

**TOWNSHIP OF MANSFIELD
PLANNING BOARD
SPECIAL MEETING
Tuesday, May 8, 2018**

The Special Meeting of the Mansfield Township Planning Board was held on the above shown date with the following in attendance: Randy Allen, Vice-Chairman Borgstrom, Frederick Cain, Shane Fleming, Mayor Higgins, John Kampo, Gary Lippincott, Delpat Patel, Chairman Preidel, Secretary Ashley Jolly, Clerk Semus, Attorney's Thomas Coleman & Chuck Petrone, Engineer Mark Malinowski, Planner Barbara Fegley, and Traffic Engineer Alexander Litwornia.

The meeting was called to order by Chairman Preidel followed by the flag salute and the following opening statement:

Adequate Notice has been provided for the Special Meeting and has been posted on the Official Bulletin Board of the Township of Mansfield, noticed to the Burlington County Times and Trenton Times on April 30, 2018 and filed with the Municipal Clerk of the Township of Mansfield, notice of which contained the date, time, place, and purpose of the meeting stating that formal action may be taken.

APPLICATION PB2017-8AP+FSP VA Florence Company, LLC (Margolis):

Chairman Preidel introduced the above referenced application. He then read a statement explaining that there is a very large crowd and he will do his best to make sure everyone has an opportunity to speak. He expects everyone to be respectful and courteous. He asked that everyone refrain from cheering, clapping, or loud outbursts. If someone is being disruptive, they will be removed from the meeting. He explained the meeting process and that the first person who will be coming up to speak during Public Comment would be Mr. Hulse, an attorney who represents a number of individuals who have concerns with respects to this application. He asked that the speakers who wish to make comments not be repetitive. He again reiterated that the public be respectful and courteous to everyone there this evening.

Chairman Preidel asked the professionals to introduce themselves after which the applicant was given the floor to begin testimony.

Attorney Michael Gross for the applicant stated that he wanted to confirm that notice for the meeting was provided and sufficient. **Secretary Ashley Jolly** confirmed that it was. **Attorney Gross** stated that he wanted to point out that this is an amended application; therefore they already have an approval and they are only amending their prior approval for a warehouse distribution facility. He further explained that they reduced the number of buildings and square footage. Parking has been increased and will be discussed by Mr. French the engineer. He understands there is a concern regarding traffic generated by this facility; however the roads are County Roads. On April 2, 2018 the Burlington County Planning Board approved this application. There is a 30 day appeal period and they are unaware of any appeals that are forthcoming; therefore traffic issues as far as they are concerned are resolved. The Burlington County Planning Board has some requirements for improvements and the applicant intends to make those improvements on the County roads.

Attorney Gross stated that they eliminated the bridge over Crafts Creek, to which Mr. French will testify. He stated that they have had two meetings with Township Professionals and believe they have addressed all comments in their letters. He emphasized that the property has been zoned for this use since the 60's and 70's. The applicant has owned this property for over 50 years. Until approvals are obtained they cannot verify an end user. He explained that one of the

conditions in the County approval is that if the projections for what the traffic is going to be are not met (or exceeded) they will need to go back before the County Planning Board.

Engineer, for the applicant, **Mr. French** was sworn in by **Attorney Coleman**. **Mr. French** stated that he is Andrew French from French & Parello Associates, 1800 Route 34 Wall Township, New Jersey. He gave his qualifications and such qualifications were recognized by the board. **Mr. French** stated that his office and he have been working on this project for over 12 years. He has been to the site numerous times and the plans and reports have been done by his office under his supervision. **Attorney Gross** asked Mr. French to explain the existing conditions on the site. **Mr. French** provided exhibit A-1, Aerial Exhibit date April 23, 2018. **Mr. French** stated there is frontage on County Route 656, on the North side the property fronts on I-295. There is an existing farm on the other Northern portion of the site with an approximate 150ft wide existing wooded area. On the East side there is frontage along County Route 628 and the NJ Turnpike extension. The limits of the project site are shown in red on exhibit A-1.

Attorney Gross asked if Mr. French had a copy of the existing site plan and the proposed site plan approval. **Mr. French** stated that he did. Exhibit A-2 showed a color rendering of the overall site plan, index sheet 2 of 63, last revised March 23, 2018; showing the current application. Exhibit A-3, showing the existing approval, index sheet 2 of 43, last revised February 6, 2009.

Attorney Gross asked Mr. French to explain the proposed modifications to the Site Plan. **Mr. French** stated that under the original approval there were 4 buildings; currently 3 buildings are being proposed. The original site plan approval was approximately 1.9 million square feet of building area. Under the current application 1.78 million square feet is being proposed; a reduction of around 120,000 square feet. Regarding impervious coverage, under the original site plan approval there was approximately 79.5 acres of impervious coverage. Under the current application there is approximately 79 acres. Under the original application there was 867 parking spaces; under the new application there is 989 parking spaces. The total trailer parking on the original application was 591; the current application has a total of 489 trailer parking spaces. **Mr. French** further explained that under the original application there were 4 locations for double stacked trailer parking. The current application eliminates 3 of those locations; therefore there is only 1 location for double stacked parking. They agree to keep the rear of the double stacked parked trailers empty. On the West side of Building number 2 the double stack will be eliminated. On the north side of building number 3 the double stacked trailer parking will be eliminated as well as on the north side of building number 4. He explained that another item that has been changed from the original site plan is the waste water treatment with the disposal into the ground. The current application has a pump station on site with a force main that will be tied into public sanitary sewer system; this has been approved by NJDEP. The original plan also included a bridge; under the current application, the bridge has been removed. Currently this is viable access onto Jacksonville-Hedding Road, which has been approved by the County. The Site Plan works without the bridge, and eliminating the bridge does not create any variances or impact any variances they are currently seeking.

