

**Springfield Township Planning Board Meeting Minutes
July 21, 2020**

Chair Jacques called the meeting to order at 7:30 p.m. and led the salute to the Flag.

The Chair read the Open Public Meetings Statement. "Public notice of this meeting, pursuant to the Open Public Meetings Act, has been given by the Springfield Township Planning Board in the following manner on January 8, 2020;

- a. Posting written notice on the official bulletin board at the Municipal Building, Jobstown, N.J.
- b. Mailing written notice to the Burlington County Times and the Trenton Times.
- c. Filing written notice with the Clerk of Springfield Township.
- d. Mailing written notice to each person who has requested copies of the regular meeting schedule and who has prepaid any charges fixed for such service.

Roll Call:

Jo Jacques, Chairperson	Present
Denis McDaniel	Present
John Hlubik	Absent
Bernard Dunn	Absent
Theresa Nicholson	Present
William Bauma	Absent
Stephen Makuka	Present
Richard Toone, 1 st Alternate	Present
Alexandra Corwin Johnson 2 nd Alternate	Present

Also present – Engineer Jeffrey Richter and Planner Elizabeth McManus

Minutes:

June 29, 2020

Chair called for motion to accept said minutes. Mr. Makuka motioned to accept the minutes as corrected; seconded by Mr. Toone. All in favor. Motion passed.

Applications

#3-14– Columbus Farmer’s Market, Block 801, Lot 2.01; 2.02; 2.03; 2.04; 2.05; 4.01; 9.02

Amended Site Plan Review

Matthew McCrink, Esq. - Applicant Attorney

Charles Franklin Pratt and John Ackerman– Applicant

Kris Kluk - Engineer

Mr. McCrink stated that the Columbus Market previously received approval for 12 flex buildings and 4 are still vacant and they now have a tenant. The tenant has a pallet business and they want an area for outside storage so the Market would like to remove a planned building behind one of the building that already exists and make it a stoned paved area to be used for storage for pallet business. Mr. Lanza will be testifying as an owner of the pallet business.

Chair Jacques asked if the applicant’s professionals received the Board’s Professionals’ review letters. Mr. McCrink responded that they did and their paralegal provided notice of this hearing as well.

Mr. Pratt, Mr. Ackerman and Mr. Kluk were sworn in by Mr. Heinold.

Engineer's review letter for the record is as follows:

Completeness

1. The applicant has requested a waiver of the requirement to provide a certification of taxes, however an undated certification has been provided. (Checklist Item 5)

2. The applicant has stated that there are no outstanding fees and has requested a waiver of the requirement to provide proof that there are no outstanding, uncollected fees or escrow resulting from past applications. (Checklist Item 10)

3. The applicant has requested waivers from Checklist Items 13, 14 and 15 however these items have been provided for the current project. A waiver is not required for these items.

4. The applicant states that this site underwent intense scrutiny for the original approval of the flex buildings and that those applications included all the information requested by the following Checklist Items. The applicant has requested waivers from the following Checklist Items.
 16. Total tract acreage to hundredth of an acre.
 17. Existing and proposed street names.
 18. Floodplain areas based upon 100-year storms.
 20. Key map at a scale of 1 inch equals 2,000 feet showing the location of the site within the community.
 21. Zoning of the site and the lots adjacent to it and the tax plate, block and lot numbers and the owner of record.
 27. A parking space tabulation schedule which indicates that the proposed site will have the required number of parking spaces in accordance with the Township Ordinances.
 33. Cross sections of existing watercourses and drainage ditches at an appropriate scale.
 37. Accurate delineation of flood plain and/or other environmentally sensitive areas must be shown on the plan.
 38. An environmental impact statement in accordance with Township Ordinances.
 40. Compliance with the Township's open space requirements.
 43. Plat detail for preliminary and final plats in combined applications.

The information required by the above Checklist Items has previously been provided and is not necessary for the review of the current application therefore it is recommended that these items be waived.

In addition to the waivers request above, the following checklist waivers are required and recommended.

 19. All roads, driveways, watercourses and existing buildings within 200 feet of the tract.
 24. All setbacks, lot and right-of-way lines and the dimensions, locations, and entity to whom dedicated and purpose of all easements.
 34. Political boundary lines.

