

LAND USE BOARD OF THE TOWNSHIP OF MANSFIELD

RESOLUTION NO. 2021-7-16

**RESOLUTION OF THE TOWNSHIP OF MANSFIELD LAND USE BOARD
CONCERNING THE APPLICATION OF
TURNPIKE CROSSINGS IV, LLC
FOR FINAL SITE PLAN APPROVAL**

WHEREAS, Turnpike Crossings, IV, LLC (the “Applicant”) has applied to the Land Use Board of the Township of Mansfield (the “Board”) for Final Site Plan Approval for property located at the intersection of Florence-Columbus Road and Burlington-Columbus Road, known as Block 45.01, Lots 2.01, 3.01 and 3.02 (the “Property”), for the purpose of developing the Property with a warehouse distribution facility; and

WHEREAS, the Property is located within the Office Distribution Laboratory (ODL) Zoning District and the Interstate 295 Florence-Columbus Road Redevelopment Area; and

WHEREAS, by Resolution No. 2017-11-17, the Planning Board of the Township of Mansfield granted Preliminary Site Plan Approval to NFI Real Estate to construct a 698,500 square foot building on the Property with 681,340 square feet of warehouse space and 17,160 square feet of office space, together with site improvements for access, parking, stormwater management, lighting, landscaping and signage (the “Preliminary Approval”); and

WHEREAS, by Resolution No. 2021-2-4, and pursuant to *N.J.S.A.* 40:55D-49(c), the Board granted a one-year extension to the three-year period of protection afforded by *N.J.S.A.* 40:55D-49(a) to preliminary site plan approvals; and

WHEREAS, the size of the building shown on the final site plan is consistent with preliminary approval, but review comments received from other agencies required the preliminary site plan to be revised; and

WHEREAS, the application was deemed complete by the Planning Board on July 26, 2021; and

WHEREAS, a public hearing to consider the application was held by the Planning Board on July 26, 2021, after public and personal notice was provided to all property owners within 200 feet of the Property and published in the Official Newspaper of the Township, as required by the land development regulations of the Township of Mansfield and the statutes of the State of New Jersey; and

WHEREAS, the Applicant presented evidence to the Board through testimony, plans and other evidence; and

WHEREAS, the following exhibit was presented by the Applicant during the July 26, 2021 Public Hearing:

A-1 Color rendering of Site Plan; and

WHEREAS, the following review letters were submitted to the Board by its Professionals:

- July 21, 2021 Review Letter of the Board Engineer, Stout & Caldwell Engineers and Surveyors, by Mark E. Malinowski, PE;
- July 6, 2021 Review Letter of the Board Planner, Environmental Resolutions, Inc., by Edward Fox, AICP, PP; and
- June 23, 2021 Review Memorandum of the Board Traffic Engineer, Litwornia Associates, Inc., by Alexander J. Litwornia, PE, PP, and

WHEREAS, the Board after carefully considering the evidence presented by the Applicant in support of its application for Final Site Plan Approval, and after the meeting was opened to the public for their questions, comments and input, has made the following findings of fact:

1. The Applicant is the owner of the Property, located at the intersection of Florence-Columbus Road and Burlington-Columbus Road in the ODL Zoning District and Interstate 295 Florence-Columbus Road Redevelopment Area. The total area of the Property is 39.617 acres. The Property is improved with the Vanco USA trailer manufacturing facility.

2. The Applicant is proposing to construct a warehouse distribution facility on the Property.

3. Preliminary Approval, as memorialized by Resolution No. 2017-11-17, was granted by the Mansfield Township Planning Board to NFI Real Estate to develop the Property with a 698,500 square foot building containing 681,340 square feet of warehouse space and 17,160 square feet of office space.

