

HAINESPORT TOWNSHIP JOINT LAND USE BOARD MINUTES

Time: 7PM

October 5, 2022

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 MacLachlan, Mr. McKay, Mrs. Kelley, Mrs. Gilmore,
Mr. Tricocci, Mrs. Tyndale, Mrs. Baggio, Ms. Kosko, Mr. Bradley, Mr. Murphy,
Mr. Noworyta, Mr. Krollfeifer

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

6. Items for Business

Krollfeifer: I want to make an announcement for anybody who's on line or anyone in the audience. Three cases that are on the agenda are being continued to next month, November 2 It would be case B, C, and D. R & M. Development, Longbridge farms and Coreone.

A. Case 21-05B: BTC III Hainesport Logistics Center LLC
Block 42 Lots 1, 1.01, 1.03, 2, 2.01
Route 38 – Mt. Holly Redevelopment Project
Revised minor subdivision and lot consolidation
Attorney: Michael Floyd

Good evening. Hi, I'm Cliff Allen with the law firm of Archer and Greiner. I'm here tonight on behalf of our client BTC III Hainesport Logistics Center, LLC. Thank you for allowing us to come in tonight in support of our application for amended minor subdivision approval and as you indicate on the agenda lot consolidation as well. You

may remember this application about a year ago, almost 11 months ago, we were here before seeking minor subdivision approval for plan about 50.8 acres located near the intersection of Route 38 and the Mount Holly Bypass, in the Route 38 and Mt. Holly Bypass Redevelopment Plan.

Tonight, we're here to ask for an amended minor subdivision approval because of an outside agency approval it comes into play. After we had received our subdivision approval from this body. We had to go and see the NJDOT. We needed access permitting from the DOT for our project. That plan requires that we change the geometry ever slightly. On our access drive for our warehouse, remember, on our larger lot over 47 acres, we have two warehouses, and then we have a smaller lot about 7.6 acres, it's for the Nissan dealership. We have an access drive that allow us to get to our warehouses driving past a Nissan dealership. We have almost a right-angle type of geometry on that access drive to Route 38. DOT wants us to angle that slightly to facilitate right hand turns out of that access drive onto the highway. So, the relevancy is that changes the geometry of our subdivision plan and though we have a really entailed subdivision plat that we shared with this application. Really the change is really small in comparison to the overall project.

I have exhibit A1, which is the plan itself that we filed, but we also have an exhibit A2 which are tries to real simplify and show exactly what it is we're talking about. We really tried to highlight that so it makes sense what we're doing here. Otherwise, I don't believe we're needing any variances or waivers of any kind that I'm aware of.

We did receive a correspondence from the Board's engineer dated September 29, in review of this application. We would agree to address as a condition of any approval this board may grant us tonight regarding his letter.

We also received some email correspondence from the board's planner. Again, I thought very constructive comments. We would be more than happy to address those as a condition of any approval the Board grants as well.

I brought a couple of witnesses unless you have questions. We did serve and publish notice of our application for tonight. So being a by right application, having made notes I do believe this board has jurisdiction as a planning board for our amended subdivision.

Mr. Krollfeifer: Please bring your witnesses up together and have them sworn in first. Mr. Kingsbury will administer the oath.

Mr. Kingsbury swore in the witnesses.

Mr. Allen: This is Joe Fierro; he is with the applicant. Our main witness will be Joseph Romano, professional licensed surveyor.

Mr. Allen: Mr. Romano, walk us through that subdivision plans and our application?

Mr. Romano: Referred to exhibit A1. So, the subdivision plans, basically stays exactly the same. We're creating the finalizing before an area that DOT made us amend this access and it specifies the change in geometry that was spoken about. It is a little hard to see on this exhibit. Referred to exhibit A2. So, this one is much more complicated. Just

shows the difference between the two geometries. The red line is proposed the purple line is what was previously approved. It is pretty straight forward.

Mr. McKay: I wonder why the state made you curve the west side and not the east side of the highway

Mr. Romano: I can only speculate that it is due to the righthand turn coming out.

Mr. McKay: Right. But there's a righthand turn coming in too. It's their problem, it's not yours. I'm just wondering. Now that I see it, it's like it is half done.

Mr. Allen: We're seeing more and more of that with applications out of southern New Jersey DOT. I think we're getting a change in the review staff. I'm not an engineer, but we're seeing more and more like slip type maneuvers into highways where they try to avoid that abrupt, tractor-trailer or straight truck ride out. I think that's really what you're trying to do is soften that approach to the highway.

So that's our subdivision application tonight. And again, I think we had some pretty good review comments from your engineer and planner. Those are things we can really address going forward if we're granting approval.

Mr. McKay: I do remember when it first came through, and you can see it on the drawing that the first 100 feet of the driveway was maybe wider than the remaining 200 feet of the driveway to allow I guess vehicles to pass one another if I recall correctly. Does this state change actually narrow that a little bit.