5. The applicant has requested a waiver of Checklist Item 22 which requires a topographic survey of the site with contours at 2 foot intervals and a survey certified by a licensed land surveyor. If a waiver is requested, a reasonable number of spot elevations must be provided. The plans should include grading information for the proposed paved and stone areas to verify positive drainage of these areas. This waiver is not recommended.

6. The applicant has requested waivers from Checklist Items 28, 29, 30 and 31 which deal with proposed utilities, architectural plans, soil testing for permeability and onsite septic systems. These waivers are not required as no new utilities, buildings or septic systems are proposed by the current application.
7. The applicant has requested a waiver of Checklist Item 32 which requires a grading, topsoil and seeding plan be provided. A grading plan is required to verify positive drainage of the proposed paved and stone areas. Topsoil and seeding will be required to stabilize the edges of the proposed improvements. These plans could be incorporated into the soil erosion and sediment control plan that will be required for this project. This waiver is not recommended.
8. The applicant has requested a waiver of Checklist Item 36 which requires standard details for proposed site improvements. Details should be provided for the proposed pavement, stone surface, soil erosion and sediment control measures and any other site improvements that are required for this project. A waiver is not recommended.
9. The applicant has requested a waiver of Checklist Item 39 which requires compliance with the requirements of the Flood Plain District. The proposed project is not located within this district therefore a waiver is not required.
10. The applicant has requested a waiver of Checklist Item 41 which requires a landscaping and screening plan be prepared in accordance with Township Ordinances. We defer to the Board Planner concerning the need for this plan.
11. The applicant has requested a waiver of Checklist Item 42 which requires a lighting plan prepared in accordance with Township Ordinance requirements. Testimony should be provided concerning the need for lighting of the proposed improvements.

Zoning

1. Section 215-32A(21) of the Township Ordinance permits miscellaneous retail uses within the Community Commercial District.
2. Section 215-36C(1) of the Township Ordinance states that unless otherwise specifically approved by the Board as part of a site plan application, no merchandise, product, equipment or similar material or objects shall be displayed or stored outside.
3. Section 215-36C(2) of the Township Ordinance requires merchandise, products, equipment or similar material or objects approved by the Board to be displayed or stored outside to be suitably screened to be obstructed from view from adjacent residential uses. There are no residential uses within close proximity to the project site.

General Comments

1. Section 164-1B of the Township Ordinance states that any change of use of an existing site, either within the same use group, as defined by Chapter 215, Zoning, or from one use group to another use group, requires site plan approval by the approving authority. Construction of a new off-street parking area, loading or storage area or drive, which may or many not include the construction or alteration of a structure requiring issuance of a building permit, shall also require site plan approval.

2. Section 164-1C of the Township Ordinance states no excavation, grading, clearing of land or filling of land shall be permitted in the Township, nor shall any building permit or occupancy permit be issued or construction commenced, unless a site development plan is first submitted and approved by the approving authority.
3. Testimony should be provided concerning the proposed pallet business including hours of operation; number of employees and visitors; and the number and type of deliveries. The proposed use of the storage area should be described including the anticipated pallet stacking height.
4. The existing stormwater basin was designed to handle runoff from the full buildout of the flex buildings. The proposed improvements will not negatively impact the existing basin. It is noted that a portion of the proposed pavement and stone surfaces will be located over areas that were to be lawn areas. The reduction in lawn area will need to be taken into account during future applications for the remaining flex buildings.
5. The original design plans called for the construction of a storm sewer system to the rear of the middle four flex buildings. The proposed pavement and stone surfaces will be located in an area that was intended to drain into this pipe system, which has not been constructed. It appears that the intent of the current application is to direct runoff from the proposed improvements into the storm sewer system behind the existing flex buildings. Calculations need to be provided to demonstrate that the existing pipes have the capacity to handle runoff generated by the proposed improvements.
6. A grading plan should be provided to ensure that runoff from the proposed pavement and stone areas is directed to the onsite stormwater collection system behind the existing flex buildings.
7. The applicant should indicate if fencing and lighting are proposed for safety and security purposes. Construction details will be required if these facilities are proposed.
8. The applicant should indicate if additional trash and recycling facilities will be required for the proposed pallet business. Details will be required for any additional facilities that are proposed.
9. A Soil Erosion & Sediment Control Plan Certification will be required from the Burlington County Soil Conservation District as the proposed site improvements will exceed 5,000 square feet. The project will also require a Request for Authorization (RFA) for stormwater discharge associated with construction activities as the proposed disturbance will exceed 1 acre.
10. The applicant shall obtain all outside agency approvals.

