concerns to the board,

to the county finding board. And we can do that in advance of their meeting in December. So they can think that under advice, but again, county jurisdictions, we have a limitation here on what we can agree on. But again, it's County jurisdiction, so we have a limitation here on what we can agree upon. But we can certainly convey your question and concern to the County Planning Board Engineer.

Mr. McKay: Were there sidewalks in the plan? I can't tell by looking at the small version I had.

Mr. Burrow: Yes. From Marne Highway one lane frontage to the bypass. But not along the bypass?

Mr. McKay: Does your sidewalk tie into any existing sidewalks? I don't remember whether there was a sidewalk in front of the church.

Mr. Burrow: I don't believe there is a sidewalk in front of the church, no. We can't tie into the existing pedestrian crossing.

Mr. McKay: It's going to be about five foot sidewalk or a six foot sidewalk?

Mr. Taylor: Yeah. I believe it was a condition of the Affordable Housing on the church site, sidewalks along that frontage were requested and approved. So that would start to make a sidewalk connection.

Mr. McKay: Right. At least, and down eventually down to St. Paul's, maybe. Who knows?

Mr. Bradley: But currently there's no sidewalks there?

Mr. McKay: Currently, there's no sidewalks. Right.

Mrs. Baggio: So you said the main entrance is that entrance there on Marne Highway. You consider that to be the main entrance. And that seems to be sending a signal that most of the traffic is going to come in off of Marne Highway, both coming from off the bypass as they could come in off the bypass, or when they're coming this way, or coming up Marne Highway. So it seems like you're almost forcing most of the traffic to be on Marne Highway. I don't know. It seems to be the area that would be able to withstand less of the traffic than that entrance off of Mount Holly bypass, and is there a way to kind of force feed more traffic to go the other direction?

Mr. Taylor: I think to advance that, would the applicant agree to a condition? And I know you always can't control outside trucking, but to notify the tenants drivers and to provide some notice that any traffic coming from the bypass heading south or anything leaving the site heading south on the bypass to utilize, provided there's a single tenant, to encourage them to utilize that Mount Holly bypass. We understand that if you have two tenants, you may have fencing down the middle of your rear truck court. But that would sort of at least try to minimize or maximize the traffic to use the other.

Mr. Coppola: So a couple points. Not sure who said it, but someone said that truckers will find the most efficient route and they will always find the most efficient route. I think Richard's right, that is our main entrance, but I actually think traffic will be pretty evenly dispersed between the two given the ease of the bypass access point. We're fine with operational direction and signage for any traffic that's leaving the site that wants to head south to use the bypass. The problem with traffic that's heading to the site heading south from the bypass using that, is that the truck moving around a building like this really wants to be counterclockwise and not clockwise.

Mr. Burrow: If it's a single tenant and a low impact trucking use, which it very well could be, that might not be an issue because they're going to have turnaround room once they're within the truck court if there's not already a number of trucks either on dock positions or in trailer parking spots. But if it's a tenant who's utilizing most of that space, the trucker really wants to come in counterclockwise so that he can back into a dock position looking over his left shoulder. So it's actually a very important functional use of a building like this. So I guess a long-winded way of saying we would be happy, especially for traffic leaving the site heading south, to provide that direction to the tenant and even provide signage that would make sense to comply with that. And we certainly can encourage traffic entering the site to use the bypass, but have a little bit more reservation in anything stronger than encouraging for traffic entering the site.

Mr. Bradley: I know you've done traffic studies, but I got a real concern with trucks coming down Marne Highway and turning left out of facility, and trucks exiting your facility onto Marne Highway making either right hand turns or left hand turns. That's only a two lane road.

Mr. Burrow: And that's why we're providing widening along our frontage, so it's not a two lane road.

Mr. Bradley: That's great for ones turning in, but not so much for turning out.

Mr. Burrow: I think you find that traffic leaving on Marne Highway. There's an intersection at the fire lane. So at the intersection is a fire lane road. And you're right, when you get to the other end of our property, it's going to be two lanes, but we're making four lanes for most of our frontage just to the end there.

Mr. McKay: So you have a turn lane if you're coming from bypass to get into the building. So you're going south on Marne Highway from the bypass. You have a decel turn lane that you're adding. Then you're also adding an acceleration lane on the other curb, right?

Mr. Burrow: Well, we're weighing one lane, and there is already a hatch here for the left turn lane at the intersection. So we're using our idea to make a left turn lane into our site. And yet this darker vehicle is supposed to be for the widening occurring on our site so that we can make the new route.

Mr. McKay: All right. So you have a decel lane going north, and then going south, you have both the turn lane and the acceleration lane. So at that point the road is four lanes wide.

Mr. Burrow: Agreed.

Mr. Bradley: But still, you can't get into the building until it's a two lane road, or into the facility until it's a two lane road. Right by the bottom left hand basin. Is it two lanes at that point?

Mr. Burrow: Existing here is two lanes. The weighting side, there's an existing straight in.

Mr. Coppola: We should clarify, I don't think we expect any truck traffic from Marne Highway making a right into the building. That would just be car traffic.

Mr. MacLachlan: So just so everybody kind of understands. So if I'm going to park my trailer against the building and I have to come in from Marne Highway, make a left and back up so I can look out my window and back my truck. But on the other hand, if I'm parking below on the bottom, and then this is what's kind of confusing, I'm going to need to come in the other way so I can look out my window when I park on the bottom. Right? Out of my driver's window.

Mr. Coppola: They've unloaded, they're pulling out of a dock position to head back to the Marne Highway and then pulling in that way. But yes, you're generally correct in your statement.

Mr. MacLachlan: And when I'm leaving, I can just leave and go out and make the right on Marne Highway pretty much, but the irony is they're probably not going to be going that way. They're going to be going back to the turnpike. So they're going to really want to come out of the facility and get back on Marne Highway and go the other way.

Mr. Coppola: You're right except for the fact, I think I talked about this the last time I was before this Board, 295 in this area is an important highway because it's toll free. If you're going south, I would anticipate you'd go out right, take 38 to pick up 295 that way. But you're right, if you're going north, your movement would want to be north on the bypass.

Mr. MacLachlan: This isn't like there's like 100 trucks going in and out of here a day.

Mr. Bradley: Do you have any anticipation of the amount of traffic since you don't know who's going to be dependent?

Mr. Floyd: We do have a traffic engineer here that can answer any of those questions. I would propose that we finished Richard's testimony on the civil engineering, and then we can bring up our traffic engineer.

Mr. Floyd: And we do have renderings of what this building is going to look like from both Marne Highway and the bypass as well.

Mr. McKay: The roof drainage all goes into one of those or all of those retention basins?

Mr. Burrow: So there are, and the five surface retention basins you can see. There's also underground retention basins under the paved surfaces. And the roof drainage goes into the underground tanks. We've undergone two rounds of testing on this site to verify the composition of the soil.

Mr. McKay: That's going to be under the trailer parking area?

Mr. Burrow: Under the trailer court and under this parking development.

Mr. McKay: Okay. And do those storage tanks provide an overflow safety valve?

Mr. Burrow: Yes. So they are sized for the hundred year storm and the stormwater rules require that we would do for production on creeks, the last hundred year storm, clearly the design didn't the work in some of the fields and that overflow condition would be discharged, which we discharge safely to the system in the bottom.

Mr. McKay: Do those underground storage tanks require periodic maintenance?

Mr. Burrow: They do. We have a maintenance plan that's part of our application that's being submitted to the town, and there's a maintenance obligation, which determines that.

Mr. McKay: Is there somebody from the soundproof company here?

Mr. Floyd: We have our acoustical expert but not from the actual Sound Wall Company.

Mr. McKay: Sound Wall Company, but the acoustical expert. So on the wall, it doesn't have anything to do with acoustics, it has to do with appearance. What I'm concerned about is that walls like that always draw graffiti. They always draw graffiti.

Mr. Krollfeifer: He's raising a good point because they had to redo part of the wall of that other wall.

Mr. McKay: So I would want to make sure that the material used is resistant to the best extent possible to that sort of problem. And then some guarantees from the landlord that should that happen, that it would be cleaned up, eliminated, painted over, whatever it is right away.

Mr. MacLachlan: Does that fall in our Property Maintenance Ordinance, Mrs. Newcomb, anywhere?

Ms. Kosko: It would be code enforcement.

Mr. Burrow: If I may, on this outer wall, the graffiti is on the machine because we've got... As I was getting landscape at some point, we actually have quite a lot of planting in front of the wall. So the big canvas will exist behind a curtain of evergreen and deciduous landscaping.

Mr. McKay: And what about on the wall between your property and the church property?

Mr. Burrow: So there's even more landscaping on that side. So this is quite a large landscape. We're planting really as much as we know we reasonably can. We offer to cooperate with and Mr. Taylor on some of his suggested clean up. And I think one of his requests is we consider some additional trees in limited locations, which again, we're running through corporate at the moment. But we have a significant honesty buffer on the wall on that side.

Mr. McKay: That landscape offer is great and it's wonderful and I'm glad you're doing it, but it probably still doesn't hurt to have the graffiti addressed.

Mr. Floyd: The applicant would agree as a condition of approval to remove any graffiti in accordance with code requirements. And again, this is a class A facility. They're going to be institutional investors here. The last thing they want to have on their product is graffiti. So it would be removed in accordance with any applicable code requirements. But again, I think it's unlikely we'll have graffiti because the point of graffiti is to be seen and it would be shielded by the landscaping. But your point is very well taken. The applicant would agree as a condition of approval to remove any graffiti on the sound wall.