4. The Applicant has filed a Land Development Application with the Board for Final Site Plan Approval for the proposed warehouse distribution facility. The Applicant has submitted the following in support of its Application for Final Site Plan Approval:

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- a. Application submission letter signed by Ryan P. Harvey, PE, Taylor Wiseman & Taylor, dated 06/03/21.
- b. Land Use Board Application, dated 05/20/21, with Submission Checklist B.
- c. Preliminary/Final Site Plan, prepared by Edward P. Brady, PE, Taylor Wiseman & Taylor, dated 10/15/17, last revised 04/21/21 (20 sheets).
- d. Stormwater Management Report, prepared by Taylor Wiseman & Taylor, last revised 03/31/21.
- e. Stormwater Management Operation and Maintenance Manual, prepared by Taylor Wiseman & Taylor, dated 06/10/20.
- f. Environmental Impact Statement, prepared by Taylor Wiseman & Taylor, last revised 01/21/21.
- g. Freshwater Wetlands Permits #0300-15-0003.2 FWW180002, issued by the New Jersey Department of Environmental Protection ("DEP"), dated 03/25/21.
- h. Pump Unit Site Plan and Details, prepared by Taylor Wiseman & Taylor and Schooley Electric, dated 05/26/21.
- i. Transportation Assessment, prepared by Traffic Planning & Design, Inc., dated 02/02/21.
- j. Phase I Environmental Site Assessment, Block 45.01, Lots 2.01 and 3.02, prepared by Taylor Wiseman & Taylor, dated 02/04/21.
- k. Phase II Environmental Site Assessment, Block 45.01, Lots 2.01 and 3.02, prepared by Taylor Wiseman & Taylor, dated 08/04/15.
- l. Preliminary Assessment (PA)/Site Investigation (SI)/Remedial Investigation (RI)/Remedial Action (RA) Report, Block 45.01, Lots 2.01 and 3.02, prepared by Taylor Wiseman & Taylor, dated 05/25/17.
- m. Remedial Action Response Action Outcome, Block 45.01, Lots 2.01 and 3.02, prepared by Joseph F. Russo, P.G, Licensed Site Remediation Professional #574553, Geo Environmental Management, LLC, dated 12/26/17.

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- n. Phase I Environmental Site Assessment Report, Block 45.01, Lots 2.01 and 3.02, prepared by Jason DiFrank, Environmental Professional, Taylor Wiseman & Taylor, dated 03/13/18.
 - o. Bill of Sale for transfer ownership of 2.25 wetland mitigation credits between Evergreen Environmental, LLC, as Grantor, and the Applicant, as Grantee, dated 05/24/21.
 - p. Phase 1 Environmental Site Assessment, Block 45.01, Lot 3.01, prepared by Robert L. Carter, Jr., Principal Environmental Scientist, Carter Geoscience, LLC, dated 07/16/21.
 - q. Municipal & Private Parties Sanitary Sewer Agreement between the Applicant, the Township of Mansfield and the Township of Burlington, dated 06/10/21.
 - r. Resolution No, 2021-7-2 of the Township Committee of Mansfield Township designating the Applicant as the redeveloper of the property in the Interstate 295 and Florence-Columbus Road Redevelopment Area, dated 07/21/21.
5. Preliminary Approval for the development of the Property included:
- a. One (1) 698,500 square foot building consisting of approximately 681,340 square feet of warehouse space and approximately 17,160 square feet of office space supporting the warehouse.
 - a. One (1) full movement driveway along Florence-Columbus Road.
 - b. Two (2) full movement driveways along Burlington-Columbus Road.
 - c. Parking for 225 cars and 80 trailers.
 - d. Site improvements, including stormwater management facilities, lighting, signage and landscaping.
6. The taxes on the Property are current or exempt.
7. The Applicant has paid and/or posted all required fees and agreed to keep its review escrow current.
8. Proper notice of the application for Final Site Plan Approval has been given, based upon the certified list from the Offices of the Mansfield Township and Florence Township Tax Assessors.

9. The Final Site Plan includes the following revisions from the Preliminary Approval:

- a. Full movement driveway along Florence-Columbus Road has been revised to an ingress only driveway.
- b. Guardhouse proposed for the Florence-Columbus Road driveway has been eliminated.
- c. The easterly driveway on Burlington-Columbus Road has shifted further to the west.
- d. Modifications to the stormwater management system to address DEP review comments.