Mr. McCrink stated that items #1-4 under completeness from the Engineer's letter have been satisfied and Mr. Kluk confirmed that they will comply with item #5 under completeness. Mr. Richter indicated he had spoken to Mr. Kluk regarding item #5 and he is fine with what they discussed to address this issue. Mr. Kluk also confirmed they will provide the information requested in Mr. Richter's letter which were items #6-8 under completeness. Mr. Kluk indicated they are fine with item #9. Mr. McCrink asked about the landscaping requested in item #10 and Mr. Richter responded he did not feel it was necessary since it is in the back of the property. Ms. McManus stated that she may have a few comments regarding landscaping depending on what the Board decides as far as conditions for approval. Mr. Kluk stated that with respect to item #11 under completeness he would leave that up to the tenant with respect to lighting it the tenant felt it was necessary for security. Mr. Pratt added that the Township would require permits for additional lighting and Mr. Lanzo confirmed they will not need lighting. Mr. Heinold indicated that if there is additional lighting needed it is usually just submitted to Mr. Richter for review. Mr. Ackerman stated that there is emergency lighting on the back of all the buildings.

Mr. McCrink addressed the Zoning issues in Mr. Richter's letter. Mr. McCrink stated since there will be storage outside of the building they will need approval from the Board on this issue. Mr. Lanzo stated

that just the pallets will be stored outside. Mr. Heinold asked if any members of the Board or professionals have any questions or concerns regarding the completeness portion of the Engineer's letter and the Board did not. Mr. Heinold reads the intent of #2 under Zoning in the Engineer's letter as typical outside storage and sales in front of a retail establishment as opposed to a storage yard being proposed here which will be adjacent to and will be screened from typical public view and he thinks that is appropriate for the Board to consider when they think about that issue.

Mr. McCrink addressed the general comment section and Mr. Kluk testified that they will comply with item #2. As to item #3 Mr. Lancet testified that they buy and recycle pallets then sell them back to the companies. He added they have been in business since 1989. He stated for the record that the hours of operation will be Monday through Friday 7 am to 5 pm and Saturday 7 am to 1 pm and there will be 20 employees onsite. Mr. Lancet testified that they are basically a recycle center for pallets and any visitors to the site will be customers that come to the business with their trucks to sell the pallets for them to fix and they estimate approximately 15 visitors a day. Mr. Lancet stated as far as deliveries they would like to get three loads out a day but it doesn't always work that way. He also testified that the pallets are stored about 36 pallets high which is about 17 ft. high on lots of 50X100 feet with spacing about 50 feet. He added that the pallets would be placed in one big square so they are secured by the ones on the outside. Mr. McCrink asked if there are issues with them tipping over and Mr. Lancet responded there has not been any issues with them tipping even during Sandy. Mr. Heinold asked how the repairs are done and are they done outside. Mr. Lancet responded that it would be done inside the building and then the excess wood goes into bins that are then loaded onto a flatbed trailer and taken to the Burlington dump once a week.

McDaniel asked about cleaning the pallets when they come in and Mr. Lancet responded they do not need to be cleaned because the pallets are covered with a slip sheet when being used and that cover does not come to the site. Mr. Makuka asked about the waste wood and asked where it is stored and Mr. Lancet responded that it is not lose in the yard. Ms. Jacques asked if there is any fencing around pallets or are they just out in the yard and Mr. Lancet responded there will be a fence with some swing gate so no one can get in the yard after hours.