Mr. McKay: When the traffic engineer gets up here, you can think about this while we're waiting for him. I didn't see any road signage. And by that, I mean arrows directing one way or go out this way. You see streets sometimes with arrows going each way and the yellow line. Is that because it's not contemplated or not thought to be necessary? Or is that something that would assist in the traffic flow that Gus was talking about, and some of the other members were talking about earlier?

Mr. Burrow: So the intent is these roads are all two lane. So to move it out, I would put them in both directions because it would just be additional information.

Mr. McKay: So they're all two way roads?

Mr. Krollfeifer: I have a question and I'm looking at the bypass on the east side of the property. And I'm just looking at the one lane going south to 38. I can picture because I've been on that road and I've been on other roads and probably everybody in the room has, I can picture two 18 wheelers riding next to each other down the bypass. But you mentioned before that if they're coming south, they could turn in off the bypass at that part that's closest to you. And likewise, trucks will be encouraged to go out that way to go south. I don't see that that service road, or whatever you want to call it that's right there by your right hand, that's wide enough to handle two 18 wheelers, one coming in, one going out?

Mr. Burrow: This right here is 30 feet wide.

Mr. Krollfeifer: Okay. How wide would the bypass two lanes be? Is that bigger than that?

Mr. Burrow: I don't know. I think it's two 13 foot lanes, so it'd be 26 or 28. We modeled all these turns, so there's something that raises the model of the turns. And actually the first thing didn't work, but I know it did work because I had the same thought as you guys. And we changed the geometry slightly. There's a single pool at the railroad crossing that is being maintained and that's kind of why the road jogs left before right, to help swing at the truck so that as it comes onto bypass, it doesn't interfere with traffic coming in. And remember, trucks coming safely right in, there is a shoulder here on our frontage already. So that's fairly straightforward.

Mr. McKay: I can see the darker pavement suggests a decel lane by the bypass?

Mr. Burrow: Yeah. We're extending it slightly on our property. We thought that'd be good.

Mr. Floyd: Just one comment with respect to the county road improvements, the widening, the decel and accel lane, this was all done in conjunction with, I'll call it pre-application meetings with the County Planning Board Engineer. And it's been my experience that the County Planning Board for any major site plan application on the county roadway does now require traffic management plan so that if the geometry, if the traffic doesn't match up with the traffic study, the developer, the property owner has that traffic management plan that the County Planning Board can put into effect for additional improvements.

Mr. Krollfeifer: That brings up my other question I had. You mentioned in your cover letter that there was a traffic study for this, and I couldn't find it. Does anybody have the traffic study? I know there's a traffic study for the other property that we're not getting into tonight, but it's not the same.

Mrs. Tiver: I have it in the office.

Mr. McKay: You have a traffic engineer here?

Mr. Floyd: Correct.

Mr. Krollfeifer: Okay. Well, we'll get that later then.

Mr. Burrow: Okay. So a couple other things and I just want to clarify, we talked about the trash. So the trash compactor will be attached to the building, and it's a sealed attachment to the building so that any trash doesn't get to be outside the building and trash goes all over the place. As I can testify to the recyclable program. So I think it's a great solution, this solution that's come up.

And as I mentioned before, our design is in accordance with the current state and local

development regulations. And the other couple things I want to cover are the signage. So we have the present spec which is illustrated, the typical signs and those are in compliance with the redevelopment plan. There may be future signs that would need to be in compliance, and they will be built, but you saw it in the package. The entrance plan here is a large company. That's where we have a bike rack. And we also anticipate and potentially having a picnic table in this outside area for employees. With respect to site lighting, it is an LED energy efficient cut off and 3000 kelvin. The 2000 kelvin is a warmer orange light. So, this is a print out and a proof of picture means that it's changed on the side to have lighting in the sky. And we'll look to have an outside shield to protect getting across the street. With respect to landscaping, we would agree to all of Mr. Taylor's comments. There's one I would maybe take exception to. There's a 12 inch wide gravel strip around the perimeter of the building. The gravel strip is essentially to prevent moisture and rodents getting into the building, just prevent a clean barrier between the inside and outside to actually keep that rather in the additional plan.

I think that's really it. The one thing I will mention, I talked to Mr. Miller that we've done two rounds of testing on site with respect to the stormwater. And the stormwater design that was submitted originally is based on the first round of testing. Then on the second version, it should be approved, will give Mr. Murray an updated report that takes this into account for the development and still works in compliance with the state and county development regulations. I think that's about it.

Mr. McKay: For the general public viewers of this who don't have the benefit of a close look at these plans, about how far back is the facade from Marne Highway? And I know that it varies on the bypass, but what's that smallest distance?

Mr. Burrow: Sure. I can give you the exact distance if you want. From the front yard and set back off of Marne Highway is 109 feet. Off the bypass is 75.1 feet. The requirement is 175.

Mr. McKay: How do you treat the basins? Are they're fenced on the plan?

Mr. Burrow: The basins are not fenced, there's hills or roads next to the basin. And they're gradually sloped, there's landscaping and sand in the bottom that allows infiltration. There will be signage for the basin, per the application.

Mr. Floyd: So I know there's been a lot of questions regarding traffic. What I would propose is that our traffic engineer come up next and answer questions about traffic and some of the road improvements. And then we would shift gears to our architect to go through the floor plans and more importantly, the renderings, so you could see what the building would look like from different vantage points.

Mr. Taylor: There were a couple of points, Mr. Burrow went through in regards to the comments in our report. I just wanted to maybe clarify a couple items while he's still up and that might hopefully make it conclude a little quicker. We had a comment about knowing that we have some residents across the street. Would you guys be agreeable to a condition that the trash pickup would happen between 7:00 AM and 7:00 PM?

Mr. Coppola: Just for uniformity with the overnight standards set by the state, would 7:00 AM to 10:00 PM be acceptable? And it's not that I have an issue with 7:00 PM, it's just timing for private haulers. I guess in reviewing that comment, we were looking to tie it to something that was an existing standard that that is nighttime operations for the building as it relates to noise, and tie trash pickup to that.

Mr. Taylor: I would defer to the board. We were just trying to avoid the 3:00 AM, 4:00 AM pickup times.

Mr. MacLachlan: So trash pickup would be, emptying of the compactor? Is that what we're talking about?

Mr. Burrow: Yes.

Mr. MacLachlan: Is that thing on wheels or something, the compactor? How does it get down?

Mr. Burrow: The truck will come in to that compactor, put the full compactor on its back and then drive off.

Mr. Taylor: It's like a roll off.

Mr. MacLachlan: We don't have a bunch of doors slamming and all that kind of stuff, right? I mean is it making a lot of noise?

Mr. Burrow: There's some noise

Mr. Bradley: Would it be two stage? Take one out, put one back in?

Mr. MacLachlan: It has to drop it first, the new one, then pick up the old one, and drop that one again, and put the new one like a regular container, right, you're saying?

Mr. Coppola: Yeah. And look, I don't have any issue with 7:00 AM to 7:00 PM. It's more now we have to bifurcate for the tenant, here's the overnight hours, here are the trash collecting hours, but we can certainly do that.

Mr. Floyd: You're not asking to have trash removed at 3:00 in the morning though, correct?

Mr. Coppola: Sorry. It was more of an operational just to set overnight hours for the tenant as we talk about the gate being closed and trash pickup and having some uniformity, but we don't have an issue with 7:00 AM to 7:00 PM.

Mr. Taylor: We also had a suggestion that if it is not a 24 hour operation, can the lighting levels be reduced overnight to security levels to minimize the impacts? Again, understanding that it may be 24 hour, but if for some reason we get a tenant in there that's

not for energy savings and to minimize impacts, can there be a reduction to security level overnight?

Mr. Coppola: I'm going to defer to my lighting expert as to how difficult that might be to execute.

Mr. Taylor: So I do it on my building's program. They have now that makes it very, very simple, and it's going to save you a ton of money if you don't have a 24 hour operation.

I think that was probably it for a majority of the sort of engineer comments. And I guess what I was hearing on the sound wall was, the 10 foot sound wall on that southern bottom property line is for the church receptor. And the applicant is agreeing to a condition, if in fact, the residential use is approved, funded, and developed from the adjacent site, you would increase the length and height of the wall as necessary to meet the standards.

Mr. Floyd: Correct. So the Applicant has an affirmative ongoing obligation to meet all applicable NJDEP sound requirements, both the daytime and nighttime maximum decibel levels. And the applicant has been in discussions with the township. I've had several conversations with the Township Solicitor, John Gillespie, and I can state here for a fact that in the redevelopment agreement, there will be a specific provision regarding the future extension of the sound wall should the residential development that received use variance and preliminary site plan approval and it gets built.

We're not in a position now to build that sound wall because we don't know the ultimate design of the building. There's very specific requirements in terms of that receiver, where the windows are, the height of the building, the setback, et cetera. But again, if that gets built and there's a sound issue, the applicant must build that sound wall under DEP requirements. And if it doesn't, there's a complaint that's filed, the County Board of Health becomes involved, and you're violating DEP regulations. But again, to protect the township, I can state for a fact that there will be a provision in the redevelopment agreement.

Mr. Taylor: I think that's good. I think if a condition with some similar language could go so that those notes are on the plan and in this resolution, there will be a termination date for the redevelopment agreement at some point. That way, 20, 30, 70 years from now, this set of plans, the resolution will have something in sort of memorializes that. Whatever that final agreement language is, maybe that can be worked in.

Mr. Floyd: That's right. Or we could also I think to protect the township, we could have a standard note of the plans that the operations must comply with DEP requirements.

