

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

**RESOLUTION NO. 2020-9-16**

**VA FLORENCE COMPANY, LLC  
AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL  
BLOCK 47.01, LOTS 11.01 AND 11.02**

**WHEREAS**, VA Florence Company LLC (the “Applicant”), has applied to the Land Use Board of the Township of Mansfield (the “Board”) for Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval for property fronting on Jacksonville Hedding Road and located on the east side of Craft’s Creek, known as Block 47.01, Lot 11.02 (the “Property”) for the purpose of constructing an 811,960 square foot warehouse distribution facility with office space and associated site improvements; and

**WHEREAS**, on March 23, 2009, as memorialized by Resolution No. 2009-03-07, the Board granted Preliminary Major Site Plan Approval, with a 10 year period of protection, for the construction of a warehouse distribution center on property, then known as Lots 3.02, 9.01, 9.02, 11 and 12 (the “Overall Property”), consisting of 4 buildings totaling 1,902,594 square feet (the “2009 Approval”); and

**WHEREAS**, on July 19, 2018, as memorialized by Resolution No. 2018-07-\_\_\_\_, the Board granted Amended Preliminary Site Plan Approval for the warehouse distribution center consisting of three (3) buildings with Building 1 totaling 249,364 square feet, Building 2 totaling 719,648 square feet and Building 3 totaling 811,960 square feet and Final Site Plan Approval for the construction of Phase 1 of the warehouse distribution facility center consisting of Buildings 1 and 2 located on the west side of Craft’s Creek on property now identified as Block 47.01, Lot 11.01 (the “July 2018 Approval”); and

**WHEREAS**, on August 27, 2018, as memorialized by Resolution No. 2018-08-\_\_\_\_, the Board granted Amended Preliminary Site Plan Approval, Phase 1 Final Site Plan Approval and Minor Subdivision Approval for the reduction of the size of Building 2 by 9,148 square feet, the reconfiguration of the Phase 1 parking area to accommodate a potential future bridge over Craft’s Creek and the consolidation of the lots comprising the Overall Property into Lot 11.01 representing the part of the warehouse distribution center located on the west side of Craft’s Creek and Lot 11.02, representing the part of the warehouse distribution center located on the

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east side of Craft’s Creek (the “August 2018 Approval”); and

**WHEREAS**, the Applicant’s current Application for Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval is a result of a revision to the site plan to include a bridge over Craft’s Creek that will connect Lots 11.01 and 11.02 and restricts access to Phase 2 from Jacksonville Hedding Road to cars and emergency vehicles only; and

**WHEREAS**, a variance is required in connection with the current Application as the Amended Site Plan does not satisfy the parking requirements of the Mansfield Zoning Ordinance; and

**WHEREAS**, the Applicant is requesting design waivers for parking space dimension, minimum amount of cover over storm sewer pipe, headwalls without trash bars at drainage points into stormwater basins, pipe discharge to basins and walls within front yard setback areas, as well as the Board recognizing the waiver previously granted for a 35 foot height for mounted lights; and

**WHEREAS**, the Application was deemed complete on September 21, 2020; and

**WHEREAS**, a public hearing to consider the Application was held by the Board on September 21, 2020<sup>1</sup>, after appropriate 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 exhibits were introduced by the Applicant during the September 21, 2020 Public Hearing:

A-1 Overall site plan with aerial overlay;

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<sup>1</sup> The September 21, 2020 Public Hearing was conducted with in-person and virtual participation in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., as amended by A-3850 to permit electronic meetings, and in consideration of the Executive Orders issued by Governor Murphy and Guidelines issued by the Department of Community Affairs, to protect the public during the COVID-19 emergency. The hybrid meeting progressed with the consent of the Applicant.

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A-2 Phase 2 site plan;

A-3 Architectural elevations; and

**WHEREAS**, the Board after carefully considering the evidence presented by the Applicant in support of its Application for Variance, Amended Preliminary Site Plan Approval and Phase 2 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, approximately 88.577 acres in area, with frontage on Jacksonville Hedding Road and located on the east side of Craft's Creek. The Property is currently vacant farmland.

2. The Applicant has submitted an Application for Variance and Amended Preliminary Site Plan and Phase 2 Final Site Plan Approvals for the construction of a warehouse distribution center, a permitted use in the Township's ODL Zoning District, providing the Board with an Application, a Site Plan and other reports and studies required by the Township's Application Submission Checklists..