10. The Applicant was represented at the July 26, 2021 Public Hearing by John C. Gillespie, Esquire, of Parker McCay P.A. Michael Landsburg, Rod Ritchie, PE and Robert Hoffman, PE testified on behalf of the Applicant during the July 26, 2021 Public Hearing.¹

11. Mr. Gillespie made the following representation to the Board during the July 26, 2021 Public Hearing:

- a. The Final Site Plan conforms to the Property's Redevelopment Plan.
- b. Conditional final site plan approval has been issued by the Burlington County Planning Board.
- c. The DEP has issued the required wetlands permits for the proposed development of the Property.
- d. The Applicant has entered into an agreement with the Townships of Mansfield and Burlington for the extension of sanitary sewer to service the developed Property.
- e. The revisions made to the plan were to address review comments of the DEP and County Planning Board.
- f. County review did not require installation of sidewalk along either of the County Routes fronting the Property.

¹ Based on their education, experience and professional engineering licenses issued by the State of New Jersey, Mr. Ritchie and Mr. Hoffman were qualified to testify as expert witnesses in site engineering and traffic engineering, respectively.

- g. The operation of the proposed warehouse facility will have little or no impact to the intersection of the Route 206 southbound ramp and Columbus Road and the intersection of Petticoat Bridge Road and Columbus Road.
 - h. The Applicant will work with the Board Professionals regarding a contribution for a public purpose in lieu of the Applicant installing sidewalk along the County Road frontages, as otherwise required by Section 50-19(D) of the Township Code.
12. Mr. Landsburg testified as follows:
- a. He is the Vice President of Real Estate for NFI Real Estate, the Applicant's Agent.
 - b. The Applicant purchased the Property in 2017.
 - c. The Property was most recently utilized for overflow parking for NADE.
 - d. The Property was previously serviced by well and septic, but the Applicant shared the cost of extending sanitary sewer with VA Florence, developer of property across Florence-Columbus Road.
 - e. The Applicant also entered into a tri-party sewer agreement with Mansfield and Burlington Townships to extend sanitary sewer service to the Property.
 - f. Water service will be provided by New Jersey American Water Company.
 - g. The Florence-Columbus Road driveway is now limited to right turn in only rather than a full movement driveway.
 - h. Most traffic is expected to utilize Burlington-Columbus Road to access the site.
 - i. The warehouse is a spec building without a known end user.
 - j. It is expected that parked trailers will be a mix of loaded and unloaded trailers.
 - k. The design of the site will accommodate circulation for Township emergency equipment.
 - l. The building is currently designed with the office space occupying 3 of the building's corners.
 - m. All three office pods may not be built.

- n. The guard house, as shown on the preliminary plans, has been eliminated; it will be up to the ultimate end user of the site to choose whether a guard house will be required.
- o. The facility is expected to operate 24/7.
- p. Construction is anticipated to commence late 2021 or early Spring, 2022. A normal construction period for a development of this type would normally take 12 months, but the Covid pandemic and supply shortages has created longer construction periods, currently estimated to be 15 to 18 months for this project.

13. Mr. Ritchie provided the following sworn testimony during the July 26, 2021 Public Hearing:

- a. He is a professional engineer, licensed in the State of New Jersey and is Taylor Wiseman & Taylor's Project Manager for this project.
- b. The warehouse will have 114 loading docks.
- c. The stormwater management design for the site includes wet ponds with aerators, three (3) subsurface basins and porous paving.
- d. The DEP has approved the stormwater management system proposed for the developed site.
- e. The monument sign along Florence-Columbus Road has been approved by the Burlington County Planning Board. This monument sign complies with the requirements of the Township's sign ordinance. Any additional monument or wall mounted signs required by the end user will either comply with the sign ordinance or require variance approval from the Board.
- f. The Township's largest fire truck and WB-67 sized tractor trailers can fully circulate the site. Tandem trucks are not expected to utilize the site, but the circulation plan will be analyzed to include tandem trucks accessing the site.
- g. In accordance with the County's conditional approval, the Florence-Columbus Road driveway will be an ingress driveway only and the 2