Mr. Allen: I don't think a site plan comes into play here. I think we still have the same access that's involved. I think we still have the free movements that were approved by this body before. I think this is really just focused on our approach to the highway. Really what it does is it changes our proposed lot line with the Seagull Holdings property where the Nissan dealership is. So, members, the board festival, that's our application.

Mr. Krollfeifer: Anybody on the board have any questions

Mrs. Gilmore: Is that the only entrance and exit to the property.

Mr. Fierro: There is a jug handle that involves an application with the DOT. with a jug handle that involves an application. There would be an access point straight through the property.

Mrs. Gilmore: So, in theory, the truckers would prefer to use traffic light.

Mr. Krollfeifer: That's to allow the trucks heading westbound to make a left turn, if you will, down Lawrence Boulevard to the warehouse and other properties. Counselor, you said that you're going to consolidate two lots.

Mr. Romano: We are consolidating lots 1 and 1.03 to 2.01, reconfigured a little with the Nissan dealer, and proposed lot for telecommunications.

Mr. Krollfeifer: Can you help clarify one question that I have? It's in the middle of page two of Michael Floyd's letter. Where the owner talks about Seagull Holding and makes reference to lots 1, 1.01, and 2. I think that is 2.01.

Mr. Allen: Yes, that should be 2.01.

Mr. Krollfeifer: Thank you. Any questions or comments from our professionals?

Mr. Taylor: The only comment we have, Mr. Chairman, and we reviewed it, it doesn't require any variances. There's probably about 2000 square feet that shifts from the larger Black Creek property and actually makes, I believe, the Seagull property gets about 2000 square feet larger. So, the only comment, both of those projects received approvals, but they have not fully perfected all their revisions, adding the trees fixing the drainage, that's part of resolution compliance. We just asked as a condition of this approval that all these new lot lines and lot areas be reflected on both of those site plans. The Seagull Nissan dealership will probably require some curb reconfiguration, the applicant has requested that be handled as part of resolution compliance, which we're fine with because it's probably going to be moving a couple of parking spaces adding a few on the back. As long as their numbers don't change, we don't think it really rises to the level of an amended approval. We just wanted to bring that to the board's attention, it's really going to be a really minor tweaking. If it does trigger some kind of a waiver or variance, either one of those projects would have to come back before the board, we recommend that it be included as a condition of approval.

Mr. Krollfeifer: Thank you. Any other questions or comments from the Board? None. Open public comment. Can we get the people who are online first, if they have any questions on this application?

Ms. Kosko: There are four residents online. I don't see any of them unmuting themselves.

Mr. Krollfeifer: So, I can assume there's no questions from anybody. Does anyone in public have any question or comment about this application? Hearing none. Closed public comment. I'll ask the Board, What's your pleasure? We'll need a motion and a second, in terms of what action we want to take from the board.

Mayor MacLachlan motioned to grant the application.

Second: Mrs. Tyndale

Mr. McKay: Subject to the conditions set forth by our planner.

Mr. Krollfeifer: Correct.

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

Motion carries.

Mr. Allen: Thank you, Mr. Chairman and Members. We greatly appreciate the approval and look forward to working through this.

B. Case 19-09C: R & M Development, LLC**Block 100 Lots 8.03, 8.02****60 Bancroft Lane****Revised Subdivision, Preliminary/Final Subdivision Approval****Attorney: David C. Frank**

Mr. Krollfeifer: David Frank requested an adjournment to the November 2, 2022 meeting at 7pm. No further notice is required.

Mrs. Gilmore motioned to adjourn to the November 2, 2022 meeting at 7pm.

Second: Mrs. Kelley

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

Motion carries.

C. Case 18-04A: Longbridge Farms, LLC**Block 103.01 Lots 1 & 8 and Block 113 Lot 4.05****Route 38 & Mt. Laurel Road****Preliminary Major Subdivision****Attorney: Douglas Heinold**

Mr. Krollfeifer: Douglas Heinold requested an adjournment to the November 7, 2022 Meeting at 7pm. A new notice is required.

Mrs. Baggio motioned to adjourn to the November 2, 2022 meeting at 7pm.

Second: Mrs. Tyndale

Mr. Krollfeifer: Do we need some clarification on the name? This case is Longbridge Farms versus R & M Development of Longbridge Estates? Or is that not up to us at all to clarify. That's my one question. My second question is I have received some phone calls from folks in the immediate area requesting a traffic study. So, my question to our professionals is when is it appropriate to let the applicant know that we would like to traffic study?