3. The taxes on the Property are current or exempt.

4. The Applicant has paid and/or posted all required fees and agreed to keep the review escrow current.

5. Proper notice of the Application for Variance and Amended Preliminary and Phase 2 Final Site Plan Approvals has been given, based upon the certified list from the Office of the Mansfield Tax Assessor.

6. The Application, Plans, Reports, Studies and Public Hearing Exhibits were available for inspection on the Township of Mansfield's website at least ten (10) days prior to the September 21, 2020 Public Hearing, as well as being made available for inspection by-appointment only.

7. The development history of the warehouse distribution project follows:

a. In 2009, the Planning Board<sup>2</sup> granted Preliminary Site Plan Approval for

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<sup>2</sup> In early 2020, in accordance with the Municipal Land Use Law of the State of New Jersey, Township Committee of the Township of Mansfield consolidated the Mansfield Planning Board and Zoning Board of Adjustment into the Mansfield Joint Land Use Board.

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the construction of the warehouse distribution center on the Overall Property, then known as Block 47.01, Lots 3.02, 9.01, 9.02, 11 and 12, that included 1,902,594 square feet of office and warehouse distribution facilities split amongst four (4) buildings, with related site improvements. The office space represented 95,130 square feet of the total square footage and the warehouse distribution space 1,807,464 square feet. The buildings approved were 249,000, 508,300 266,494 and 878,800 square feet in size, respectively, for Buildings 1, 2, 3 and 4, as shown on the 2009 approved preliminary site plan. The 2009 Preliminary Site Plan Approval included the Planning Board's granting of variances to permit 867 parking spaces and to permit a truck loading area located in Building 2's front yard area. The 2009 Approval extended the period of protection for the development for ten (10) years.

- b. In July 2018, the Planning Board granted to the Applicant (i) Amended Preliminary Site Plan Approval for a revised site plan for a three (3) building warehouse distribution center to include a 249,364 square foot Building 1, a 719,648 square foot Building 2 and an 811,960 square foot Building 3; and (ii) Final Site Plan Approval for Phase 1<sup>3</sup> of the development to include Buildings 1 and 2 and related site improvements on the west side of Craft's Creek. Amended Preliminary Site Plan Approval included a variance to permit 989 parking spaces with 153 spaces associated with Building 1 and 404 spaces with Building 2<sup>4</sup>. Design standard waivers were also granted to permit (i) all Phase 1 parking spaces to measure 9 feet by 18 feet, (ii) a height of 35 feet for

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<sup>3</sup> The Applicant amended the site plan to seek re-approval from the NJDEP for a bridge over Craft's Creek to resolve a prerogative writ lawsuit filed by Northern Burlington Cares, Inc. ("NBC") challenging the process that resulted in the Phase 1 and Phase 2 properties being identified as an Area in Need of Redevelopment.

<sup>4</sup> The revised plans eliminated the previously granted variance permitting a truck loading area to be located in Building 2's front yard area.

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mounted lights, (iii) cover for certain storm sewer pipes to be less than 2 feet and (iv) the headwall discharge points into the basins to be flared end sections without trash bars.

- c. In August, 2018, the Planning Board granted to the Applicant (i) Amended Preliminary Site Plan Approval for the reduction of Building 2 by 9,148 square feet and the reconfiguration of the Phase 1 parking area to accommodate a potential future bridge over Craft's Creek, (ii) Final Site Plan Approval for the construction of Phase 1 of the warehouse distribution center development with the reduced size building 2 and reconfiguration of the Phase 1 parking area and (iii) Minor Subdivision Approval for the consolidation of the various lots being developed comprising the Overall Property into Lot 11.01, representing the property on the west side of Craft's Creek being developed as Phase 1 and Lot 11.02, representing the property on the east side of Craft's Creek being developed as Phase 2. The Planning Board recognized and continued the variances and design standard waivers granted in the 2009 Approval and July 2018 Approval.

8. The Applicant is now requesting Amended Preliminary Site Plan Approval to include a bridge over Craft's Creek connecting Phase 1 and Phase 2 of the development and Final Site Plan Approval for Phase 2 of the development located on the east side of Craft's Creek. The Applicant is also requesting that the Board recognize and continue the previously granted variances and design standard waivers for Phase 2 of the development.