Attorney Gross asked Mr. French to list the variances being requested and explain how they relate to the original application. **Mr. French** stated that as far as the new application they are seeking a parking variance. The original approval had a parking variance granted; there were 2365 required, 867 were provided. On the current application 2400 parking spaces are required; 989 parking spaces are being provided. He also explained there are a few design waivers they are requesting. From §65-102C a wall within the front yard setback, on Jacksonville-Hedding Road they are seeking to have a design waiver to allow a retaining wall within the front yard.

Jacksonville-Hedding Road and the proposed access drive are elevated above the slope; therefore to stabilize the slope a 5ft tall retaining wall is being proposed. Under §50-27D requires a minimum 2ft of cover over storm sewer piping. There are certain locations in their design that have less than 2ft of cover over the storm sewer piping; a design waiver is being sought for those instances in which they are proposing a class 5 higher strength concrete pipe that has sufficient structural integrity at a less cover for traffic loading. §50-27G requires headwalls with trash bar and all discharge points into the detention basins. It is their opinion that it is not wise to put trash bars that discharge into the basin because it will clog it up. They prefer to put the trash racks on the outfall structure to block it from going downstream. They are seeking that design waiver as well as putting flared end sections into the basin rather than concrete headwalls. The basins have a side slope of 3:1, they are providing erosion control matting and the flared end sections which they feel is sufficient for stabilizing embankments at the basin. All of these variances and waivers have been discussed with board professionals.

Mr. French confirmed that the proposed use is a Warehouse Distribution Facility, which is a permitted use in the ODL zone. The proposed height is 50ft high building consistent with maximum height of the ordinance. **Attorney Gross** asked Mr. French to describe the days and hours of operation. **Mr. French** stated that it would be 7 days per week and 24 hours per day; just as the original site plan approval was. The activities and services would be typical for a warehouse distribution facility; products come in to the facility and are redistributed to other distribution facilities, retailers, and wholesalers. This is again the same as the original application. The maximum number of employees on the main shift would be 700 employees, on the second and third shift could be another 500 employees for a total of 1200. Currently there is no end user, so this would be all the maximum. **Mr. French** also stated that the waste disposal is your typical office and will be handled by a private carrier. There will be dumpsters on the property to store the waste disposal. There will also be paper and cardboard disposal that will be picked up by a private carrier and disposed.

Attorney Gross asked Mr. French to provide the truck types and if there was any change from the original approval. **Mr. French** stated that there is no change and that it is intended to have single unit box trucks as well as tractor trailers on the site similar to the original site plan approval. **Attorney Gross** questioned the schedule for waste removal. **Mr. French** reiterated that they don't have an end user for the buildings as of yet, however they anticipate 3-4 times a week but that all depends on the end user. **Attorney Gross** questioned the status of the Burlington County Planning Board review. **Mr. French** stated they have County approval. **Attorney Gross** asked for the status of all other outside agency approvals. **Mr. French** stated that they have an approval from NJDEP for the water main extension to project site, NJDEP Treatment Works approval for both the onsite sanitary sewer system and the onsite pump station and forced main, a fresh water wetlands general permit for the activities in the wetlands area (outfalls have already been constructed in the environmentally sensitive areas), NJDEP flood hazard applicability determination that they do not need additional approval for flood hazard, NJDEP dam safety jurisdiction determination that the onsite detention basins would be considered a class 4 dam and not regulated under NJDEP, Burlington County Soil Conservation District certification for the onsite and offsite improvements, NJDOT approval has been obtained as well (recording cut out at this point).

Mr. French stated that there are 9 detention basins all in the same locations as previously approved. All ground water recharge, they are taking from portions of the roof and putting into underground recharge systems, as well as, providing water quality devices at the outfall after the

detention basins to cleanse the water prior to discharge to Crafts Creek. The stormwater management is generally consistent with what the original approval was.

Mr. French stated that there were some improvements on the road configurations. On the south side of building number 1, they've added a 2 way 24ft wide access driveway, that extends with a cull de sac at the end for better circulation around building number 1. Also, the first driveway closest to county route 656 that enters the loading on the north side of building number 1 they've changed that to be a one way in only for that driveway, which is an improvement to the loading dock circulation. As far as building number 2, which is located where the previous 2 buildings were, there is 2 way circulation around that building. The same thing goes for building number 3 there is 2 way circulation around the entire building.

Attorney Gross asked for details on the masonry trash enclosures. **Mr. French** stated that the intent of the trash enclosures would be split face concrete block enclosures. The face would be colors to match the façade of the building. He noted that the style of architecture is the same as was previously approved. **Attorney Gross** asked if there was any proposed outdoor storage of materials. **Mr. French** stated that no there was not. **Attorney Gross** asked Mr. French to describe the phasing plan. **Mr. French** referred to Exhibit A-4, Phasing Plan, 63 of 63 last revised March 23, 2018. He explained that Phase 1 will include building number 2 as well as the improvements to Florence-Columbus Road, County Route 656. Building number 2 fronts on Florence-Columbus Road and I-295, the intent is that would be the first building constructed. This construction would include the water main and sanitary sewer extensions as well as, electric and gas utilities to the project. Also included will be the access to Florence-Columbus Road, the internal roadways, the detention and stormwater management elements which are associated with building number 2. They have County approval to provide an acceleration and deceleration lane on Florence-Columbus Road as well as a designated left turn lane into the property. The applicant will also provide the construction at the intersection of Columbus Road and Jacksonville-Hedding Road; these improvements will also be included as part of Phase 1.