Mr. Taylor: Right. But I also want to, without it having to come back to the board. The board understands that it's only 10 feet high now and it's half of that property line. If for some reason that residential is constructed, the wall that you see constructed will need to get longer and will need to get higher? And this approval improves that if necessary. Correct?

Mr. Coppola: That is the goal and I would just ask if the condition can read that it'll be

consistent with what's agreed to in the redeveloper's redevelopment agreement, just so we don't have two sets of standards.

Mr. Taylor: Okay. That might be somewhat open. The agreement can set the time.

Mr. Coppola: That's fine.

Mr. Taylor: I think that was all I had. Just for the board and the public, they did have a note to the plans confirming that there will be no outside storage or display of materials or product or merchandise or equipment or any outdoor fabrication assembly for manufacturing. Anything is completely contained within the building per the zone plan. That was all I have, Mr. Chairman.

Mr. Miller: I have a comment having to do with the order that the application will include a stormwater management plan that will address the DEP requirements of the ordinance for the maintenance of the drainage facility. In particular, the underground facilities. The underground facility is only going to work as well as it's maintained because there's no fail safe for the underground system. So it has to be meticulously maintained or else it's going to eventually fail. And the part of that maintenance is this forms that DEP has prepared for routine maintenance that the township administrator has to submit to the town at least once a year, sometimes twice a year, depending on what's happening. So that the applicant and the owner will have to know that this thing is an ongoing process and it will have to be maintained-

Mr. Floyd: I fully understand and we would also agree for pursuant to DEP requirements that that stormwater maintenance and operation manual would be recorded with the county clerk's office. So it'd be in the chain of title and it would burden any future property owners.

Mr. Miller: What happens is that in order to start this maintenance program, you have to fill out the whole form one time so you have a base to start with the approval of things for the yearly approval. That first application and form to fill out will have to be filled out before you get a temporary CO or a CO. That'll be a condition that you can't get that before that.

Mr. Floyd: We understand and agree.

Mr. Krollfeifer: I think it might be a good idea to just take a five minute break before you continue.

Mr. Floyd: Our next witness is Alan Lothian. Is a licensed special engineer with Bioengineering and Environmental Services.

Mr. Kingsbury: Do you swear or affirm the testimony you give to tonight will be truth, the whole truth so help you god?

Alan Lothian: I do.

Mr. Floyd: Okay thank you. Alan, just for the record, can you state your education, licenses and experience in traffic engineering?

Mr. Lothian: I'll have a bachelor's of science and civil engineering from Rutgers, a master's of science interpretation from NGIT. I'm a licensed professional engineer in the state of New Jersey in good standing. I've been with Langan Engineering as a traffic engineer for over 23 years now. And I've testified before multiple boards throughout the state. I'm not sure if I've been before this one before, but I've been before dozens throughout the state.

Mr. Krollfeifer: Any questions or comments from the board? If not, acceptable. Counsel proceed.

Mr. Floyd: Thank you. You've heard a lot of questions about truck traffic especially and the route truck drivers take. And can you, for the board, just summarize your traffic study and then go to a couple specifics about truck traffic and the impact to both Marne Highway and the bypass.

Mr. Lothian: Okay. So actually I'll just hit the biggest question that I heard, which was how many trucks do we anticipate. For this type of site, this type of warehouse, based on the Institute of Transportation Engineers trip generation manual, we anticipated approximately 38 trucks per day, spread out during the course of the day with the majority happening during the waking hours. Very minimal truck activity anticipated during the course of the night.

Mr. McKay: Is that 38 movements or trucks.

Mr. Lothian: That's 38 trucks anticipated. So say you're looking at it over the course of a 10 hour day, that's four trucks an hour. When we're looking at movements, because that is the next thing that I was going to get to, when we look at the street peak hours, which is the 07:00 to 09:00 in the morning, 4 to 6 in the evening, we anticipate that there's going to be less than one truck trip in any one direction, every 15 minutes on average. So that's four trucks and during the course of an hour, in any one direction. And with the majority occurring to and from the north on the Mount Holly bypass.

Mr. Lothian: With respect to truck circulation, any trucks that are destined to the south, it makes complete sense for them to leave the site from the Mount Holly bypass, right in right out driveway. The thinking about that driveway is, and why the Marne Highway driveway was identified as the primary access point is because the Mount Holly bypass is just a right in, right out. You can't make lefts in, you can't make lefts out. So you're very limited on the direction you can go. The Marne Highway access point is a full access and will accommodate the majority of the passenger car traffic, also some of the truck traffic as well.

We have been working with the county as was described on improvements to the area. We're widening along the frontage as was described to facilitate movements into and out

of the site. The left turn lane along Marne highway was important to the county that we provide that to get vehicles off of that through lane and into the site. We've provided that. It facilitates any of those trucks that may be coming south on the bypass turning right and making a left into the site.

Right now, again, working with the county, we've met all of their anticipated improvements that they've required along our frontages with respect to the decel lanes, the left turn lane in and the sidewalk. As Mr. Floyd mentioned, the county does implement a TDM, a transportation demand management action plan. And if there is any major discrepancy between what is identified in the traffic impact study that they would approve, that the applicant may be subject to additional improvements associated with the increase in trips.

Mr. McKay: Did you talk to the county about whether any improvements were necessary at the Marne highway bypass intersection?

Mr. Lothian: No. We did analysis of that intersection. We did analysis of our two driveways and the bypass and Marne highway intersection. And there's no significant increase in level of service or delay at that intersection during either of the peak hours associated with our traffic.

Mr. Krollfeifer: What was the date of the study that you did?

Mr. Lothian: The study was done August 31st of this year.

Mr. Krollfeifer: And that's this traffic study that's in Mrs. Tiver's office?

Mrs. Baggio: You talked about truck traffic. How many employees do you expect would be at that location and would they all be sort of working similar hours coming in and out at the same?

Mr. Lothian: We anticipate to be approximately 125 spread out over two to three shifts. And again, going back to trip generation, which is what I deal with based on the IT trip generation, we're looking at one additional trip every four minutes on average in any one direction, when you look at all the trips total. So that's 15 trips in any one direction, which is barely noticeable on the roadway.

Mr. McKay: Let me ask you about truck turning issues. Cause it came up. A truck, 18 wheeler comes up bypass, enters in through bypass entrance to the site, comes down a 30 foot road down to the trailer parking area and it seemed like that he would then be going in the wrong direction for the typical backup of a truck. He'd come down and back into the building. Be facing the wrong direction. The best backup arrangement. Am I right or no?

Mr. Lothian: You're correct. You're correct. Yeah, you're correct.

Mr. McKay: So how does the trucker deal with that dilemma?

Mr. Lothian: Any trucker that comes in in that direction, they can make the turning movement. It's just easier and safer for them to be turning and looking over their left shoulder out the window.

Mr. MacLachlan: So, I guess do you mark the spaces? Is it typical to mark the spaces? And then if a freight company's coming in, that they kind of know what space the trucks supposed to go in? Is that common practice in these places?

Mr. Lothian: Yeah. You'll notice on any new construction, the doors will have numbers on top of them. This particular facility, because it's so small, will not have a guard shack. But if you were going to a larger facility, usually the truck will check in with the guard shack. They'll be instructed where to go and go to that door. This will either be a truck that knows what position or what handful of positions it's supposed to go to for inbound or they'll radio ahead, or have some other type of communication to know.

Mr. MacLachlan: So if I was going to park at the bottom of the plan, the really best way get is to come in from Marne highway. And if I'm going to park against the building, the best way is as we are all saying, to come in from, I mean, not Marne, from the bypass, if I'm parking at the bottom. And if I'm parking at the building, I come in from Marne to make the left so I can see over my shoulder, out my door when I'm... So they're going to know where to go, right?

Mr. Lothian: Yes. But the other thing, sorry, you mentioned earlier, trucks will find the easiest route. The other thing that an operator will typically do, if they're what I'll describe is a low impact use to the site and the trucks want to come in off of the bypass to avoid Marne Highway, is a lot of times what they'll do is, leave this section of trailer parking vacant, will come in and do a turn so that they get faced the right way and then back in. That's not how we would design the building, not knowing who the tenant might be, but that's operationally, what could happen.

Mr. MacLachlan: So the bottom row of parking, is that typically because there's going to be no room at the warehouse? I'm going to come in and sort of drop my truck and maybe your yard jockey's going to move it to the door. Or how does that typically take place in these warehouse?

Mr. Lothian: Yeah, no, so it's usually those are typically empty trailers. So it will have unloaded in the warehouse, not be ready for a load, and will go to a trailer's parking stall overnight. Typically 24, maybe 48 hours before it'll come back to the facility. Again, totally dependent on operations. Some of these you drive by and you'll see very sparse, few trailers. It just has to do with the tenant.

Mr. MacLachlan: Look, generally the empty ones you're saying? They would generally pull up to a door to start getting unloaded. ?

Mr. Lothian: Yes.

Mr. Taylor: They are all registered vehicles and not storage containers. Correct?

Mr. Lothian: Correct.

Mrs. Baggio: Are you make making any assumptions that the majority of the traffic is going to be coming, given that truck drivers avoid toll roads if they can, most of the traffic will be coming off 295, coming up 38, coming down bypass and therefore using Marne highway as they went to this point?

Mr. Lothian: Yeah. We approximately 25% coming from the south and west, which would be 38, out to 295. And 75% coming to and from the north, which you have access the 295 as well as the turnpike.

Mr. McKay: So 75% by your estimate comes along the bypass?

Mr. Lothian: Yeah. South on the bypass.