9. Michael Gross, Esquire, of the Law Firm Giordano, Halleran and Ciesla, represented the Applicant at the September 21, 2020 Public Hearing. Andrew French, PE, Robert Hoffman, RA, AIA and Tiffany Morrissey, PP<sup>5</sup> testified on behalf of the Applicant during the Public Hearing.

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<sup>5</sup> Based on their education, experience and professional licenses, Messrs. French and Hoffman and Ms. Morrissey were qualified by the Board to offer expert testimony in their respective areas of site engineering, traffic engineering and land planning.

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10. Mr. Gross made the following representations to the Board and the Public:
  - a. The 2009 Preliminary Approval is still valid under the Municipal Land Use Law of the State of New Jersey.
  - b. The July 2018 Approval and the August 2018 Approval amended the 2009 site plan for the entire development and for final approval for Phase 1, located on the Florence Columbus Road side of Craft's Creek.
  - c. The New Jersey Department of Environmental Protection (NJDEP) re-approved the Craft's Creek Bridge.
  - d. All wetlands permits are in place for construction of Phase 2.
  - e. The design of Phase 2 limits access to cars and emergency vehicles only to/from Jacksonville Hedding Road, though there may be some inadvertent truck traffic trying to access the Phase 2 building.

11. Mr. French provided the following sworn testimony during the September 21, 2020 Public Hearing:

- a. He is the Applicant's a professional engineer.
- b. Describes the development and orients the Board with the on-going construction of the Phase 1 improvements and the design of Phase 2.
- c. The amended plans now show the Craft's Creek Bridge with the access drive that will connect Phases 1 and 2.
- d. An access easement has been recorded for access between Phases 1 and Phase 2 as well as the temporary construction easement for construction of the Crafts' Creek Bridge.
- e. The 2009 Approval was for 4 buildings with a total space of 1,902,594 square feet. The final approvals will be for 3 buildings total (one of the west side buildings being eliminated) and a 66,000 square foot reduction in the aggregate size of the buildings.
- f. The Phase 2 Property is bordered to the North by a farm, to the South by Liberty Lake, to the West by the Phase 1 improvements and to the East by Jacksonville Hedding Road.

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- g. The Applicant has received conditional approval from the County for Phase 2.
- h. The Phase 2 building complies with the bulk requirements of the Ordinance and is 500,000 square foot smaller than the size of a building that the Ordinance's floor area ratio would allow to be developed on the Property.
- i. The circulation route would have all truck traffic entering the site through Phase 1 and utilizing the bridge to cross Craft's Creek to access the Phase 2 building's docks.
- j. Phase 2 is designed so that truck traffic cannot access the docks directly from Jacksonville Hedding Road as the Phase 2 docks are only accessible by crossing the Craft's Creek Bridge.
- k. A truck turn around area is provided in Phase 2 so that any truck inadvertently entering Phase 2 off of Jacksonville Hedding Road can exit the site and return to Florence Columbus Road for site access.
- l. A guard shack will be located mid-bridge to control truck traffic over the bridge as well as keeping count of trucks for tracking purposes.
- m. Signage, including Emergency Access Only signs, will be utilized to deter trucks from using Jacksonville Hedding Road.
- n. Phase 2 has also been designed with an emergency access area so that emergency vehicles only can access Phase 1 from the Phase 2 side of the development.
- o. County approval requires the Jacksonville Hedding Road driveway to be modified with an accel/decel lane provided.
- p. The modified Jacksonville Hedding Road driveway will be narrower which will also act as a deterrent for truck traffic attempting to enter the site off Jacksonville Hedding Road.
- q. NJDEP has approved the Phase 2 stormwater management system that includes an underground system with outfall piping installed to the Creek and water quality devices prior to stormwater discharging into Craft's Creek.
- r. Landscaping will include foundation plantings, shade and ornamental trees

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and berms with evergreens on the north and south sides of the Property.