Mr. French stated there would be common ownership of the buildings. He referred back to Exhibit A-4, Phasing Plan, and explained that Phase 2 would be building number 3, which fronts on County Route 628. Building number 3 would be constructed along with all the site improvements and stormwater management elements associated with that building. Phase 3 would be building number 1 which fronts on County Route 656 along with the associated improvements and stormwater management elements.

Attorney Gross asked if it was Mr. French's understanding that the applicant has met with Andy Pritikin of Liberty Lake Day Camp to discuss his concerns. **Mr. French** stated yes. **Attorney Gross** asked if Mr. Pritikin's concerns were primarily security fencing and landscaping. **Mr. French** replied yes. **Attorney Gross** asked how the plans have been revised in response to those concerns. **Mr. French** referred to Exhibit A-5, Overall Plan with Chain-link Fence, last revised March 23, 2018. He explained that the exhibit shows in red, an 8ft high fence with barbed wire on top around the perimeter of their site along Jacksonville-Hedding Road as well as, surrounding building numbers 1 & 2. This would be for security purposes along Liberty Lake (recording cut out at this point).

Mr. French referred to another exhibit A-6, Landscape Plan, sheet 4 of 63, revised to add additional screening and landscaping along Liberty Lake. Another exhibit, A-7, was introduced, Landscape Plan, sheet 28 of 63, for the purpose of additional landscape screening. He stated that on the south side of their property, were it is contiguous with Liberty Lakes, a raised landscape berm, as well as, heavy evergreen trees along the entire shared property line are being proposed.

On the south side of basin number 3 (exhibit A-7), landscaping has been enhanced and additional evergreens have been provided.

Mr. French stated that soil removal for this property has been designed with contractors. It is a relatively balanced site from an earthworks standpoint. There may be excess topsoil, but the idea is to berm that around the perimeter of the sites, along the frontage of Florence-Columbus Road, as much as they can to keep that material on the property. They agree to comply with the soil removal ordinance.

Attorney Gross asked Mr. French to describe the full time and security lighting. **Mr. French** stated that the lighting from the site would be on from dusk to dawn, as it is necessary for security and safety. **Attorney Gross** asked about survey conditions and the consolidation of the lots. **Mr. French** stated that they agree as a condition of approval to provide the lot consolidation plan and description as well as, eliminating the internal lot lines for the proposed project. **Attorney Gross** stated that there is a requirement for sidewalks along frontages of buildings, however there is an alternative for a contribution to the sidewalk fund. **Mr. French** stated he is aware of that and the applicant is choosing not to install sidewalks on County Route 656 or County Route 628. Currently there is no sidewalk on either side, there is also not a lot of pedestrian traffic in those areas. The applicant would prefer to provide a sidewalk contribution to the fund allowing Mansfield to install sidewalks where it is more appropriate.

Mr. French then described bank parking, explaining that you get approval for the parking spaces but you don't actually construct them with pavement; instead you leave them as green space and if they become necessary, then you construct them. Unfortunately, the applicant does not have a specific end user, but the applicant agrees, if the end user doesn't need all the parking that is being proposed, they agree to land bank the parking spaces and continue to make them green.

Attorney Gross questioned Mr. French on a sign package. **Mr. French** stated that they agree to provide a master sign package, back in front of the Planning Board, however they would like to have an end user first. Therefore, they are asking for this to be a condition of approval that they would come back before the Planning Board and present the Master Sign package.

Attorney Gross then called Deanna Drumm, Traffic Engineer for the applicant and she was sworn in by **Attorney Coleman**. **Ms. Drumm** stated she works for the firm Traffic Planning and Design located at 2 Riverside Drive, Camden NJ. She stated that she lives in Burlington County approximately 5 miles from this location therefore she is very familiar with the location. **Ms. Drumm** then stated her credentials which were recognized by the board.

Attorney Gross asked who has jurisdiction over Routes 656 and 628. **Ms. Drumm** stated that is Burlington County. **Attorney Gross** asked if there was an approval from Burlington County. **Ms. Drumm** stated yes. **Attorney Gross** asked if it includes certain off tract improvements which were discussed by Mr. French. **Ms. Drumm** stated yes.

Ms. Drumm referenced Exhibit A-8, stating that the blue is the NJ Turnpike, purple is I-295, orange is Route 130 & Route 206, and green is the County Routes. She stated that their site is adjacent to interchange Route 295 as well as being close to NJ Turnpike and PA Turnpike via the interchange on Route 130. Due to the fact that this will be a regional retail distribution facility, trucks will be heading out of the area to deliver their product. She stated that the Delaware Valley Regional Planning Commission has studied Burlington County in depth in regards to the truck routes, as well as, where the commodities are going in Burlington County. Based upon that 45% of the product being generated from Burlington County is heading to the NY Metro area, 25% is heading into PA, 15% is heading more towards Boston, Texas, Connecticut, Washington DC, and the remaining 15% is the general South Jersey area. She expects about 50% of the trucks will use

I-295 North, Approximately 30% will use I-295 South, and the remaining 20% will use Route 130 to use the PA Turnpike. The location is adjacent to I-295 making a prime location for trucks to come on and off I-295 vs. the local roadways. In regards to traffic into Columbus and Homestead area **Ms. Drumm** stated there are two things generated traffic wise by a warehouse distribution facility; one is employees and the other is trucks. Employees will use the Routes that go into the Village of Columbus. Using census related data, it's been determined that about 10% of employees will use County Route 528 into the Village of Columbus area. In regards to trucks, it is her professional opinion taking a look at the Village of Columbus and the roadway system, it is really not an ideal situation; first, it is a lower speed limit and second, there are speed humps within the Village of Columbus. She has traffic data in that area and it's been proven that there is very limited tractor trailer traffic that is going through the Village of Columbus.