- driveways along Burlington-Columbus Road being full movement driveways.
- h. Most exit movements will be at the western driveway along Burlington-Columbus Road.
 - i. The fire suppression system has enough capacity so that on-site water storage is not required.
 - j. The back-up power proposed for the pump will require fire official approval.
 - k. The DEP has issued a Wetlands Permit to the Applicant and has approved the Applicant's mitigation plan to fill low value on-site wetlands and create higher value wetlands off-site.
 - l. The DEP has jurisdiction of the Property's site remediation program and is satisfied with the site clean-up. Environmental Reports documenting environmental clean-up of Lots 2.01 and 3.02 have been submitted and the Applicant is finalizing same for Lot 3.01.
 - m. The Applicant agrees with the comments raised by the Board Engineer and Traffic Engineer and will remove the driveway gates.
 - n. An on-site pump station will connect to a force lateral for sanitary sewer service.
 - o. The 12 inch drainage pipes have sufficient capacity.
 - p. The plans will be revised to provide standard headwalls and not flared end sections.
 - q. Class IV or Class V concrete pipes will be utilized for those areas where less than 2 feet of cover is provided; manufacturer specifications will be submitted demonstrating that the Applicant's proposed design meets or exceeds the manufacturer's fill requirements.
 - r. The Applicant will meet with the Board Engineer to determine if any additional lighting will be required to properly illuminate all areas of the site.
 - s. The Final Plans will be revised to include all signage, other than monument and wall mounted identification signs, and striping.

- t. The review letter prepared in 2017 by Stout and Caldwell for the Mansfield Environmental Commission concluded that based on the Property's location, there will be no noise impacts resulting from the warehouse operations.
- u. There are no monitoring wells on site.
- v. The existing fence along Interstate 295 will not be removed and the demolition plan will be corrected.
- w. Field drains will be re-routed if required and/or repaired if damaged.
- x. The development of the Property will not be in phases.

14. Mr. Hoffman provided the following sworn testimony during the July 26, 2021

Public Hearing:

- a. He is a professional engineer licensed in the State of New Jersey and is the Applicant's Traffic Engineer for this development.
- b. He prepared the traffic assessment submitted with the current Application.
- c. The traffic study was approved by the County Planning Board.
- d. A Traffic Management Plan will be required between the Applicant and the County Planning Board that will require the submission of traffic counts 90 to 120 days post occupancy, prepared by a third party, that verify the traffic study's traffic counts to determine if any additional traffic improvements will be required.
- e. 98 morning peak hour movements in/out of the site are expected, with 20 of the movements being truck movements.
- f. Evening peak hours are expected to have 112 total movements, 24 being truck movements.
- g. 1,200 daily trips are anticipated with 294 being truck movements.
- h. Utilizing data prepared by the Delaware Valley Regional Planning Commission, 80% of truck traffic will utilize Route 295 with the remaining traffic exiting toward Route 130; no truck traffic is expected to turn toward the Columbus section of Mansfield.
- i. There will be no traffic impact to the Route 206 southbound ramp/Columbus Road and Petticoat Bridge Road/Columbus Road

intersections as these intersections are approximately 2.3 miles and 1.5 miles from the Property.

- j. The eastern driveway on Burlington-Columbus Road will be a full access in driveway but limited to cars only for exiting the site.
- k. All truck traffic will exit the site via the western driveway on Burlington Columbus Road.
- l. The Applicant will work with the Board Professionals for appropriate measures restricting truck traffic from moving toward Columbus, but the Applicant will not include such a restriction in any of its leases for the Property.
- m. Title 39 enforcement will not be requested by the Applicant for the site.
- n. The peak hour trips identified in the traffic study as impacting Columbus is not truck traffic.