- s. There will be 300 new shade and ornamental trees and 900 evergreen trees for the entire development.
- t. The Applicant has complied with the landscaping comments contained in the review letters but has not provided an irrigation system as the plantings proposed are hearty and appropriate for this type of use and do not require an irrigation system.
- u. The Phase 2 lighting will be the same as approved and installed for Phase 1 with 35 foot high pole and building mounted lights utilizing LED fixtures that minimize spillage off of the site.
- v. The Applicant is proposing 431 parking spaces for Phase 2; the original 2009 Approval included 378 parking spaces for this building. 1085 parking spaces would be required by the Zoning Ordinance.
- w. It is anticipated that there will be 300 employees on the main shift for Building 3 and 100 employees on the second and third shifts.
- x. The 431 parking spaces are more than sufficient for the parking needs for Building 3.
- y. The Applicant is requesting that the Board grant a waiver to permit all parking spaces to be 9 feet by 18 feet, including the parking spaces closest to the office space, as the Board previously granted for all other parking spaces. The 9 by 18 spaces are appropriate for even the spaces located closest to the office as this is a low turnover facility without the constant traffic movement of a retail center.
- z. Identifies the waivers previously granted in connection with Preliminary and Amended Preliminary Site Plan Approvals and that the Applicant is now requesting design standard waivers to permit the center line of different sized pipes to match rather than the top of the pipe and to permit a 10 inch diameter for the storm sewer pipes located on the bridge.
- aa. The 10 inch diameter pipes will handle the anticipated flow of stormwater.



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- bb. Phase 2 will operate as a 24/7 facility, as approved in 2009 and for Phase 1 final approval.
- cc. There will be one trash enclosure located on each side of Building 3 with two (2) 8-cubic yard dumpsters contained in each enclosure; trash pickup will be scheduled for 3 times per week.
- dd. A trash compactor will be located within one of the loading bays.
- ee. No outside storage is proposed.
- ff. The security fencing will be as approved and as installed in Phase 1 with an 8 foot high chain link fence with a 1 foot barb-wire top.
- gg. An access drive is provided to each basin for maintenance purpose.
- hh. Site lighting will be illuminated from dusk until dawn and as this is a 24-hour operation, separate security lighting is not proposed.
- ii. The site is graded so that no significant amount of soil will be removed from the site. Excess top soil will be used for the landscaping berms. If soil is removed, the Applicant will comply with all applicable ordinances and statutes.
- jj. Building 3 will be similar in appearance to the Phase 1 buildings currently under construction, including pre-cast concrete with accents to break up the building's façade. The office area will be aluminum and glass.
- kk. The trash enclosures and pump house will be split face block with a color matching the buildings.
- ll. The guard house will also match the buildings' color.
- mm. The Applicant will comply with the review comments of the Board Engineer, Planner and Traffic Engineer but will provide curbing and handrails rather than guard rails for the concrete ramps that bookend the loading dock areas. Curbing and handrails is a safe design.
- nn. The treatment works system has been approved by the NJDEP with the Phase 2 pump station connecting to the Phase 1 pump station and directed to a force main tied to the public system. Sanitary sewer will flow to Burlington

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Township.

- oo. The water for Phase 1 comes through Phase 2 with stubs in place for Phase 2 water service.
- pp. The Craft's Creek Bridge, as approved by the NJDEP is a pre-cast concrete arch structure sitting on footings, with parapet walls on each side and a 24 foot wide road surface for traffic and a shoulder area.
- qq. The site, including the Phase 2 building, will use a Florence Columbus Road address so that GPS systems will identify the Florence Columbus Road driveway to access the site.

12. Mr. Hoffman provided the following sworn testimony during the September 21, 2020 Public Hearing:

- a. He is the Applicant's traffic engineer.
- b. He prepared the traffic study that was submitted to the Board and the County to assess the operations impact on road networks in the area.
- c. Traffic counts were done in May 2019 and not impacted by the reduced traffic during the COVID-19 pandemic.
- d. County has jurisdiction on the County Road (Jacksonville Hedding Road) and is requiring the Applicant to make off-tract improvements that include road widening and signal modifications.
- e. The site will operate at a level of service A for access and C for circulation; level of service D or better being acceptable.
- f. In accordance with the Institute of Traffic Engineers' Manual, for a facility of this type and size, 317 parking spaces would be required and over 400 are provided; the number of proposed parking spaces is sufficient for Building 3.
- g. The 9 foot by 18 foot parking space dimension for all parking spaces, including those closest to the office, is sufficient as this is a low turnover use without the constant turnover evident at retail sites.