Ms. Drumm stated that she has found a lot more single unit types dump trucks versus your typical tractor trailers. This proves that fact that the downtown Columbus area is not the best route. She explained she came before this Planning Board for the Vanco Redevelopment and it is her professional opinion if there is trucks that may be using Route 206 towards the south, the most optimum roadway is making the left at the Wawa, hitting Jacksonville-Jobstown Road and coming up to hit Route 628. She stated that she feels strongly that the amount of trucks going down to the Village of Columbus is going to be minimal.

Attorney Gross asked Ms. Drumm to discuss the prohibition of left turns from the exit on Route 628. **Ms. Drumm** stated that they are proposing an island at that access to make the turning maneuvers of any tractor trailers difficult, if not almost impossible. In addition the County has requested enhanced signage facing the egress directing all trucks heading up Route 628 to use Route 543. **Ms. Drumm** then explained why the number of parking spaces proposed would be adequate. She explained the different shifts and the different amount of parking for each shift.

Attorney Gross stated that was all the questions he had. **Chairman Preidel** asked the Township Professionals for their comments. **Planner Fegley** referenced her letter dated April 17, 2018 and she confirmed that she met with the applicants professionals as well. She stated that the applicant has pretty much agreed to everything in her letter. She stated that they had a lot of comments on the landscaping buffer, however the applicant had submitted revised plans and addressed all of the concerns. She explained that the applicant agreed to the water quality sampling and analysis, as well as, the soil borings. Outside approval explanation was also addressed, therefore she believes the applicant has addressed everything from the letter.

Traffic Engineer Litwornia stated that he did a length memo dated April 16, 2018. He noted that the number one issue was the safety of the operation of the facility. Since no bridge is being provided, he wants to be sure there is ample two way traffic for emergencies. The drives are both physically separated by an island. 90% of the accidents would be a left turn coming into the driveway. By making that improvement at the two driveways, he feels it will be safe operation. He explained that he has no input on any of the off tract data because it's all County roadway. He stated that he maximized everything inside and looked at parking requirements. He looked at the parking generation and notice there was a problem with one of the variances; therefore he requested a new study which was done by the applicant on April 2, 2018 by TPD. Number of employees for building two and three would be around 300 and 100 for building one. With those number of employees there was more than ample parking, so he requested that there be stacked and saved parking (recording cut out at this point).

Traffic Engineer Litwornia continued that he was requested off tract contributions for any improvements that maybe required especially on Petticoat Bridge Road and Columbus Road

in that area. The applicant has agreed to that and what we would have to do is figure out what the traffic would be at peak hour. The County has requested that after the project is completed that there be another measurement of the traffic and if there is more traffic than is indicated the applicant would have to do substantial work or they would need to do another application if there is a big change. With that in mind, if there are any improvements that are required additionally along Columbus Road, then the Township would request off tract contributions and if there is a problem with trucks that will also need to be addressed with a follow up study.

Engineer Malinowski referenced his letter dated April 19, 2018. He noted the variance and design waivers briefly. He stated that the max height for pole fixtures is 25 feet and they are proposing 35 feet. This waiver was granted on the original approval. The applicant is requesting reduced minimum cover over the storm pipe which is required to be 2 feet. He referenced the other design waivers being requested and stated that his office has no problems with the waivers or the variances.

Engineer Malinowski asked if the building elevations were the same from the previous application. **Attorney Gross** stated that Mr. French testified that the building elevations and the architecture would remain the same. **Engineer Malinowski** mentioned that the applicant has stated that they would contribute to the sidewalk fund; this would be a condition of approval. He stated that there appeared to be an encroachment from the Liberty Lake property. He would like to know how that would be rectified. **Mr. French** stated that along the shared property line there is a volleyball court that extends into the Margolis property. He explained that they have talked to Liberty Lake and asked for it to be removed.

Engineer Malinowski stated that the applicant has prepared a manual for the operation and maintenance of the basins. The manual has been reviewed and approved by Stout & Caldwell office.

After a short break **Chairman Preidel** opened the meeting back up and resumed with the Planning Board Engineer. **Engineer Malinowski** stated there were a number of technical items in his report, which the applicant has agreed to make a condition of any approval that the board may grant.

Comments from Board Members:

This concluded the professionals review. **Chairman Preidel** asked whether the board members had any questions. **Mr. Cain** questioned why the bridge was not built from the original application. **Attorney Gross** stated that they do not think it is relevant as to whether or not the bridge is there, because the traffic that is impacted by the bridge being there or not being there has already been addressed by the County and the board traffic consultant is satisfied with the onsite circulation. Secondly, whether or not there's a bridge there's still a site plan and Mr. French indicated variances and waivers apply and what this board has in front of it is an application without the bridge. He does not think it's relevant however he understands why it's the predominate question that's on everyone's mind, but if it's pursued they will be getting into the weeds of challenging the applicants decision not to install the bridge and that is going to take a lot of the Planning Boards time. For instance, there was an approval for the bridge from DEP, nobody wants to go back to DEP for another approval as the regulations have changed so it's believed that it will be more difficult if not impossible to get an approval from DEP. He does not believe the Planning Board should really be diving into this issue. **Attorney Coleman** stated that at this point the board has an application in front of them. The board has been asked to decide and adjudicate on the application before them. He believes this to be a relevant question, but the applicant has the right to refuse to answer that. The board is to decide based on the testimony and potentially the