Mr. McKay: And would likely turn in off the bypass entrance?

Mr. Lothian: A portion will turn in off the bypass entrance. We estimated that approximately 50%. 50, 50 split for a conservative analysis. Because we wanted to, for analysis purposes, if we showed all making the right turn from the bypass, there's no conflicting points. We show half of it going on from Marne Highway, and turning left into the site. We show conflicting points, which shows a conservative analysis.

Mr. McKay: Right. That gets back, I guess, to the suggestion that was made earlier, that truckers be informed of the preference for using the bypass exit or the bypass entrance.

Mr. Coppola: We have no issue providing operational direction and signage for trucks exiting the site that are intending to go south, whether that be 295 or 295 ultimately to the turnpike to use the bypass entrance. We can encourage truck movement heading to the site to use the bypass entrance, but any type of restriction, or operational direction that would limit the access to Marne Highway, because like I said, trucks will do what they can do to avoid any delays. But they really do want to be coming in off the Marne Highway side for the reasons we talked about with the counter clockwise movement to the building. So, sorry to be confusing, but to restate, completely fine with trucks exiting the site to use the bypass, if they're heading south and providing signage and operational direction to an end user. And we certainly can encourage the use of the bypass for all truck traffic coming from the north.

Mr. MacLachlan: I don't have buildings that big, but I'm about half and there's an inordinate amount of familiarity that takes place with... I'm just talking to the board. That the same guys keep coming back. It's surprising. There's strangers here and there, but when they start making deliveries, it's always the same UPS guy, the same FedEx. They

almost have routes. So they will find if it's the easiest way in and out and time is money to them. And they don't want to back up one extra time if they don't have to. So I kind of agree what you guys are saying a little bit.

Mr. Bradley: My suspicion is that most of the traffic that is exiting there will not go out onto the bypass and turn south towards 38. Will probably want to come out on Marne Highway and go up the bypass so that they have access to the turnpike and 295.

Yeah. Correct. It depends which direction you're going, but yes, the majority will be making the movements that you just described.

Mr. Coppola: I will make one point and again, speculative building don't know the tenant, but given the size, it does lend itself to more of a local operation, which as we all know, the population center actually then skews south and towards Philadelphia, towards the suburbs. So I agree with your statement, but there is a chance that this ends up being a little bit more Southern focused because of that.

Mr. Floyd: Any other questions? Otherwise, we have our architect as our next witness.

Mr. Floyd: Zach Wester, if you could just quickly walk us through exhibit A4 and what the board members are looking at.

Mr. Wester: Exhibit A4 is the building floor planning with some of the side extends shown here beyond it. So the building is designed, as has been stated previously with two future office areas and those ultimately will be designed by the tenants, whether there's one or two tenants. The building is protected with an ESR fire sprinkler system. There would be a fire pump in the pump room. That's here down in the Northwest corner and there will be roof access to the building in the electrical room, here. Both of which will be secure.

The mechanical units, I know there was talking about screenshot mechanical units. We're intentional when those are designed to place them one bay in, from the perimeter walls. So 60 feet on the west side and 45 feet from the east side as a minimum. And we used 3D modeling software to evaluate sidelines from adjacent roadways to ensure that the perimeter wall will effectively screen those units from adjacent roadways.

Mr. Wester: We'll move to exhibit A5 which are the building elevations.

Mr. Krollfeifer: Excuse me. Would that electrical that you're talking about would be for the entire building? Even if there's two tenants. They're not going to have separate...

Mr. Wester: That's correct. So exhibit A5 are the overall building elevations. The building is constructed of low bearing concrete wall panels, which will be painted in a neutral gray color scheme and the glazing will be of the gray tint, and canopies will be clad in a metal panel, which will be closer to a white color. The aluminum frame for the

building around the windows will be a clear anodized aluminum so they will be a silver color.

The wall panels will have reveals along with the panel joints to break up the elevation and to provide rhythm down the building. We use color blocking strategically to break up the long elevation and bring the scale of the building down. So at the corner at the intersection, the entry element at the corner consists of a metal canopy that wraps around the corner and has a large expansive glass over the entry doors to identify as the entry as well.

All of the elevations include clear story windows that run up high level light into the warehouse space. They're paired between an accent band of color that ties them all together around the building. But the maximum panel, the tallest panel height in each floor is 45 feet, which conforms to the maximum allowable height. And the roof will drain the water to the perimeter of the walls and will be discharged via internal roof drains. Then into the underground storage system as described previous testimony.

Mr. Floyd: Could you put up simultaneously go through exhibit A6 and A7?

Mr. Krollfeifer: Any air conditioning and then its heating and stuff, would that be on the roof or on the ground?

Mr. Wester: That would be on the roof. All of that equipment would be ultimately on the roof.

Mr. Krollfeifer: How much higher than the panels are they?

Mr. Wester: So the largest units may end up being exhaust fans and not necessarily the actual rooftop units. Go back to A4. It depends on a tenant's needs. So a lot of tenants will not air condition the warehouse space. In most cases there, or a lot of cases, they'll use intake loopers, which we've shown on the elevations for recommended locations. They'll use intake loopers to pull air in, and then they'll exhaust that air through the roof, but they will air condition and fully condition the office spaces.

So for an office space of this size, it would be a fairly small unit that would serve just that space. But until the tenants' needs are known, we aren't sure of the mechanical design for the building. I can say that those exhaust fans are likely not more than between six and seven feet tall for a building of this size. But should those units require additional screening based on how it's designed that they consider provide additional screening. If that makes sense.

Mr. Wester: I'll pull up the intersection of Marne highway and the bypass.

Mr. Floyd: Should be marked as exhibit A7.

Mr. Wester: So this is the view from that intersection. You can see that we are providing some signage or an indication of signage for this particular tenant. On the elevations there are three total wall signs indicated. The sign at this location is 120 square feet max, which complies the redevelopment plan. Along with the other two signs that are indicated. One on the north elevation facing Mount Holly bypass, which is 250 square feet. And one on the east elevation that topped at 120 square as well. And the actual sign design will be submitted for approval when the tenant is brought on board. But at this time, no deviation from the ordinance has been requested. And I'll pull up, exhibit A6 right?

Next is exhibit A8. Yeah, so this is heading east on Marne Highway. As you can see the ply wall that was indicated in previous testimony. And that would be again, constructed of a pre-engineered wall system that consists of panels that's being between posts. And it would be stained in a color that is consistent with the color scheme of the building. So, it will visually and aesthetically read that it belongs with the building.

Mr. MacLachlan: So in the event of unfortunate graffiti, how does the graffiti get taken off? Does it get painted over? Or is it able to get washed off the wall?

Mr. Wester: I think that depends on the type of coating. But if it can't be cleaned by chemicals or a spray paint solvent, then I imagine it would have to be repainted.

Mr. MacLachlan: So the wall is painted? Thought you said stained? So I guess stain and paint are the same thing here?

Mr. Taylor: To confirm that they will provide details with all materials, colors, and illumination as a condition of approval prior to those signs being constructed. That way we would get a chance to review them. If they request any signs that they don't fully comply with the sizes, or the number of signs permitted, they have to come back to the board for a variance.

Mr. Krollfeifer: But specifically in your letter on page five, the requirement permitted is five feet. They're proposing six and that's on the bypass side. And another one is 10 feet and 11 feet for both.

Mr. Burrow: It's the setbacks. So we have to be back at least five feet. We were set back by six feet.

Mr. Krollfeifer: Okay. I read it backwards. Thank you. That's why we ask questions. Letter F, number three. I guess we're not going to be getting testimony regarding proposed usage other than operation of the facility's going to be 24/7?

Mr. Floyd: Maybe you could provide some additional testimony about potential types of tenants that might be here based on your experience?

Mr. Coppola: So I pulled together a little list of similar size tenants that have occupied buildings in the Burlington County and surrounding areas. So I'm going to go by type. Automotive part supply. Jaguar, Land Rover, Max Finkelstein tires have taken buildings

of similar size. Building materials. Lowe's Home Delivery, taking space in Mount Laurel, similar size floor and decor. Furniture and appliance. Wayfair is in a similar size space in Burlington. Ashley furniture. It's another tenant that's in this market. Healthcare supply. Owens & Minor and Thermo Fisher are two tenants that are in this market of similar size. Packaging, supply and storage. Veritiv is a box company and packaging supply company that's in Burlington in a similar size space.

Retailers are also a big part to this market. Walmart, Burlington stores, TGX companies. They generally are slightly larger spaces than this, but they do have a range of building types they use. And then third party logistics providers also generally in larger buildings than this, but do have kind of a range of space that they use. So while I can't provide a specific name for this use. That's the type of tenant. That's the range of uses I see for this. This is not a delivery station or anything with heavy van traffic or anything along those lines.

Mr. Floyd: You consider these all to be high quality credit tenants?

Mr. Coppola: Yes.

Mr. MacLachlan: Can I just get you to repeat, so we get it out there one more time, a little more clearly. What variances or changes to the zoning that you're basically not looking for any. Can we just get a little more testimony? So we get everybody understanding? So what you're entitled do there and what you're doing?

Mr. Floyd: Certainly. So the property is located in an area needed redevelopment. A preliminary investigation was undertaken by the township planner and the property was designated in area needed redevelopment. Thereafter, the township worked on a redevelopment plan, which was adopted by the governing body. That redevelopment plan is what governed this project and this application before the board this evening. And this application before you this evening is not requesting any bulk variances from any of the design criteria in the redevelopment plan. It complies with the maximum building height, the front side, and where you have setbacks. The maximum amount of impervious coverage, meets a minimum required number of parking spaces, loading spaces, etc. So again, it's what I would typically call it a by right site plan. We're not asking for any relief, whether it's the design exception or variance from the plan.