13. Ms. Morrissey provided the following sworn testimony during the September 21, 2020 Public Hearing:

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- a. She is the Applicant's Professional Planner.
- b. The Applicant has satisfied both the positive and negative criteria for the Board to grant and/or continue the variances and design standard waivers as the benefits of granting the requested relief substantially outweigh any detriment and the design is a better zoning alternative that does not substantially impair the zone plan or area and is not a substantial detriment to the general health and welfare of the public.
- c. Providing the 1000 plus parking spaces required for Building 3 would result in more impervious coverage than required and would require a stormwater management system that would be superfluous.
- d. Phase 2 has been appropriately designed without an over development of the site.
- e. Phase 2 is under developed when compared to what the Zoning Ordinance's bulk criteria would permit on the site.
- f. 9 by 18 foot parking spaces are appropriate for this site as wider spaces are appropriate for higher turnover sites and sites that utilize shopping carts.
- g. All of the requested design standard waivers are reasonable given the overall design of the project.

14. The Board Engineer, Planner and Traffic Engineer reviewed their respective Review Letters and advised the Board that the Applicant has substantially complied with their review comments and offered no objections to the variances and waivers required for the development of Phase 2.

15. During the September 21, 2020 Public Hearing, the following interested members of the public offered the following:

- a. Robert Tallon who raised concerns with groundwater seepage and the sanitary sewer system. The Applicant's Engineer responded that the Applicant has received all required approvals from the DEP and that there is a small area of trapped water that is not substantial which will be alleviated by an underdrain. The Township will own and operate the pump station and

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force main with fees paid by the Applicant/Owner of the site and in accordance with existing sewer-related agreements.

- b. George Hulse, Esquire, attorney for NBC, who represented to the Board that the Applicant has acted in good faith with his clients, that the Applicant did what it said it would do and that his clients supported the Amended Preliminary Site Plan Approval that includes the Craft's Creek Bridge and Phase 2 Final.
- c. Daniel Golande who questioned the amount of the sidewalk contribution being made by the Applicant and raised concerns that one of the tree species proposed is invasive and non-native to the area. The Board advised Mr. Golande that the amount of the sidewalk contribution is calculated by the Board Engineer based on the cost to install the required sidewalk. The Applicant's Engineer testified that the Applicant will work with the Board Engineer, as a matter of resolution compliance, if species replacement is required for the landscaping plan.
- d. Kristina Dyson who raised concerns about truck traffic going through Columbus and whether anything could be done to restrict it. The Board advised Ms. Dyson that the County's approval does not restrict truck traffic onto Florence Columbus Road and Jacksonville Hedding Road but is requiring the Applicant to make certain improvements to the County roads.
- e. Kate O'Callahan who testified that the proposed pear tree will be harmful to the watershed.
- f. John O'Callahan who questioned the timing of the traffic study and the adequacy of the 10 inch drainage pipe. The Applicant's traffic engineer replied that the traffic study was prepared in May, 2019 and not during the quarantine. The Applicant's Engineer replied that the 10 inch pipe is located on the bridge only and that the slope of the pipe was designed for a 25 year storm and will handle the flow.
- g. Karen Perry who testified that more deterrence is required to prevent truck

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traffic on Jacksonville Hedding Road. The Board informed Ms. Perry that pursuant to the New Jersey Highway Act, local municipalities do not have the power or authority to restrict traffic on state or county roads. The Applicant's Engineer replied to Ms. Perry that an operational plan will be in place for the end user that will identify the Florence Columbus Road driveway as the access point for truck traffic and that there is no truck access off of Jacksonville Hedding Road. He further testified that certain signs as proposed by the Applicant to deter truck traffic were eliminated by the County.

- h. Steve Knezek who testified that trucks driving through Columbus Village must be stopped and asked why a bypass is not required to navigate truck traffic away from the Village. The Board advised Mr. Knezek that the County has jurisdiction over both Florence Columbus Road and Jacksonville Hedding Road and the improvements the County is requiring of the Applicant do not include any restriction prohibiting truck traffic on the 2 county roads.