objections whether or not it feels this amended application is a qualified and good application. **Attorney Gross** stated they're not going to refuse to answer the question. They just want it to be known that they do not believe it's relevant, and if it turns into a major issue he believes the board should step in and not allow this to be the only issue being discussed. **Mr. French** stated that there are several key points as to why the bridge isn't necessary. First of all, the County has approved the access locations as shown on the site plan currently. Under the original application, there was not a viable access on Jacksonville-Hedding Road. They had the approval for the bridge, but in the interim the Turnpike Authority had widened the Turnpike and improved Jacksonville-Hedding Road and made it a viable access location. At that point, the permit for the bridge had expired, but the County approval for the viable access onto Jacksonville-Hedding Road. It is better to have two access versus one. The Site Plan works without the bridge, as indicated, it does not impact any variances or create any variances. The DEP flood hazard rules have changed since they've had the approval for the bridge. At this point in time, if there is a viable access why go back and disturb environmental sensitive areas and go back to DEP and ask them as it will be very difficult to get an approval for a bridge. The key point is, the applicant has County approval and the Site Plan works without the bridge.

Attorney Gross stated that Mr. French indicated that Jacksonville-Hedding Road was not a viable access, prior to the Turnpike. He asked why that was. **Mr. French** stated that there was limited site distance and there was an emergency only access at that point and it was likely the County would not allow use of that road at that time. **Attorney Gross** stated that with the Turnpike improvements the site distance is no longer an issue. **Mr. French** agreed, stating that the Turnpike improved Jacksonville-Hedding Road which opened up the opportunity to have viable access (recording cut out at this point).

Mr. Cain then questioned the employee traffic and the hours of operation being 24/7 and 500 roughly on the second and third shift. He questioned what the truck traffic projection per shift would look like. **Ms. Drumm** stated that using some localized data; typically trucks do not want to be out during the normal peak traffic hours (7am-9am/4pm-6pm). Primarily trucks will be off peak from 9am-11am & 7pm-9pm. usually between 9pm or 10pm until 8am there is very little traffic.

Mayor Higgins questioned what is being expected traffic wise on Jacksonville-Hedding Road. **Ms. Drumm** stated that from Building 3 on a daily basis approximately 163 trucks spread out from 8am to approximately 9pm or 10pm. This based on their study and other data that was reviewed. **Mayor Higgins** questioned whether there may be a requirement that the applicant will need to go back and revisit the traffic studies. **Ms. Drumm** stated that was correct. The County is requiring all warehousing facilities to conduct post traffic studies. When the project is completed and is fully operational, the applicant would need to go back out and do new traffic data collection. This will be reviewed by the County and they will determine whether there is significant change; at which point the applicant will need to go back through the County Planning Board process.

Vice-Chairman Borgstrom questioned the delay of process from 2009 until now. **Mr. French** stated that part of the reason was, originally they needed to get an amendment to the wastewater management quality plan to allow the onsite treatment and disposal of the sanitary sewer on the property. The applicant was going through the process, then public sanitary sewer became an option; therefore the wastewater management plan needed to be amended to have the site be designated to have public sanitary sewer. That process took a considerable amount of time, however they believe it to be a benefit to the environment rather than having discharge into the ground. (Recording cut out at this point).

Mr. French stated that the forced main would extend down Florence Columbus Road to Burlington Township and it will be tied into their sewer main system. **Vice-Chairman Borgstrom** how the site water would go across the wetlands. **Mr. French** stated they are extending the water main to the site and a part of that extension would be providing fire hydrants along the route. It will come onto the property, there will be a water meter chamber at the front, then onsite it will again go directional drill underneath Crafts Creek to get to the other side.

Chairman Preidel questioned where the water was coming from since it appeared to be coming down Hedding-Jacksonville Road. **Mr. French** stated that the water is coming from West Main Street & Mill Lane, the intersection has large water main piping there. They will extend a 12 inch water main pipe down Mill Lane, down Sharps Lane, and back to Jacksonville-Hedding Road. **Chairman Preidel** asked if they had a drawing of the intersection that was approved by the County. **Attorney Gross** stated that they do have them. **Ms. Drumm** identified the Exhibit A-9, Off Site Improvements date May 7, 2018. She explained as part of the County approval process regarding the intersection of 628 and 543, as part of the County approval they are requiring left turn lanes on Route 543 as well as larger turning radii to and from County Route 628 to accommodate the larger oversized vehicles; also required was traffic signal modifications. **Chairman Preidel** questioned if there was a left turn lane onto Jacksonville-Hedding Road. **Ms. Drumm** stated it was actually Columbus Road Route 543. **Chairman Preidel** stated that both would be going towards Jacksonville-Hedding Road. **Ms. Drumm** stated that was correct. **Chairman Preidel** asked about a right hand turn lane going from west to east. **Ms. Drumm** stated that no there is not. **Chairman Preidel** stated that the traffic will still be backing up as it is right now. **Ms. Drumm** stated as part of their offsite impact, Municipal Land Use Law states that they have to mitigate their impact. **Chairman Preidel** stated he was just wondering if it was addressed by the County. **Ms. Drumm** stated that it was not. The County did not require a right turn lane.

Chairman Preidel questioned if there was a reduction of speed going north on Hedding-Jacksonville Road. **Ms. Drumm** stated that it was not something that was brought up by the County. **Chairman Preidel** asked about no jake break signs because of the hills there. **Ms. Drumm** stated that was not brought up by the County. As a public roadway that the County controls, those type of request must come from Town Council. **Chairman Preidel** then questioned why the light poles need to be 10ft high. **Mr. French** stated that in this particular use there is a loading dock space and a larger area for trucks to turn around and move as well as the trailer parking; what happens is you have a large space needed for movability the idea is to have the lights high enough so they can project lighting out and light a larger area with less light bulbs. **Chairman Preidel** questioned the Planning Board Engineer about the Preliminary approval that was done for the warehouse on Route 206 and whether those light poles were of similar size. **Engineer Malinowski** stated that he did not recall but the original for this project, they were granted that variance and the applicants Engineer is correct; it is very difficult to light those large expanses of traffic areas unless you've got higher poles that provide a better distribution of light. **Chairman Preidel** asked if the applicant had worked with Stout & Caldwell office to make sure the light was not projecting into residential areas. **Engineer Malinowski** stated that they did review the lighting and it is down lighting and the flood lighting are directed interior toward the loading dock.