Mr. MacLachlan: Okay. And then just some testimony that when this was done, you weren't in anybody's mind here in the town. So this wasn't done specifically for your application.

Mr. Floyd: The property was designated and area needed redevelopment. There are very specific statutory criteria in order to have any property in any municipality, designate an area needed redevelopment. And I'll defer to Scott Taylor to discuss that. The applicant is the redeveloper of the project, and the applicant needs to enter into a redevelopment agreement with the township. And that redevelopment agreement will spell out very specific obligations on the part of the redeveloper, also on the part of the township. So there has been negotiations back and forth with the township regarding the plan regarding the agreement. One example of that is the sound wall in the rear of the property where the

township solicitor, Mr. Gillespie made it clear and so has Mr. Taylor that the redeveloper, Blue Water Property Group, LLC, will have an affirmative obligation moving forward pursuant to the redevelopment agreement to extend or modify that sound wall, should another receiver occur on the church property, namely the residential.

Mr. MacLachlan: What I'm trying to get at Scott, maybe you could offer some testimony, that when the original redevelopment plan was developed, at the outset, they didn't necessarily know they were coming.

Mr. Taylor: We haven't known who the tenant was, so as Mr. Floyd indicated, the first step, and just one clarification, it was designated as an area need of rehabilitation. At that time, there was just an analysis of the property itself to make sure that it met those statutory requirements. Once we got into the redevelopment plan phase, that's what there some concept plans and architecture concepts were included in that redevelopment plan. But that initial step, when the rehabilitation designation occurred, there was no specific proposal.

Mr. MacLachlan: And there's other uses other than this use that were allowed on that with that designation.

Mr. Taylor: Correct.

Mr. MacLachlan: So, I just don't want to create the aura that this was done specifically for you folks. The property was designated in need of rehabilitation before we knew.

Mr. Floyd: That is 100% correct. And again, my apologies. It is an area in need of rehabilitation, not redevelopment.

Mr. MacLachlan: You obviously took the look at the property and the site and all the requirements of our rehabilitation requirements. And you fit in to them. And I guess you proceeded to go down the road and here you are. And you don't require any other changes to any zoning or anything else that you testified. So, I just want to make sure everybody understands this wasn't created just for you folks. I mean, there was other uses. And Scott, I don't remember them all, but there was a lot of other uses that maybe could... I think apartments was one of them? A lot of apartments was one of the things that could have happened here.

Mr. Taylor: Yes. There had been some discussion about potential for apartments to happen. Also, when the redevelopment plan was developed, there could have been manufacturing or other uses in there that are different than what's currently the plan. There was no specific proposal or user set forth.

Mr. MacLachlan: I can say there was some rumors about department developers out there that had interest in the site. I heard a number 400. I never saw it personally, but that's something we had a look at that obviously had not come.

Mr. McKay: What's the estimate, and I'm sure you have one, of the jobs created by this development? Full-time employees, not counting the truckers that come and go.

Mr. Coppola: Our estimate is 100 to 125 full-time employees, office workers, warehouse workers

Mr. MacLachlan: And pilots?

Mr. Floyd: There's not going to be any financial agreement or tax abatement with this project.

Mr. MacLachlan: So, let's get that out there. You're paying the full taxes on the building.

Mr. Floyd: Normal, there will not be a financial agreement.

Mr. Krollfeifer: Mr. Taylor, going back to your letter, landscaping, you're comfortable with all of that?

Mr. Taylor: We are. The applicant indicated they would comply with all the comments in our report.

Mr. Krollfeifer: Like, an irrigation system would be put in and everything else?

Mr. Taylor: Correct.

Mr. Taylor: We are okay with that 12" wide gravel strip for that moisture separation. It will not be visible from outside the site.

Mr. Krollfeifer: So, if we switch to Mr. Miller letters.

Mr. Miller: Just inform the board that the stormwater management plan is still in review and it's subject to the county approval, which may alter the present stormwater management plan. But it looks like everything's going to be able to work out, depending on what's going on with the county.

Mr. Krollfeifer: I know there's a couple of parts in the response letter that there is no response. And I guess you're following up on all that?

Mr. Miller: Yes. That's the report that they've got to update. But they'll update that in conjunction with the county approval.

Mr. Krollfeifer: So, any action we take, it's going to be subject to your approval of the stormwater management.

Mr. Krollfeifer: Any other comments or questions from the board or professionals? And no more from the professionals? Hearing none, I will open it to public comment. Anybody who wants to talk about this application and this application only just raise your hand, come forward to the podium, and face Mr. Kingsbury. He'll swear you in. State your name and address.

Mr. Krollfeifer: We are going to take another quick break. Returned.

Mr. Krollfeifer: Please do not address the applicant unless I specifically say so.

Mr. Kingsbury: Sir, can you give me your name?

Greg Derickson

Mr. Kingsbury: Do you swear or affirm that the testimony you give will be the truth, the full truth, and only the truth, so help you God?

Greg Derickson: I do. I live at 715 Marne Highway. When I bought my house 34 years ago, I got to see horses and then I got to see trees. And now, I'm going to see an eyesore. When you widen the highway, how they going to widen it? They going to take their property? Are they going to take my side of the property? Is the building going to be 109 feet off the highway? Is that what they stated? That building should be on 38 or somewhere on the bypass. It shouldn't have anything to do with Marne Highway. Marne Highway is a nightmare from 7:00 in the morning to 9:30 and then at night from 4:00 to 6:30. There's traffic like you wouldn't believe.

Mr. Krollfeifer: I believe they already testified, and correct me if I'm wrong, you said it was 100 feet off of Marne Highway to the front of the building. Right? And that's what your plan shows, too.

Mr. Burrow: It is 109 feet from the lot line. It is more from the edge of the road.

Mr. Derickson: When you widen the road, are you taking your property or are you going to take the other side of Marne Highway?

Mr. Burrow: When we widen the road, all the widening is on our property.

Mr. Derickson: So my entrance is not going to change?

Mr. Burrow: Correct.

Mr. Derickson: Just the eyesight and the noise and the light I'm going to have to see all night long?

Mr. Krollfeifer: You're directly across the street?

Mr. Derickson: I'm the closest house there. I'm 35 feet off the highway. My house was

built in 1923. I've plaster walls. It's all redone inside. When they crack, I will file a lawsuit against them.

Mr. Krollfeifer: Okay. What's your next question or comment?

Mr. Derickson: I know Bob Shinn will make money. These gentlemen are going to make money. Me and my neighbors are going to lose money when we try to sell our house, because nobody's going to want to look at that and move in next to that. I just want to thank you guys. Anybody here, born and raised in Hainesport? Not a single one? I was born and raised in this town. I was chief of the fire company in this town. My father was a chief of fire company in this town. I want to thank you. Evidently, you guys are all probably living in these developments, don't you?

Mr. Kingsbury: Your, name please?

Noel Skodzinski

Mr. Kingsbury: Do you swear or affirm that the testimony you give will be the truth, the full truth, and only the truth, so help you God?

Ms. Skodzinski: I do. Forgive me if you know some of this that I don't, but is there a tenant confirmed to move into this building?

Mr. Krollfeifer: There is not.

Ms. Skodzinski: So, it could potentially be an empty warehouse? A number of people have told me that there's already a lot of empty warehouse space in the area. I guess my question is, is there a good chance that this could remain an empty warehouse and then the landscaping come to disrepair, the graffiti would not be taken care of? That is a concern of mine. My property backs up directly to Greg's property. That's just one of my concerns, so I don't know if that's been discussed or talked about.

Mr. Krollfeifer: Yes, we've asked and talked about it and they've testified several times. The building is put up on spec, which is speculation that they're going to build on it. It's the takeoff on that move years ago. If you build it, they will come. That's what they're hoping for. And I mean, it's a valid question. And with all due respect to how they're doing it, we have to respect their business acumen that they're not just throwing millions of dollars into a warehouse and going to leave it empty.

Mr. MacLachlan: The other ones already occupied. These are the folks that built the other warehouse by Lowe's. And that's already rented. And the public could get an idea of what this is going to look like, much smaller than the other one, but the quality of what these folks did. We know these people and we're happy that they do everything they say they're going to do. They say they're going to put a tree up, they put it up. We don't have to fight with them and argue with them.

Ms. Skodzinski: Just regarding... I know there was a traffic study done, but one of the

things, as Greg mentioned, the traffic on Marne Highway... I'm on Deacon Road, so I pull out either left or right onto Marne Highway. It is quite a wait most times of day, including in the evening. There are a number of deer that cross Marne Highway. I'm not sure if any of you are aware of that. There are a lot of deer in the area. It's already very risky. So, I don't know if that has been taken into account in a traffic survey, the increased risk that brings with the number of trucks that will be coming through the area with deer running in front of cars, with that number of increased amount of traffic with the trucks, just seems an additional safety risk to the people who live in the immediate area. There are quite a few. I don't know if that's something that can be explored. Or perhaps the traffic expert could comment on that. But it's certainly a concern of mine, especially when I am on Marne Highway and have to turn left onto Deacon Road. And I have to wait and sit there. The risk of trucks coming behind me is already a little bit intimidating. But knowing the situation with the deer is just all that more causing a little bit of fear for me to drive to my home.

Mr. MacLachlan: He said 38 trips a day on working hours? I have no reason to disbelieve him. 38 trucks a day.

Ms. Skodzinski: Increasing on what we have currently in a lot of traffic.