16. In response to questions and concerns raised by Board members, the Applicant's witnesses testified as follows:

- a. An emergency generator is not proposed for the entire building, that will be up to the end-user; one is provided for the fire protection pumps in accordance with code.
- b. It is not anticipated that the end-user will require seasonal employees.
- c. Snow removal and salt runoff will be handled on site.
- d. County approval does not limit access to the site.
- e. 300 employees will not attempt to leave the site at the same time and does not equate to 300 trips as there will be ride sharing and vacation and sick day absences; the low existing traffic counts indicate that Jacksonville Hedding Road can support an increase in traffic resulting from construction of Phase 2.

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- f. Site and bridge improvements will be occurring simultaneously to minimize construction time so construction traffic will utilize Jacksonville Hedding Road to access the Phase 2 side prior to completion of bridge construction. Once on site, heavy construction equipment tends to remain on site.

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

1. The Applicant has submitted a complete set of plans in connection with its Application for Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval so that the Board has the necessary information to make a decision on the Application.

2. This application relates to a specific piece of property and the purposes of the zoning laws of the State of New Jersey and of the Zoning Ordinance of the Township of Mansfield would be advanced by the deviation from the Zoning Ordinance requirement for number of parking spaces, as specified herein, as requested by the Applicant.

3. The benefits of the deviations from the Zoning Ordinance requirement specified herein would substantially outweigh any detriment to the public good as variance approval would allow for the development of the Property, and otherwise promote the safety, health and general welfare of the community.

4. Relief as requested by the Applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance of the Township of Mansfield.

5. In accordance with New Jersey law, a planning board is without authority to deny site plan approval because of off-site traffic impacts. A planning board should consider off-site traffic flow and safety only in reviewing vehicular ingress and egress from a site.

6. There has been no demonstrable evidence introduced before the Board that vehicular ingress and egress from the warehouse distribution center site will be unsafe.

7. The site plan for Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval are substantially consistent with the 2009 Approval, the July 2018 Approval and the August 2018 Approval.

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**NOW, THEREFORE, BE IT RESOLVED** by the Land Use Board of the Township of Mansfield, on the 21<sup>st</sup> day of September 2020, that this Board hereby grants to the Applicant for Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval the following:

1. Waiver of the following design standards:
  - a. Parking – all parking spaces to be 9 feet by 18 feet, including those closest to the office space.
  - b. Light height – pole and building mounted lights to have a maximum height of 35 feet.
  - c. Storm sewer pipes – Cover to be less than 2 feet in the specified areas as shown on the revised site plan, a diameter of 10 inches for the drainage pipe going across the Craft’s Creek Bridge and the center line of different sized piping matching rather than the top of the pipe matching.
  - d. Headwalls – Discharge points into basins to be flared end sections without trash bars.
2. Variance to permit 431 parking spaces, where 1085 are required by Ordinance for Building 3.
3. Amended Preliminary Site Plan Approval to include a revision to the design of the warehouse distribution center to include a bridge crossing Craft’s Creek connecting Phase 1 and Phase 2.
4. Final Site Plan Approval for the development of Phase 2 of warehouse distribution center on the Property with an 811,960 square foot building identified as Building 3 containing 40,598 square feet of office space and 771,362 square feet of warehouse space, truck access fronting on Florence Columbus Road, including Buildings 1 and 2, together with the required site improvements for Phase 2, in accordance with the Application, site plan, reports and testimony submitted by the Applicant, with waiver, variance, amended and final approvals 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, Burlington County Soil Conservation District, NJDEP and the New

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Jersey Turnpike Authority approval. Copies of all other approvals shall be submitted to the Township upon receipt.

- b. Subject to the testimony and comments of compliance by the Applicant and its agents and representatives at the September 21, 2020 Public Hearing.
- c. Subject to the submission of revised plans complying with the comments of the Board's professionals and with this Amended Preliminary Site Plan Approval and Phase 2 Final Site Plan Approval.
- d. Subject to the comments of the Board Engineer as contained in the September 17, 2020 Review Letter of Stout and Caldwell Engineers, LLC, by Mark E. Malinowski, PE, except as may be modified herein.
- e. Subject to the comments of the Board Planner as contained in the July 20, 2020 review Letter of Environmental Resolutions, Inc., by Edward Fox, PP, AICP, except as may be modified herein.
- f. Subject to the comments of the Board Traffic Engineer as contained in the August 5, 2020 Review Memorandum of Litwornia Associates, Inc., by Alexander J. Litwornia, PE, PP, except as may be modified herein.
- g. Subject to the Applicant complying with all rules, regulations and statutes that are applicable regarding the Applicant's fair share obligations resulting from the development of the Property.
- h. Subject to this approval not being the approval of any sign package for the development. A sign package is to be submitted for review by the Board and its Professionals.
- i. Subject to no outside storage permitted on site.
- j. Subject to the architectural appearance of Building 3, as testified to by the Applicant's Engineer during the September 21, 2020 Public Hearing, being substantially similar to Buildings 1 and 2. The color of the guard house, pump house and trash enclosures shall match the color of the 3 warehouse buildings.
- k. Subject to top soil being used for landscape berms with the Applicant complying with the Township's soil ordinance regarding any unused top soil.