Mayor Higgins mentioned a municipal meeting a few weeks ago, the speed on Hedding-Jacksonville Road was questioned and the Township has already sent a letter to the County requesting an evaluation of possibly reducing the speed.

Mr. Allen questioned the traffic study, there was one recently completed, however he wanted to know when the data was captured for the traffic flow on Florence-Columbus Road. **Ms.**

Drumm stated that because it has been going for a few years through the County, there was an original study from 2014, which is the baseline data that they have been using and they received permission from the County to continue using that data. **Mr. Allen** explained that he is concerned because he travels that area often and it is busy now; therefore he knows that it has changed a lot in the last year or two.

Mr. Lippincott questioned the water main and what the restoration plan would be for Mill Lane and Sharps Lane. **Mr. French** stated that the intent is to do trench repair on the water main and try to keep it on the one side of the lane to minimize the impact. **Mr. Lippincott** asked if Mill Lane and Sharps Lane would be repaved. **Mr. French** stated that is not part of the plan. **Mr. Lippincott** asked if he was familiar with shape the road is currently in. **Mr. French** stated the plans that were already approved show a trench repair in the event there are additional things that come up during construction, it will certainly be handled. **Mr. Lippincott** questioned where the sewer pump station and forced main were going. **Mr. French** stated that the forced main goes to Burlington Township sewer system. **Mr. Lippincott** asked if there was anyone else hooking into this other than the three buildings. **Mr. French** stated that right now they have a design for their site. **Mr. Lippincott** questioned why Mansfield Township would own the pump station and forced main. **Mr. French** stated that it was a public entity owned pump station and forced main. He explained that it is not a treatment facility only a pump station and forced main.

Attorney Coleman stated that there was a Tripartite Agreement between the Township, Burlington Township, and the Developer. There will be no maintenance required by Mansfield Township because there will be a maintenance agreement with the owner moving forward and a lot of this has to do with permitting, but there won't be Mansfield tax dollars allocated for the maintenance.

Mr. Kampo stated that he is aware there is a lot of truck traffic and the operation will be running 7 days per week. He understands that these trucks will be told to make a right, but what happens when the trucks put in their GPS and decide to make a left. Then that truck will be going past Homestead, Country Walk, and into town. The signs will not matter because the drivers will not listen. Whatever the GPS says to do they will do.

Public Comment:

Chairman Preidel called **Attorney George Hulse** first for public comment. He is an attorney representing a number of concerned residents. **Attorney Hulse** read off the names of the persons he represents: Peter and Wendy Brunt, Arneys Mount Road, Jobstown; Beth Camp, 177 Lincoln Ave, Hightstown (owns a home on Hedding Road); John Flynn, Jacksonville Road, Springfield Township; John Hofling, 1289 Jacksonville Road, Columbus (property adjacent to the site); James and Jane Humble, 1188 Jacksonville Road, Columbus; Keith Onsdorff 508 Farnsworth Ave, Bordentown; Frank Puchino, 19 Buttonwood Road, Florence; Alice Rodgers, 24 Everett Drive Columbus (owns a farm at 1309 Jacksonville Road); Michelle Rosenblum, 19 Buttonwood Drive, Florence; Douglas Shaw, 157 Petticoat Bridge Road, Columbus; Kathleen and Gary Underwood, 1258 Jacksonville Road, Columbus; Dennis Van Mater, 444 Island Road, Columbus; Lynn and Christopher Wittkamp, 1245 Jacksonville-Hedding Road, Columbus; Michael Ridgeway, Jacksonville-Hedding Road, Springfield Township; Karen Bellaran 1258A Jacksonville Road, Columbus; Andy Pritikin, Liberty Lake, Jacksonville Road, Columbus; John Hofling Jr. 1289 Jacksonville Road, Columbus.

Attorney Hulse stated he has done a lot of research on the project; starting in 1989 with the ODL zone, through the application process in 2009, to today, it appears that this project is

going to cost at least 94 million dollars. He explained that his clients do not oppose the construction of the warehouse buildings; they are a permitted use. They could build right now what they received approval for back in 2009. He stated that the applicant's expert testimony would leave the board to believe that the County Planning Board and County Engineers have exclusive jurisdiction over the access points on this development as well as exclusive jurisdiction over some of the offsite impacts that this development will have on Mansfield Township. He agrees that this is the case for most normal everyday applications. However, the County does not have exclusive jurisdiction. Under the statute that created the authority for the Freeholders to empower and create the County Planning Board, they do not have exclusive authority under municipal land use act, or under the case law of New Jersey. They also do not have exclusive authority under the Townships own ordinance for the ODL zone.

Attorney Hulse stated the board has some say so over the access points and where the traffic goes. He stated that Attorney Gross pointed out that the applicant has received County approval and there is a 30 day appeal period and there was no appeal. **Attorney Hulse** explained that the appeal periods lasts 30 days after the applicant is notified of the board's decision. The week after the County Planning Boards hearing he sent a letter to the Clerk of the board specifically asking to be advised and copied with the approval letter, which starts the time running on appeal. He has yet to receive that letter.