Mr. Taylor: The first questioned regarding the naming. The Ravikio property that is on the agenda has been known as Longbridge Farms, LLC for a number of years. Through the course of the approvals process, the R & M Development project behind the Pep Boys, that has sort of established itself to be called Longbridge Estates. I don't know if there's any real case law on it. Usually, it's the first one to get their approvals and start construction gets to name their development that I have passed that along to the folks for the Ravikio Longbridge Farms. So, they with their contract purchaser are working to get a new name for that, for that development to eliminate. We will have a little confusion through these approval processes, but that that will be straightened out.

Mr. Krollfeifer: When do we ask for a traffic study?

Mr. Taylor: The board can ask for it. They've asked for a submission waiver from providing a traffic report. It is a permitted use. At the hearing the Board will get to

either grant the submission waiver or request some modified traffic statement, waiver completely, or require one either in conjunction with the preliminary. They have only asked for preliminary approval. So, the board could ask for that as a condition of preliminary and prior to final or asked for some limited testimony. We can pass along the question or their concern to the applicant's team. If that's something the board would like us to do, and then when they're back here in November 2, you all get to tell them face to face what any of your concerns may be.

Mr. Krollfeifer: Okay. I know it's going to be requested. I know people are going to come to me and ask about it. So, I thought maybe we could hit it off, let the applicant know about it in advance, and maybe it will help the whole process.

Mr. Kingsbury: If they are requesting a waiver, I think you have to listen to their pitch as to why entitled a waiver. I don't think that's a decision that can be made tonight.

Mr. Krollfeifer: No, you're right. It's not that part of the continuance but I wanted to alert everybody that the issue is going to come up and I figured if we can have them know about it a month in advance, it's better than just being courteous about it. Okay, thank you. Well, then, we'll have a roll call on the motion second.

Mrs. Baggio motioned to adjourn to the November 2, 2022 meeting at 7pm.

Second: Mrs. Tyndale

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

Motion carries.

Mr. Taylor: Just for clarification. The Longbridge Farms project will provide new notice. I believe that the R & M will not be required. So, it may make sense to make a specific announcement to the public that it is carried to November 2, there will be no additional notice. The Longbridge Farms, Ravikio property will actually provide new notice.

**D. Case 21-08A: Robert Depiero c/o Coreone Industrial
Block 98 Lots 2.01, 2.02, 2.08
Along Mary Way, near Route 38 and Hainesport Mt. Laurel Road
Minor Subdivision, Preliminary/Final Site Plan
Attorney: Robert Baranowski**

Mr. Krollfeifer: This is the warehouses off of Mary Way. Robert Baranowski requested an adjournment to the November 2, 2022 meeting at 7pm. No further notice is required.

Mrs. Gilmore motion to adjourn to the November 2, 2022, meeting at 7pm.

Second: Mayor MacLachlan

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

Motion carries.

7. Minutes

A. Meeting minutes of September 7, 2022

Motion to approve: Mrs. Kelley

Second: Mrs. Baggio

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

Motion carries.

8. Resolutions - None

9. Correspondence

A. Letter dated August 5, 2022 from Burlington Co. Planning Board to Longbridge Farms

Re: Longbridge Farms Block 103.01 Lots 1 & 8 and Block 113 Lot 4.05

B. Letter dated August 11, 2022 from Burlington Co Planning Board to Mrs. Tiver

Re: Longbridge Farms Block 103.01 Lots 1 & 8 and Block 113 Lot 4.05

C. Letter dated September 15, 2022 from Taylor Design to Mrs. Newcomb

Re: Hainesport Commerce Center Block 83.01 Lots 1-3; Block 96 Lot 1; Block 96.01 Lot 1

D. Letter dated September 16, 2022 from The Energy Exchange to Mrs. Tiver

Re: Withdrawal case and refund escrow

E. Letter dated September 19, 2022 from Burlington Co Planning Board to Mrs. Tiver

Re: Longbridge Farms Block 103.01 Lots 1 & 8 and Block 113 Lot 4.05

Mr. Krollfeifer: I would like to point out to the Board to read correspondences A & B because it refers to Longbridge Farms that will be discussed next month.

Motion to accept and file: Mrs. Kelley

Second: Mrs. Gilmore

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

10. Professional Comments - None

11. Board Comments

Mrs. Tyndale: For Case D that is getting postponed to next month. Have we heard that before?

Mr. Krollfeifer: That's the two warehouses on Mary Way and it hasn't been brought to us previously, but it's been discussed. We have not had anything official.

Mrs. Tyndale: My other question is, maybe someone on the council can answer this. Are all of these warehouses that are being proposed and being approved, are they all PILOT.

Mrs. Gilmore: No.

12. Public Comments

Mr. Krollfeifer: Opened public comment to online and present. None. Closed public comment.

13. Adjournment

Mrs. Gilmore motioned to adjourn at 7:28pm

Second: Mrs. Kelley

Roll call: All in favor

Paula L Tiver, Secretary