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- l. Subject to the Applicant making its offered contribution in lieu of installing sidewalk along Florence Columbus and Jacksonville Hedding Roads, if said contribution has not yet been made. The amount of the contribution shall be calculated by the Board Engineer and based on the amount of sidewalk that would otherwise be required.
- m. Subject to the Applicant making a contribution to the Recreation Fund in the amount of \$1,000.00 for each net acre of the Property developed, if not previously made.
- n. Subject to the Applicant submitting a water quality sampling and analysis with cross sections of Craft's Creek, as required by Ordinance Section 27-30.4(A)(6), prior to the commencement of construction, if not previously submitted.
- o. Subject to the Applicant making its required pro-rata contribution for off-tract improvements to Petticoat Lane, if not previously made.
- p. Subject to no retail sales permitted on site.
- q. Subject to the Applicant being aware that the Township intends to work with Burlington County to address traffic speed, traffic routing and weight of tractor trailer traffic utilizing the local and county roads in the area of the Property.
- r. Subject to the Applicant being advised that if the internal configuration of the buildings change to include additional office space or different uses, the Applicant will require approval from the Board to demonstrate sufficiency of parking.
- s. Subject to construction vehicles not parking on the emergency access roadway.
- t. Subject to no building construction commencing without a suitable sub-base for the roads being installed to accommodate emergency vehicles.

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- u. Subject to the Applicant posting all performance and maintenance guarantees and inspection fees required by the Municipal Land Use Law of the State of New Jersey.
- v. Subject to the Applicant complying with Resolution No. 2009-03-07, Resolution No. 2018-7-\_\_\_\_ and Resolution No, 2018-8-\_\_\_\_ except as modified by this Approval.
- w. Subject to the Applicant revising the landscaping plan to change any of the proposed planting species, if required by the Board Planner.
- x. Subject to the Applicant submitting its Operational Plan, if any, or other similar document, to the tenant(s) of Building 3 that directs all truck traffic to the Florence Columbus Road access driveway, that the Jacksonville Hedding Road drive is limited to cars and emergency vehicles and that the Building 3 docks cannot be accessed off Jacksonville Hedding Road.
- y. Subject to the submission of the recorded cross easement between Lots 11.01 and 11.02 and the recorded temporary construction easement for construction of the Craft's Creek Bridge.
- z. Subject to the submission of a stormwater maintenance plan for the stormwater management system for Phase 2, to be reviewed and approved by the Board Engineer. A Stormwater Maintenance Declaration, referencing the approved site plan and the stormwater maintenance plan shall be submitted for the review and approval of the Board Solicitor prior to recording. The recorded Stormwater Maintenance Declaration for Phase 1 shall be submitted to the Board.
- aa. Subject to the Applicant utilizing a Florence Columbus Road address for Building 3.
- bb. Subject to the guard house being staffed 24/7, during periods of time that the buildings are open and operational.
- cc. Subject to the Applicant submitting all permits received for the development of the warehouse distribution center.

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dd. Subject to construction traffic minimizing the use of Jacksonville Hedding Road to access Phase 2 when construction and use of the Craft's Creek Bridge is approved by the applicable agencies.

ROLL CALL VOTE

Those in Favor: 8  
Those Opposed: 0  
Those Abstaining: 1

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 special meeting on September 21, 2020.

THE PLANNING BOARD OF THE  
TOWNSHIP OF MANSFIELD

  
SCOTT PREIDEL, CHAIRMAN

Attested:

  
JULIA BAKER-DICAMILLO, SECRETARY

Dated: 10-27-20

Date of Approval: 9-21-20

Date of Memorialization: 10-26-20