Attorney Hulse stated that it is also not true that the applicant has addressed all of the professionals concerns. It's also his opinion that if this application is granted the damage will be done and the County won't be able to fix what's been done. He explained that his clients want to protect the rural character of Mansfield Township, while allowing reasonable commercial growth. Mr. Hulse understands the permitted use and the benefit of I-295. He explained they are opposed to the amended application, changing the design of the development. By eliminating the bridge which focused the traffic to I-295, this application now spreads the traffic all throughout the Township. He then listed some benefits to denying the application and allowing the Developer to develop the site as previously approved.

Attorney Hulse stated that under municipal land use act the Planning Board has the right to protect the health and safety of its residents and the ability to enforce the Townships zoning ordinances. There is serious concerns with the access onto Jacksonville-Hedding Road and there is no justifiable reason to not build the bridge. He stated that the ODL zone has special regulations; one has to do with safety and character of the neighborhood. The Traffic Circulation Element of the Master Plan from 2002 points out different locations of intersections that are anticipated to be trouble by the boards planner; Jacksonville Road intersection is one of them. The Master Plan states that the board will need to deal with it on a case by case basis and minimize the traffic difficulties created by future development. This amended application creates traffic difficulties.

Attorney Gross objected stating that this is a summation. **Attorney Coleman** stated that he is going to give Mr. Hulse a little latitude; he believes Mr. Hulse will sum up his thoughts and will be moving on to witnesses relatively soon. Attorney Gross objection is duly noted. **Mr. Hulse** continued stating that his clients found out about the County meeting 2 weeks prior. The County does not require notice to be given. He stated under the ODL ordinance special regulations only in the ODL zone (see attached code for ODL special regulations.) Mr. Hulse went through each item under the special regulations section of the ODL zone ordinance. He talked about the traffic issues he foresees on Jacksonville-Hedding Road. He believes the approved plan from 2009 addressed the special conditions as the traffic was being directed to I-295. His opinion is this amended plan does not satisfy those conditions.

Mr. Hulse requested to question the board's professionals. **Attorney Coleman** stated that he professionals provided testimony and Mr. Hulse has the right to cross examine the testimony offered by the board professionals. All the professionals were sworn in by Attorney Coleman. **Mr. Hulse** stated that the application before the board is for amended and final approval. **Planner Fegley** confirmed that statement. **Mr. Hulse** questioned whether the original resolution of approval had conditions that needed to be met in order to come back for final approval. **Planner Fegley** stated yes. **Mr. Hulse** stated they are now asking for Preliminary and Final approval. **Planner Fegley** stated that they are asking for Amended Preliminary and Final approval. **Mr. Hulse** stated that if the board approves this amendment then that is it. **Planner Fegley** stated that is not necessarily true. They will need to come back with the design of the buildings and there could be other similar things as well that they may need to come back for. **Mr. Hulse** stated that the biggest changes to the application would be the elimination of the bridge and the access to Jacksonville-Hedding Road; he asked if she agreed with that. **Planner Fegley** did not agree. She stated that there was a reduction in the number of buildings, square footage, and parking spaces. There are more changes than just a bridge. **Mr. Hulse** questioned if the applicant ever explained during the professionals meetings why they were eliminating the bridge. **Planner Fegley** stated she wasn't sure if specifics on the bridge had come up. **Mr. Hulse** questioned when the professionals first met with the applicant. **Planner Fegley** stated she had meeting notes from February 14, 2018 and she believes that was the first meeting. **Mr. Hulse** provided copies of the site plan ordinance to the board as well as the ODL zone requirements, Exhibits O-1 and O-2. **Mr. Hulse** questioned if the Redevelopment Plan for I-295 contains specifics from the ODL zone including the special regulations. **Planner Fegley** stated yes. **Attorney Hulse** stated that regardless of the redevelopment plan the regulations of the zoning ordinance are still in effect. **Planner Fegley** stated yes. **Attorney Hulse** questioned whether the planner did a revised report as he only has a copy of the January report. **Planner Fegley** stated that yes, she did; there were revised plans submitted which required a new report. The specific changes were landscaping and buffering which the applicant had addressed making her revised report significantly shorter. **Mr. Hulse** questioned whether there ever was any documentation submitted from the applicant regarding truck traffic. **Planner Fegley** stated that the applicant addressed that during testimony. She also believes she received a supplement to the older traffic report. **Attorney Gross** objected to Attorney Hulse's question regarding traffic documentation. He asked to see the Planner's report from January. Attorney Hulse provided said report. **Attorney Gross** stated that the report asks specifically for testimony regarding the truck traffic; which has been provided. **Attorney Hulse** stated that he was only asking if the planner received documents regarding traffic; not that she requested the documents. **Mr. Hulse** questioned whether the Planner received documentation on the truck schedules as requested in her January letter. **Attorney Gross** objected saying that the review letter requested testimony. He also stated that Mr. Hulse was discussing a letter that was super seeded by the April 2018 letter. **Attorney Hulse** read the following from the January letter: "Anticipated truck arrival and departure schedules should be provided". **Planner Fegley** stated that she was provided a response from the applicant for that item at the February 14, 2018 workshop meeting as well as the testimony that has been provided. Because they do not have a tenant right now, they do not know what the truck schedule is going to be.

Mr. Hulse began to question **Traffic Engineer (TE) Litwornia**. He stated that TE Litwornia provided a letter dated January 10, 2018 and he was the Traffic Engineer (TE) back in 2009 when the original application was heard. **TE Litwornia** stated yes. **Attorney Hulse** questioned if he did a revised report date April 16, 2018. **TE Litwornia** stated that he did.