15. The July 26, 2021 Hearing was opened to the public without comment.

16. The Board Professionals discussed their respective review letters with the Board and testified that the Applicant's testimony has addressed their respective concerns and that any outstanding issues can be worked out between the Applicant's professionals and the Board's professionals. The Board Engineer testified that he had no objection to the waivers requested by the Applicant for 12 inch pipe and less than 2 feet of fill in certain locations. The Board Engineer also testified that if driveway gates and the guard house are required by an end user, same can be administratively approved if the gates do not result in queuing issues at the entrance drives and if same are also approved by the County.

AND WHEREAS, based upon the above factual findings, the Board has come to the following conclusions:

1. The Applicant has submitted a Complete set of plans in connection with its application so that the Board has the necessary information to make a decision on the application for Final Site Plan Approval.

2. The granting of design waivers for 12 inch pipe, less than 2 feet of fill and sidewalk along the road frontages is justified, based on the testimony of the Applicant's professional engineer.

3. The Final Site Plan is consistent with Preliminary Approval and the Redevelopment Plan. The revisions to the Plan from Preliminary Approval are not substantial.

4. Off-tract contributions for improvements to the Route 206 southbound ramp/Columbus Road intersection and the Petticoat Bridge Road/Columbus Road intersections were not required for Preliminary Approval and are not warranted for Final Site Plan Approval because of the distance between the Property and the intersections and the limited impact of the warehouse development to said intersections.

NOW, THEREFORE, BE IT RESOLVED by the Land Use Board of the Township of Mansfield, on the 26th day of July, 2021, that this Board hereby grants to the Applicant Final Site Plan Approval to develop the Property with a 698,500 square foot warehouse/office building with approximately 681,340 square feet of warehouse space and approximately 17,160 square feet of office space supporting the warehouse use, together with the required site improvements for stormwater management, utilities, parking, landscaping, lighting and security, in accordance with the Application, Plans, Reports, Studies, Letters and Testimony submitted by the Applicant, which approval is subject to the following conditions:

a. Subject to the Applicant obtaining all other approvals that may be required for the development, including, but not limited to Burlington County Planning Board approval, Burlington County Soil Conservation District approval, Burlington County Board of Health Approval, New Jersey Department of Environmental Protection Approval and New Jersey Department of Transportation approval. Copies of all other approvals shall be submitted to the Township upon receipt.

b. Subject to the testimony by the Applicant's agents and representatives at the October 23, 2017 Planning Board Public Hearing for Preliminary Site Plan Approval and the July 26, 2021 Land Use Board Hearing for Final Site Plan Approval, whether formalized in this Resolution or not.

c. Subject to the submission of revised plans complying with the comments of the Board's professionals and with this Approval.

d. Subject to the comments of the Board Engineer as contained in the July 21, 2021 Review Letter of Stout and Caldwell Engineers, LLC, by Mark E. Malinowski, except as may be modified in this Resolution.

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e. Subject to the comments of the Board Planner as contained in the July 6, 2021 Review Letter of Environmental Resolutions, Inc., by Edward Fox, AICP, PP, except as may be modified in this Resolution.

f. Subject to the comments of the Board Traffic Engineer as contained in the June 23, 2021 Review Memorandum of Litwornia Associates, Inc., by Alexander J. Litwornia, PE, PP, except as may be modified in this Resolution.

g. Subject to the Applicant's escrow account for the review of its Application being current. Failure of the escrow account to be current may result in the non-issuance of permits.

h. Nothing herein contained shall be deemed to waive or modify the requirement that the Applicant obtain from any and all other agencies having jurisdiction in this matter, any and all approvals required by law and this approval is specifically conditioned upon the Applicant obtaining those approvals.

i. Subject to this approval not guaranteeing the issuance of any zoning permit, construction permit or certificate of occupancy; the Applicant is subject to the applicable requirements in obtaining said permits or certificates.

j. Subject to the Applicant's professionals working with the Board's professionals to address all outstanding review comments and the conditions of Preliminary and Final Site Plan Approvals prior to execution of the Final Site Plan.