Mr. MacLachlan: I believe they said 4 trips an hour.

Mr. Lothian: During the peak hours, four in any one direction.

Mr. MacLachlan: In your traffic study, just curious for this lady, do we know how many trucks are going up and down Marne Highway anyway? Were you able to look at that? Or is that something you don't concern yourself with?

Mr. Lothian: No. When we did our traffic counts, we did account for truck percentages on any of the approaches to the intersection of Mount Holly Bypass.

Mr. MacLachlan: How many do you think go up and down on Marne Highway now?

Mr. Lothian: Eastbound, approximately 20 in the morning and 22 in the evening in an hour. Coming in any one direction. So, coming out there would be four.

Mr. MacLachlan: I mean, I think you're low and I've never said that to a traffic guy. I think there's more than 20 an hour on Marne Highway coming down.

Mr. Lothian: That's coming one way eastbound on Marne Highway.

Mr. MacLachlan: You're only adding a tiny bit to what goes on there now.

Mr. McKay: Did you do a level of service grade for that intersection on Marne Highway?

Mr. Lothian: Overall, it's a level of Service C and with all units operating to load service

to level d. And that's the same in the existing no build and build desired development, as well.

Mr. McKay: So, the level of service doesn't change?

Mr. Lothian: It does not change.

Mr. MacLachlan: Unfortunately, all the trucks and all the cars want to avoid the lights on 38. So, we've turned Marne Highway into a little 38, as everybody knows. I don't know what we can do about it, but it's busy.

Ms. Skodzinski: It is. And I guess the concern for residents there is that this is increasing it and four is not a small percentage of 20.

Mr. MacLachlan: We're sensitive to that, but it's a de minimis increase less in our opinion. I'm not a traffic man, but less than apartments would've been. I've asked that question many times. I'm not an expert. That's what I was told. And it makes sense, 200 or 300 units versus 38 trucks a day. We looked at that when we were listening to these folks when they first came in. So yes, Marne Highway is busy.

Ms. Skodzinski: I'm curious why the area, which is a beautiful piece of property, was for redevelopment in the first place. Is that not the place for this kind of question?

Mr. MacLachlan: They have a right to develop. You can't stop them. And legally, it doesn't look like we have a case. I don't want to comment on the application, but these people come in. They have a right to buy property. If somebody wants to sell it, somebody wants to buy it. They have a right. They have a right to develop it. And it's not necessarily up to municipalities to deny them that right. We can sway things in a little tiny bit of a direction, but we can't stop some of this that's going on. People think you can, but you can't, really.

I don't want to comment on this app, but people in general have a right to buy property and put up houses. You saw them building by the diner. And you have stuff going on. We were lucky in Hainesport that nobody knew we were here. There's more going on now than in the 20 something years I've been around. It's unbelievable. They found us.

Mrs. Tyndale: I think one of the other things though, too, I didn't understand all of us before I joined the board. And I've been on a board about five years now, I think. But one of the things is, if a property is zoned commercial, we can't just automatically take it and say we want it to be open space now. And we can't take it and say, "Well, we just want to put apartments on it. Or we just want to put a big mansion on it and be done with it. It's only one person. We, the board, we don't have that authority to do that. If something is already zoned a certain way, we can't just change it.

That's something that I would encourage people anywhere that, when you're going to buy a property look around. I mean, like this gentleman has said, he's been there for 34 years and he's looked across and he's seen horses and he's seen fields. But if it zoned a certain

way, then at any time it could change. That's just the way that the laws work. I mean, it's not like we're trying to do it just to make all the residents upset. I mean, I get it because I wouldn't want to look at it either, but our hands are tied in a way because it's already zoned that way.

Ms. Skodzinski: I understand. I do appreciate that explanation, though.

Mr. MacLachlan: Typically, when a town you needs tax revenue, they go to their commercial rate. But we didn't. And they offer incentives to people of common build these lands. We didn't offer these people any incentive to do this. They have the right to do what they're doing based on the law that's happening here.

Mrs. Baggio: Not to beat a dead horse, I just want to because I've had this conversation with a bunch of other people, too. The only way to stop a particular piece of land from being developed is if you buy it. Whoever owns that property is the one that's got the right. And it might sit there for decades, but eventually that person's going to want to turn that investment into something. And we could only manage it through the process. The only other way would be to declare a green space, but you need tax dollars to be able to buy up a property to make a green space.

Mr. Krollfeifer: Thank you. You've heard from what taking place here tonight, notwithstanding the legal aspect of it, we just don't roll over and play dead. We hire a planner and we hire an engineer to make sure we get the best-looking property when we're "forced" into something. I don't mean that disrespectfully. There's some things we can control, but there's some we can't. But I appreciate your comments.

Ms. Skodzinski: Yeah. And then I just have two logistical questions. There was some discussion regarding the lights and the lighting. And I was trying to follow along. I don't know if this was addressed, but how tall the lights are going to be? How many they're going to be? I'm just concerned about light pollution. There's been talk of the sound. And I have a question on that also. I don't know if that's a factor or anything that can be considered there. One of the reasons we bought our property was because it is pitch black at night. It's wonderful. There are woods behind our house. And obviously, another concern for the residents that all live right there is going to be the light pollution.

Mr. Krollfeifer: Mr. Miller has addressed that and is working with them. But if you would like some clarification.

Mr. Taylor: I can answer a couple of those. I think the applicant's going to get you some numbers on the actual height of the fixtures. One of the things that we went through and did our review and they agreed with is, they've agreed to keep the lighting to really the minimum necessary to have safe circulation on the site. They did agree to a condition that, if it is not a 24 hour operation, they would reduce the levels of lighting to security levels only, again, in response to the neighbors in the area to try to minimize those impact.

As we identified in our report, we recommended the outside shields be placed on all of the fixtures. All of the fixtures are already what's known as a full cutoff light. If you see

the old cobra heads or even acorn fixtures, the bulb sits down below and the light shines sideways and it's very glare-y. The fixtures they've proposed there are more like a shoebox fixture where the light fixture is set up in there so the light is only distributed down. There are no flood lights or spotlights that go sideways. One of the other things we did, and I think it was mentioned by one of the board members, there are different color temperatures of light. You've been in parking lots probably where they have that really old, nasty, dark orange light. And then you've seen some car dealerships that have that super blueish light, it's almost like an operating room, like a seizure blueish light. We've gotten them to reduce that. It's almost like an incandescent fixture. So it's got a warmth to it. And it has less negative impacts on wildlife and also on neighbors in the area and even workers within that facility. So, they're in that 3000 to 3,500 degrees Kelvin is the color of that light fixture. And the applicants agreed to keep that down and the plans are to reflect that.

Mr. MacLachlan: But Scott, don't we have either an ordinance or a design standard that prohibits light from the site to in effect bleed out into neighbors?

Mr. Taylor: A lot of this was put into the redevelopment plan. Also, their lighting plan itself, there is no actual light trespass that will be leaving their property onto any other adjacent residential properties. So, all of their lights will be directed down to their site. Sometimes at the intersections of the roadways, a little bit of light will flow out just for good circulation access, but there won't actually be any light coming across Marne onto any of the private properties.

Ms. Skodzinski: My last question is just regarding construction. Are there requirements for that set for the construction period, as far as what hours they can operate and be building and all of that? And how long that might take?

Mrs. Newcomb: They are allowed to start at 7:00 AM. Technically they can go until 10:00 PM. But I will tell you, I've worked with these on the other building and they have been very considerate of everyone and they don't even have neighbors over there. Plus, if this were to get approved, they're still going to be in dark time, so to say, at least until spring. If they get approved and they were to start site work within the next month, nobody's going to be working at four or 5:00 at pitch dark. But they are allowed to start at 7:00 AM.

Ms. Skodzinski: And there's no restrictions for noise or anything? I guess there's nothing you can do. There's no sound wall that can be put up before they start to build it?

Mrs. Newcomb: The sound wall won't be built until after.

Ms. Skodzinski: That's all I have. Thank you. I do appreciate your time. Not thrilled about this, but understand the situation.

Mr. Krollfeifer: Thank you for your comments. Anybody else? A comment? Anybody online have comment?

Ms. Kosko: There are ten people on line. I don't see anybody unmuting themselves for comment.

Mr. Krollfeifer: Any other public comment? Hearing none, I will close public comment.

Mr. MacLachlan: Now, Mr. Chairman, I'll think the motion that we grant, I guess it's preliminary and final we're looking for here? And to continue, the obviously unaddressed items that all the approvals are met with storm water and Scott's comments and continuing anticipated cooperation with our planner?

Motion: Mr. MacLachlan

Second: Mr. McKay

Roll call: Mr. MacLachlan, yes; Mr. McKay, yes; Mayor Gilmore, yes; Mr. Bradley, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

C. Case 21-05: BTC III Hainesport Logistics Center
Block 42 Lots 1, 1.01, 1.03, 2, 2.01
Route 38 & Mt. Holly Bypass
Minor Subdivision
Attorney: Michael Floyd

Mr. Floyd: Good evening. For the record, my name is Michael Floyd. I'm an attorney with Archer and Greiner, appearing on behalf of the applicant BTC III Hainesport Logistics Center, LLC, which has submitted an application for minor subdivision approval for property located along Route 38.

As you just mentioned, there's a corresponding application for site plan approval for an industrial development that's being continued until December 1st. However, the subdivision before you this evening will be creating new lots to help effectuate the industrial development, as well as a Nissan car dealership expansion, as well as a new lot for an existing cell phone power.