Attorney Hulse referenced the letter and questioned if **TE Litwornia** received the revised set of plans. **TE Litwornia** stated any plans he received were noted in his most recent April 2018 letter. **Attorney Hulse** questioned whether **TE Litwornia** was satisfied with the testimony regarding traffic distribution. **TE Litwornia** stated not completely. He mentioned that they needed exact numbers in the peak hour to show the amount of off tract contribution would have to be for the intersection of Petticoat Bridge Road and Columbus Road. Better data on that issue is required. **Mr. Hulse** stated that his recollection of Ms. Drumm's testimony was based on her professional opinion on trucks going in and out of Columbus, however she did not supply any data or facts to support that opinion. **TE Litwornia** stated what was testified to be using DVRPC and County Studies, to show the distribution of traffic in the different directions; however he did not get an exact number. **Attorney Hulse** requests a phasing and timing of the project. **TE Litwornia** stated that the applicant had already testified to the different phases and timing. **Attorney Hulse** then questioned the signing and striping plan for the project title 39. **TE Litwornia** stated title 39 is to be enforced with onsite traffic issues, and the signing and striping plan on one sheet if this was required by the board. He further stated that we have all the signing and striping that's provided and the applicant has agreed to provide any additional data. The main thing was to handle fire and safety zones as well as parking and no parking signs. **Attorney Hulse** questioned an item in Mr. Litwornia's letter regarding the access on Florence-Columbus & Jacksonville-Hedding stating there is only one access for each section with no emergency access on either section. He questioned whether the applicant has satisfied concerns with emergency vehicle access. **TE Litwornia** stated that the plans have been modified and the applicant has agreed to make some of the changes that were requested. There will be two way traffic on either side of the island. As discussed previously, most accidents are left turns at most exits, so with the bifurcated driveways and definitive islands built he feels that the intent will be met. **Attorney Hulse** questioned if those items were satisfied on the letter he received that day. **TE Litwornia** stated that no that was not the case, a lot of the concerns were met before that, but the letter just finalizes it. **Attorney Hulse** asked if they also agree to provide the curved island for the first 40ft. **TE Litwornia** stated they agreed to make the curved island larger than 40ft. **Attorney Hulse** questioned the access to the site on Jacksonville-Hedding Road stating that he believes Mr. Litwornia thinks the County has full control over this issue. **Attorney Coleman** stated that is a legal determination and he would like Mr. Litwornia to limit his testimony to items in his traffic report and not any legal issues. Mr. Hulse then withdrew the question. **Attorney Hulse** questioned the site distance from the access onto Jacksonville-Hedding Road. **TE Litwornia** stated some of the movements would not have adequate site distance and it would affect left and right turns; primarily left turn movements. Left turning trucks would have a problem making a left because they would not have enough site distance. **Attorney Hulse** questioned if anyone has done any site distance measurements for that access. **TE Litwornia** stated there was some provided to the County by the applicant. **Attorney Hulse** asked if it was his opinion that drivers would ignore the right turn only signs. **TE Litwornia** stated if there was an island built so the trucks would not be able to make the left turn, however the cars could make the left. **Attorney Hulse** asked why back in 2009 that access point was not proposed as part of the development. **TE Litwornia** stated it was proposed only as an emergency access with the bridge that was there. It was not a full normal access because of the bridge and site distance restrictions. **Attorney Hulse** questioned why that access was not a safe access back in 2009. **TE Litwornia** stated because there was an older bridge there and the site distances were less than they are today. **Attorney Hulse** questioned what the applicant was doing to address the concerns with the County regarding the access on Jacksonville-Hedding Road. **TE Litwornia** stated that he had

requested that the applicant's traffic consultant request that the speed limit be lowered to give better site distances and raise the driveways as well. The applicant's traffic consultant met with the County and conveyed to him that the County did not want to lower the speed limit, they actually wanted to raise the speed limit. **Attorney Hulse** questioned how many tractor trailers would be visiting that site on a daily basis on the Hedding Road side. **TE Litwornia** stated in the applicants traffic report it stated for the rear parcel it would be in the AM peak hour 11 trucks and in the PM peak hour 12 trucks and for the day 272 total truck movements. **Attorney Hulse** asked about concerns of tractor trailer going north on Hedding Road towards Old York Road. **TE Litwornia** stated these are County Roads. The county has a policy and is required to allow trucks on County Roads; the state requires it, the federal government requires it and there's the commerce requirement. So if County Road are going to have trucks the same as a state highway. **Attorney Hulse** stated that trucks would then be allowed to make a left out of the site and down Hedding Road to Old York Road. **TE Litwornia** stated that he did not say that. He said tractor trailers are allowed to go onto County Roads; the County is restricting it to right turn only so that is a condition of approval from the County. Trucks would not be allowed to make the left turn onto the northern part of that section. **Attorney Hulse** asked if it was Mr. Litwornia's testimony that he is sure trucks will not make the left. **Attorney Gross** objected he stated that this is a County approval and what Mr. Litwornia thinks is irrelevant because the County has approved this with a restriction on left turns.

Attorney Hulse stated he had no further questions for the professionals at this time. **Chairman Preidel** stated that the board had agreed to call the meeting at 10:00pm. He stated that the next meeting would be June 13, 2018 at 6:30pm and it would also take place at Northern Burlington County Regional High School, 500 Building. No further notice from the applicant would be required.

A motion to carry the application to June 13, 2018 at 6:30pm was offered by **Vice-Chairman Borgstrom** and was seconded by **Mr. Allen**. All ayes. Motion carried.

Motion for Adjournment:

A motion to adjourn the meeting was offered by **Mr. Allen** and was seconded by **Mr. Lippincott**. All ayes. Motion carried.

Respectfully Submitted by:

Dated Approved:

Ashley Jolly, Land Use Coordinator