k. Subject to any additional monument or wall mounted signs complying with the requirements of the Township Zoning Ordinance and Redevelopment Plan, or a variance will be required.

l. Subject to the submission of the remaining Environmental Reports for Lot 3.01, similar to the Environmental Reports submitted for Lots 2.01 and 3.02, including a Remedial Action Response Action Outcome prepared by an LSRP, similar to the Outcome submitted for Lots 2.01 and 3.02.

m. Subject to the Applicant complying with the review comments from the Mansfield Environmental Commission, as contained in the Environmental Commission's review letter submitted at the time of Preliminary Approval.

n. Subject to the Application and Final Site Plan being reviewed by the Mansfield Fire Official.

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o. Subject to Lots 2, 3.01 and 3.02 being consolidated into one (1) lot. The new lot number shall be coordinated with the Mansfield Tax Assessor. The Deed of Lot Consolidation shall be submitted for the review and approval of the Board Engineer and Board Solicitor prior to recording.

p. Subject to the submission of a stormwater maintenance plan for the stormwater control facilities proposed for the developed Property. A stormwater maintenance declaration, referencing the approved stormwater maintenance plan, shall be recorded in the County Recording Office for the County of Burlington prior to construction. Said declaration shall be submitted for the review and approval of the Board Engineer and Board Solicitor prior to recording.

q. Subject to the Board's execution of the approved Final Site Plan expressly conditioned on the Applicant satisfying the conditions of this Resolution and the review comments contained in the review letters of the Board Engineer, Board Planner and Board Traffic Engineer.

r. Subject to the Applicant making its affordable housing development fee payment in accordance with the Township's Housing Element and Fair Share Plan and New Jersey State requirements.

s. Subject to the Applicant posting all required inspection fees and performance and maintenance guarantees required by the Municipal Land Use Law of the State of New Jersey prior to commencement of site work and construction.

t. Subject to the submission of the required Conservation Easement for the review and approval of the Board Engineer and Board Solicitor.

u. Subject to the Applicant's Engineer and Board Engineer reviewing the lighting plan to determine if all areas of the site are properly illuminated; additional lighting may be required.

v. Subject to the Applicant and Board Professionals determining the appropriate public purpose contribution to the Township as represented by the Applicant's Attorney.

w. Subject to the Plans being revised to show standard headwalls and not flared end sections for all piping.

x. Subject to submission of manufacturer's specifications for the Class IV and/or Class V piping to be utilized where the fill will be less than 2 feet, demonstrating that the manufacturer's fill requirements are satisfied by the Applicant's design.

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- y. Subject to the demolition plan being revised to show that the fence along Interstate 295 will remain and not removed.
- z. Subject to an access (not for public) being provided to the detention basin.
- aa. Subject to the Applicant and Board Professionals determining appropriate measures to be put in place on the site that would restrict truck traffic from exiting toward Columbus.
- bb. Subject to the circulation plan being revised to include tandem trailers.
- cc. Subject to the Applicant submitting the Traffic Management Plan between itself and the County Planning Board, as testified to by the Applicant's traffic engineer.
- dd. Subject to Planning Board Resolution 2017-11-17, except as modified herein.
- ee. Subject to the Applicant being advised that the warehouse use will be required to comply with State and County Recycling requirements.

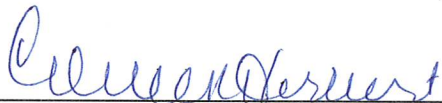
ROLL CALL VOTE

Those in Favor: 8
Those Opposed: 0
Not Eligible to Vote: 0

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorializing resolution, as adopted by the Planning Board of the Township of Mansfield in accordance with its decision at its regular meeting on July 26, 2021.

**THE LAND USE BOARD OF THE
TOWNSHIP OF MANSFIELD**



COLLEEN HERBERT, ACTING CHAIR



LINDA SEMUS, SECRETARY

Dated: 8-23-21

Date of Approval: July 26, 2021

Date of Memorialization: August 23, 2021