But with me this evening, we have two witnesses. I'll ask them to come up and introduce themselves. Joe Fierro and Joseph Romano.

Mr. Kingsbury: Do you swear or affirm the testimony that you give will be the truth, the whole truth and nothing but the truth?

Joe Fierro: I do.

Joseph Romano: I do.

Mr. Fierro: So, just to introduce myself, I'm Assistant Vice President of Development for the Black Creek Group. I'll be the of project lead for this development. Just some information on Black Creek: we're a real estate investment management firm, focusing on

owning, operating and the development of industrial real estate, with a track record of over 25 years. Nationally, Black Creek has completed roughly 30 million square feet of industrial development, and in New Jersey alone we have completed 6 million square feet.

Mr. Floyd: Thank you, Joe. I just want to make sure that... Before we do that, Joe is here on behalf of Black Creek. I think, really, our testimony this evening is going to be with Mr. Romano, talking about the subdivision plan. We are in receipt of the review letter for both the subdivision plan and the site plan, but we'll be addressing all the site plan comments at the December 1st public hearing. And with us proceeding, we have two exhibits that we'll be presenting. Exhibit A1 is an aerial photograph of the property. And then exhibit A2 is the subdivision plan that was submitted with this application. But, if there's no objections, what I'd like to do is to turn it over to Joe Romano. But first, Joe, if you could state for the record your licenses, education, and experience?

Mr. Romano: Sure. I'm a Principal at Langan Engineering. I oversee the firm's surveying and mapping services. I've been at Langan for 40 years. Licensed land surveyor in multiple states, including New Jersey. Have testified in front of many boards across the state, although I've not had the honor of being in Hainesport before.

Mr. Krollfeifer: Any court comments or questions? If not, acceptable.

Mr. Taylor: The board knows, this is the property that is overall, the Nissan dealerships, the Atlantic Wood, the creosote facility, the Hesser parcel. These are parcels that were studied last year, determined to be an area in need of redevelopment, and a redevelopment plan was set forth and adopted, referred to this board and adopted by the governing body. So, the uses and the design will be heard at the site plan. That'll be part of the next hearing. What's here tonight is really just a change of lot lines to allow for that site plan to actually be heard. The subdivision was contemplated in the redevelopment plan. The lot sizes do comply with the plans that have been set forth of the redevelopment plan. I just wanted to give a little background to the public and board on where we were, and what we're going to see today.

Mr. Floyd: Thank you, Scott. And again, we are proposing three lots. But Joe, we're going to deal with exhibit A1, which is aerial photograph of the property. Can you just inform the board members to the surrounding uses in the property boundary?

Mr. Romano: So the property is consisting of five blocks today. And, as stated, the property is consistent with the redevelopment zone. We have the Conrail property, we'll say to the north or to the top. We've got Mount Holly Bypass to the east, to the right, Route 38 to the south, and there's residential lots to the west. The Nissan dealership sits here, and the Atlantic Wood Industries sits to the north of your handle here. So, consists of five lots today, and we're going to push that back through them.

Mr. Floyd: Thank you, Joe. Let's switch to exhibit A2, and this is the subdivision plan that was submitted with our application.

Mr. Romano: Again, the subdivision plan is in compliance with all state statutes for filing a subdivision map, and it shows the boundary of the existing lot and the proposed lot and any necessary easements that facilitate the development of this project.

Mr. Floyd: Could you just highlight the lot where the Industrial would be and also the cell phone lot, and then the remainder lot for the Nissan dealership?

Mr. Romano: Sure. So, the larger lot, which is 40 something acres, and this is the majority of property. The cell phone tower exists, and that stays in the smaller lot. And the Nissan dealership's lot is here, which is now transected or traversed by this access easement, which will be relocated to facilitate this lot to be one developable portion.

Mr. Floyd: Just to add a little bit of additional color to Joe's testimony – it may be difficult to hear your plan that he just referenced – there is an existing driveway that comes in that bisects the Nissan dealership. It's got a 45 degree angle, which is not very good from a public health perspective for any type of project. That is driveway that benefits the rear property, the Atlantic Wood's property. So we do have a permit application pending before NJDOT to remove a couple of the driveways, including the angular driveway here and create a new driveway that benefits the rear of property. We'll go into more details regarding that with the site plan application, but I thought would be helpful to understand the subdivision, why we're proposing it as shown.

We are also in receipt of Alaimo's October 28th, a review letter for the subdivision. There was a question in item number one regarding easements. There are certain easements on the property. We anticipate that those will be extinguished as a condition of site plan approval. It's also pursuant to the redevelopment plan and this property is located in the route 38 Mount Holly bypass redevelopment plan and it does conform with all the bulk area criteria.

Mr. McKay: Just on the easement issue, besides the – what I'll call the diagonal road easement that goes through the Nissan property. What other easements are being affected?

Mr. Floyd: Well, let's clarify. That is not an easement, it is the driveway that is connected to the rear lot.

Mr. McKay: Actually, the easement allowed Nissan to drive across. The road itself wasn't the easement.

Mr. MacLachlan: Yeah. I think we had a deal concocted a long time ago, where they were allowed to ferry cars across that driveway. Remember?

Joseph Romano: There is also a 20 foot wide PSE&G easement in that same space.

Joe Fierro: I believe that's the utility and will stay.

Joseph Romano: Runs down this lot to lot two. I'm not sure it was used, but I believe so.

Mr. Floyd: Sorry. I think, for the purposes of the subdivision application, there were two easement or encroachment issues that were raised in Scott Taylor's review letter. And... I'm sorry, in Marty Miller's review letter. One on existing lot 5.01, which is not part of this application. There's an encroaching driveway and an encroaching shed on the applicant's property. So, we were asked to provide testimony regarding those two encroachments and the applicant will be reaching out to that property owner to discuss the encroaching shed and driveway.

Mr. McKay: Where is that?

Joseph Romano: It's at this lot here, adjoining residential lot.

Mr. Floyd: So it doesn't have any material impact on the subdivision here. It continues to be a by-right subdivision, but as a condition of approval, the applicant would agree to reach out to that property owner to figure out a solution to those encroaching site improvements.

Mr. Taylor: And they will be resolved as a condition of the site plan approval.

Mr. Floyd: Correct.

Mr. Taylor: Which will be condition of this subdivision.

Mr. Floyd: Correct. There was also a question regarding access to the existing car storage area on lot 2.02. Joe, if you could point out where lot 2.02 is? Lot 2.02 is not part of this application, but there is an existing easement in place, typically referred to as the Derby easement. And, as a condition of the redevelopment plan and of the redevelopment agreement, the applicant needs to resolve that easement issue, in terms of access and to park your tractor trailer. So again, they would agree to do that as a condition of site plan approval. And they're also required to do it as a matter of law pursuant to the redevelopment agreement. The last point that I wanted to make was regarding the existing jughandle along route 38. Part of our application to NJDOT involves improvements to the Route 38 frontage, including a new jughandle and the abandonment of the existing jughandle.

Mr. McKay: It looks like you're going to do a reverse jughandle.

Mr. Floyd: Correct. And that permit is pending right now with DOT, but we not receive our permit yet. But as a condition of approval, we would agree to amend the subdivision plan or come in with a new subdivision plan to show that parcel that will ultimately be conveyed to NJDOT for the new jughandle improvements.

Mr. McKay: If I'm reading this correctly, and the new jughandle would also will provide direct access to one of the warehouses? All of the warehouses, I guess, but it would come in right next to one of them.

Mr. Floyd: Correct. And again, I think it's helpful... These were questions raised in the review letters, so I wanted to make sure we're full transparency talking about it, but we will have much more detailed testimony and exhibits during the site plan application.

Mr. Krollfeifer: Again, I'm staying with the jughandle and Mr. McKay's comment, that's the jughandle that will allow vehicles westbound on 38 to turn onto Lawrence Boulevard, to get down to the other warehouse-

Mr. Floyd: That is correct.

Mr. Krollfeifer: And I think – this is just speculation on my part – somebody realized a little too late that that other jughandle was not adequate to handle 18-wheelers going into the new warehouse. Because I think you can only put about three or four in there. Now we can be able to put twice as much, at least.

Mr. Floyd: Well, we've had our pre-application meeting with NJDOT. The full application was submitted. All the property owners have consented to the filing of that application. And all I can tell you is that we are working diligently with DOT to get that permit issued as quickly as possible, because it does involve a land swap with DOT. These are state-owned lands. Ultimately we'll have to go before the State House Commission, which meets four times a year, to effectuate that land swap, but we can't even get to the appraisal portion and that transaction until the actual engineering and the design has been signed off on. So, just for the board's purposes, we are pushing forward as quickly as possible with that. But it is a lengthy process.

Mrs. Baggio: I remember we had the issue with the Nissan dealership not being able to move cars to that back lot where they park vehicles across this road over to the main... Is this going to clear that up?

Mr. Floyd: The short answer is yes. And that will be made clear during the site plan application. This subdivision is also going to help to allow a land swap to occur between the Nissan dealership and the applicant this evening.

Just for the record, I do not represent the Nissan dealership or Seagull Holdings. They're represented by Steven Eisner. But I know that he has or will be submitting an application for site plan approval for the dealership and the new access points coming in. So, this subdivision application and the corresponding site plan application... They intended to... I hate to use the word, but to clean up the overall site operations, and also to allow for the remediation of the Atlantic Wood site. But that's our affirmative presentation this evening. We can certainly answer any questions by the board's professionals, but this is a by-right subdivision, taking five lots to create three lots: one for the cell phone tower, one for future industrial development, and one for the Nissan dealership. It will involve a

swap of land between Nissan and the applicant, and in the future with DOT for the improved jughandle off of 38.