Mr. Kluk addressed #4 in the Engineer's letter under general comments and he stated they will need to calculate how much of the grass area will be turned into impervious area for calculation purposes for future applications. Mr. Kluk testified as to items #5 and 6 that they have no plan for piping or inlets and the flow will be a sheet flow to the going south towards a farm field. Mr. Richter confirmed it will not go into a basin but onto land and he asked for additional calculations and plans regarding this issue. Mr. Makuka asked if this will impact the other that may be built in the future and Mr. Richter responded the only impact may be regarding the impervious coverage calculations. Mr. Heinold asked if it is possible for them to address this issue with additional stormwater treatment or management and Mr. Richter responded for this particular proposal they could but when he originally reviewed the application he thought it was going into the pipe to the basin which may have affected the runoff for the entire approved project. He added he will work with Mr. Kluk on this issue further.

Mr. McCrink stated that he felt they have already addressed item 7 and Mr. Heinold asked for more details on the fencing. Mr. Pratt testified that the fence would be a 6 foot high 10 foot poles chain link like the one at the John Deere building. Mr. Lancet confirmed he is in agreement with the fence.

Mr. McCrink asked about item #8 regarding trash capacity in addition to a dumpster and Mr. Lancet agreed they will use the wood dumpster and it will be inside the fence.

As to item #9 Mr. Kluk confirmed they need to apply to soil conservation for approvals.

Ms. McManus stated that she only had four short comments and most of them have been addressed. Ms. McManus asked about lots because lot 2.05 was not listed on application and it was confirmed lot 2.05 is part of project. Ms. McManus just wanted to make the Board aware that if they want screening it can be part of a condition of approval. Ms. Jacques commented that she thinks the location is sufficiently far enough back on the property that she does not see it as an issue. Mr. Heinold added that if it were to become a problem slates in the chain link fence can be added to screen but he is not suggesting this needs to be addressed now.

Mr. McManus feels like the landscaping and lighting issues in her memo have been addressed.

Mr. McDaniel asked if they decide in five years to put a building on this area would they need to come back to the Board and Mr. Heinold responded that yes they would and in fact for any of the buildings that were previously approved but not yet built they would need to come back.

The Chair asked the Board for any further questions.

Mr. McDaniel stated that in the future if there is any lighting added he would like a stipulation that it be cut-off lighting and Ms. Jacques added that any lighting changes would have to be reviewed by the Board Engineer.

Ms. Jacques stated for the record that no public was present for comment.

Being no further questions, Chair asked the Board to entertain a motion to approve the application. Ms. Nicholson motioned, seconded by Mr. Makuka to approve the application as discussed with the applicant complying with all items in the Engineer's and Planner's review letters.

All in favor: Ms. Jacques, Mr. McDaniel, Ms. Nicholson, Mr. Makuka, Mr. Toone and Ms. Johnson.

Opposed: None

Motion passed unanimously

Correspondence

JIF Land Use Liability Training.

JIF Land Use Training- Mr. Heinold stated that JIF offers additional coverage if the Planning Board or any members are sued and this required training would allow the Board and members to be eligible for the coverage. Mr. Heinold went over board member immunity, conflicts of interest and safe harbor, Inverse condemnation cases, religious cases, adult bookstores and movie theaters and selective enforcement. Mr. Heinold added that Board Members should not be meeting with applicants outside of the meeting to discuss applications. Mr. Heinold went over indemnification of Land Use Board Members which allows for members to be covered if sued. Mr. Heinold added that members should reach out to him with any conflicts of interest. Mr. Makuka asked if the Board needs to adopt rules and Mr. Heinold did not feel that is necessary in this community. Some larger towns with a number of applications each month may adopt rules but he feels that the chair and Solicitor can redirect matters back on track if they go off the rails. Mr. McDaniel asked about the religious issue which seems clear for larger denominations but what if someone comes in with a smaller religion it might be a slippery slope. Mr.

Heinold responded we would need to look at the applications as they come in and determine if it is a legitimate religious purpose.

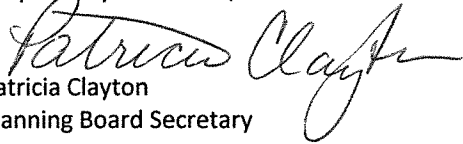
Public Comment:

No public present was present.

Adjournment:

Chair called for motion to adjourn. Mr. Toone motioned to adjourn, seconded by Mr. Makuka. All in favor.
Meeting adjourned at 8:48 pm.

Respectfully submitted,


Patricia Clayton
Planning Board Secretary