Mr. Krollfeifer: Mr. Taylor, do you have any comments? I know that there's been correspondence back and forth, and all of your requests have been met.

Mr. Taylor: As it relates... Subdivisions like this are mainly an engineering and surveying effort. All the lots do comply with the required size that's been set forth in the redevelopment plan. The rest of our comments will really be handled in conjunction with the site plan application.

Mr. Krollfeifer: Okay, Mr. Miller?

Mr. Miller: This plan is a consolidation plan in order to address the future site plan. And so, we don't have problem with that.

Mr. Krollfeifer: Okay. And it is complying with the redevelopment plan that was put forth.

Mr. Taylor: With the condition that the disposition of all easements get resolved as part of the site plan application. That is a requirement of the redevelopment plan. So I think it'll be appropriate to have that as a condition of the subdivision, for that have to be addressed during the site plan.

Mr. Floyd: Okay. We're fine with that. And sorry, Mr. Chairman, one thing I neglected to mention: this is a minor subdivision plan. So the applicant has the ability to perfect the subdivision by the recording of a deed subdivision. The applicant may elect to perfect it by the filing of a plaque. So, I know we had previously spoken about the need for a deeded subdivision, but they may elect on their own accord a file with a plaque.

Mrs. Tyndale: Can you just repeat what you said with the easement stuff? There's three of them, right? You're looking at... Well, kind of one... Nissan and PSENG, right? And then one on the other side there?

Mr. Taylor: If you look at their survey, there are a myriad of these that exist all over. There will also be proposed easements that will need to be presented as part of the site plan application. This lot line readjustment, in my opinion, does not change, except there are no physical changes to what's happening on the land out there. So I think, because the redevelopment plan says, "All subdivision and/or site plan applications shall resolve the easements", it's a condition of the subdivision that all easements be addressed.

Mrs. Baggio: What about this letter here? I wasn't sure on representing the Durga Corporation, which looks to me like it's technically not... It's really Lumberton I guess, at that point.

Mr. Taylor: That is really the issue that we're talking about here tonight. That is one of those pieces and one of those issues that we'll need to get resolved, and discuss and resolve as part of the site plan application.

Mr. Floyd: I can state for the record I did receive a call yesterday from Jonas Singer who represents Mr. Durga. I provided him with a copy of the site plan application that's before you on December 1st, and we are in receipt of his letter. So again, we will address the disposition of all easements in connection with the site plan hearing.

Mr. Krollfeifer: The Durga Corporation is the Travel Inn, that's next door?

Mr. Floyd: That's correct.

Mr. Krollfeifer: Okay. While we're on that subject, is there anything else we have to do with regards to this letter other than it... Is Mr. Singer on the line? Any Board comments?

Mr. MacLachlan: So, I just wanted to say something. So, we're kind of glossing over what's really going on here. This is a classic example of cleaning up a big messy site that we could have got stuck with. Somehow the applicants find in the way, financially, to mitigate... I'm not going to say how much. Maybe it's none of our... But it's a lot of money. In the many, many figures of creosote and chemicals that are in that property, that is a dirty site. It's now going to go on tax rules. Scott, Paula, John, and I know Marty, have done an amazing job of getting all these property owners to get together and really proposed a nice site.

If there's a spot in town for warehouses of this type, which is what's going to happen here – I hope I'm not spilling the beans – this is the spot right here. So, I'm real happy that... That's probably one of the biggest things to happen in Hainesport ever. So, this is a really good site. We have a Nissan dealer, as has been alluded to, is looking to improve that site. And we're just moving some property lines around and they've really done a great job. And I'm looking forward to seeing this thing get going. Good job of combining all these properties, making this work.

Mr. Krollfeifer: Thank you, sir. Any other board comments, questions? If not, I'll open it to public comments. Anybody on this application only. Please step forward, sir.

Mr. Kingsbury swore in Charles Bloom, 204 Engleside Avenue.

Mr. Bloom: So, I'd like to thank you for letting me know not to waste my time to come here December 1st, because it obviously means that the warehouse is going up.

Mr. Krollfeifer: Okay. Have a nice night. This has nothing to do with a warehouse, just for the record. Any other public comment?

Jonas Singer: Yes. Good evening, members of the board. Jonas Singer, appearing on behalf of the neighbors mentioned. Mr. Floyd and I spoke a few times. I'm sure we can make an effort to resolve my clients' issues. And I'm sure I'll report back before the next meeting that hopefully we've taken care of the issues my client has.

Mr. Krollfeifer: What's your comment, Mr. Singer?

Jonas Singer: Oh, I'm sorry. No, I just indicated that I've spoken to the applicant's attorney a few times, and I know that he and I can resolve our issues with respect to easement and the request of my client to deal with access to his site off of the proposed roadway, to the rear of the applicant's property, as well as some drainage issues that we were concerned about. So unfortunately, I haven't had time to review the actual plans. Council did provide to me today a digital copy of the site plan. So, he and I will continue our discussions with the anticipation that we should be able to resolve our issues. If not, we'll present them to the board for their consideration.

Mr. Krollfeifer: It's been stipulated that any approval with regards to this application is subject to resolving all easements. And this is one of them, right?

Mr. Floyd: Yes. Resolving how these easements are going to be addressed, either in terms of modifications, extinguishment, abandonment, etc. The Durga easement is one of those easements, and it is provided for in the redevelopment plan that we have to address it.

Mr. Krollfeifer: Okay. And now, all of that will come up December 1st?

Mr. Floyd: Correct.

Mr. Krollfeifer: Okay. Mr. Singer, is that clear?

Jonas Singer: Yes, Mr. Chairman. I understand.

Mr. Krollfeifer: Okay. Any other public comments online there? No? Okay. If not, I close the public comment. What's the board's pleasure? What action does the board wish to take on this application?

Mrs. Tyndale: So then I'll move to approve the subdivision.

Mr. Krollfeifer: And it's subject to satisfaction of all the easements and the points raise by Taylor Design and Alaimo letters.

Mrs. Tyndale: Yes.

Motion: Mrs. Tyndale

Second: Mr. Krollfeifer

Roll call: Mrs. Tyndale, yes; Mr. Krollfeifer, yes; Mayor Gilmore, yes;
 Mr. MacLachlan, yes; Mr. McKay, yes; Mr. Bradley, yes;
 Mrs. Baggio, yes; Ms. Kosko, yes
 Motion carries to approve.

**D. Case 21-05A: BTC III Hainesport Logistics Center
 Block 42 Lots 1, 1.01, 1.03, 2, 2.01
 Route 38 & Mt. Holly Bypass
 Preliminary and Final Site Plan
 Attorney: Michael Floyd**

Mr. Floyd provided a letter requesting to carry the application to Dec. 1, 2021

Mayor Gilmore motioned to carry the application to December 1, 2021.

Second: Ms. Kosko

Roll call: Mayor Gilmore, yes; Ms. Kosko, yes; Mr. MacLachlan, yes; Mr. McKay, yes;
 Mr. Bradley, yes; Mrs. Baggio, yes; Mrs. Tyndale, yes; Mr. Krollfeifer, yes

Motion carries.

7. Minutes

A. Meeting Minutes of August 4, 2021.

Carried to December 1, 2021 meeting.

B. Meeting Minutes of October 6, 2021

Motion: Mr. Bradley

Second: Mrs. Baggio

Roll call: Mr. Bradley, yes; Mrs. Baggio, yes; Mr. MacLachlan, yes;
 Mayor Gilmore, yes; Mr. McKay, yes; Mr. Bradley, yes; Ms. Kosko,
 yes; Mr. Krollfeifer, yes

8. Resolutions

**A. Resolution 2021-18: granting front yard setback variance for front porch
 addition on Block 81 Lots 2 & 3.**

Motion to approve: Mr. MacLachlan

Second: Mrs. Baggio

Roll call: Mr. MacLachlan, yes; Mrs. Baggio, yes; Mr. Bradley, yes; Mr. McKay, yes;
 Mayor Gilmore, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

9. Correspondence

A. Certification dated October 7, 2021 from Burlington Co. Soil Conservation
 Re: Block 110 Lot 12.01, Fernando Lourenco Residence

Mr. Krollfeifer motioned to accept and file.

Second: Mrs. Tyndale

Roll call: Mr. Krollfeifer, yes; Mrs. Tyndale, yes; Mayor Gilmore yes;
Mr. MacLachlan, yes; Mr. McKay, yes; Mrs. Baggio, yes; Ms. Kosko, yes

Mrs. Tiver asked to amend the agenda to include the executive minutes from the October 6, 2021 meeting.

Mr. MacLachlan motioned to amend to include the minutes.

Second: Ms. Kosko

Roll call: All in favor.

Mrs. Baggio motioned to approve the executive minutes from October 6, 2021.

Second: Mayor Gilmore

Roll call: Mrs. Baggio, yes; Mayor Gilmore, yes; Mr. MacLachlan, yes; Mr. McKay, yes;
Mr. Bradley, yes; Mrs. Tyndale, yes; Ms. Kosko, yes; Mr. Krollfeifer, yes

10. Professional Comments - None

11. Board Comments

Mr. Krollfeifer welcomed Mrs. Newcomb back and thanked Mrs. Tiver for putting the packets together. He wished everyone a nice Thanksgiving.

12. Public Comments – None.

13. Adjournment

Mayor Gilmore motioned to adjourn at 10:40pm.

Second: Mrs. Baggio

Roll call: All in favor

Paula L. Tiver, Secretary