

RESOLUTION

**TOWNSHIP OF MOUNT LAUREL PLANNING BOARD
RESOLUTION OF MEMORIALIZATION
BURLINGTON COUNTY, NEW JERSEY
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
WITH DESIGN WAIVER RELIEF
R-2024-7**

**Approved: December 14, 2023
Memorialized: February 8, 2024**

**MATTER OF CNLI OMLNJ, LLC
APPLICATION NO. PB2327**

WHEREAS, an application for preliminary and final major site plan approval with design waiver relief has been made to the Township of Mount Laurel Planning Board (hereinafter referred to as the “Board”) by CNLI OMLNJ, LLC (hereinafter referred to as the “Applicant”) on lands known and designated as Block 510.02, Lot 1, as depicted on the Tax Map of the Township of Mount Laurel (hereinafter “Property”), and more commonly known as 3000 Leadenhall Road (1 Mortgage Way) in the Industrial (“I”) Zone; and

WHEREAS, a virtual public hearing was held before the Board on December 14, 2023; and

WHEREAS the Board has received, reviewed, and considered various exhibits and reports with regard to this application; and

WHEREAS, the Board has heard testimony and comments from the Applicant and consultants, and with the public having had an opportunity to be heard; and

WHEREAS, a complete application has been filed, the fees as required by Township Ordinance have been paid, and it otherwise appears that the jurisdiction and powers of the Board have been properly invoked and exercised; and

NOW, THEREFORE, does the Mount Laurel Township Planning Board make the following findings of fact and conclusions of law with regard to this application:

1. The subject Property contains 40.9 acres (+/-1,782,604 square feet) with frontage along the southerly side of Leaderhall Road and the easterly side of Walton Avenue (Bishop's Gate Industrial Park) within the Industrial ("I") Zone. The subject Property is currently improved with a 376,122 square foot office building with parking, and associated site improvements such as lighting, landscaping, and stormwater management facilities.

2. The Applicant is seeking preliminary and final major site plan approval to demolish the existing building and construct a 507,353 square foot warehouse with 108 loading docks, 106 trailer spaces, 330 passenger vehicle parking spaces, signage, and other associated site improvements such as lighting, landscaping, and stormwater management facilities. Access to the facility is provided from Leadenhall Road and Bishops Gate Boulevard.

3. The Applicant has requested the following submission waivers from the application checklist:

- a. **Checklist Item #14** – Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and rights-of-way, utility easements, and sight triangles easements.
- b. **Checklist Item #15** – Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and rights-of-way, utility easements, sight triangle easements, and centerline curves on streets.
- c. **Checklist Item #25** – Any proposed easement or land reserved for or dedicated to public use, utility use, conservation use, or restricted by reason of wetlands or wetland buffers, and any organizations for the ownership and maintenance of open space required by the Municipal Land Use law (N.J.S.A. 40:55D-43). Homeowners or Property Owners Association documents should be submitted if an Association is to be used.

- d. **Checklist Item #31** – A letter containing a list of all items not installed or completed and to be covered by a performance guarantee, with quantities of all items.
- e. **Checklist Item #35** – Existing rights-of-way and/or easements on and within 500 feet of tract.
- f. **Checklist Item #67** – Signage plan showing location and details of site identification signs, traffic control signs, fire zone signs and directional signs.

4. Counsel for the Applicant, Robert Baranowski, Esq., stated that the subject Property was located at 1 Mortgage Way within the Bishops Gate Industrial Park within the I-Industrial Zone, which permitted warehouses. He explained that the Applicant was proposing to demolish the existing vacant 376,122 square foot office building and construct a 507,353 square foot warehouse with 108 loading docks, 106 trailer parking spaces and 330 passenger vehicle parking spaces. Mr. Baranowski noted that the Applicant had worked with the Board's Professionals over the course of several months to develop the proposed plan.

5. Mr. Baranowski stated that the Applicant initially requested bulk variance relief for the required 1,725 number of parking spaces pursuant to Section 154-69. He stated, however, that the Applicant had worked with the Board Professionals to arrive at an alternative to seeking variance relief. He explained that the Applicant would limit a tenant to a 660-employee maximum which was a permitted alternative within the Ordinance.

6. Mr. Baranowski also stated that the trailers on site would only be for use by the tenants, thereby prohibiting trailer storage on site. He also stated that the Applicant agreed to comply with the comments within the Board's Professionals' Reports.

7. Mr. Baranowski further explained that the Holman automotive services company corporate offices were across Leadenhall Road from the subject Property. He stated that through discussions with Holman's counsel, the Applicant had agreed to work with the Board's

Professionals to maximize the buffer along Leadenhall Road. Mr. Baranowski also explained that the proposed loading docks would be located at the rear of the building away from Leadenhall Road. He further noted that the Applicant was providing a buffer to Walton Avenue.

8. Mr. Baranowski also explained that the Applicant was proposing to close the ingress and egress access on Walton Avenue. He stated that the only proposed ingress and egress access would be the existing access on Leadenhall Road and at its intersection with Bishops Gate Boulevard. He stated that the proposed warehouse would generate 460 less trips in the morning peak hour and 423 less trips in the afternoon peak hour compared to the existing office building. Mr. Baranowski also stated that the architectural design of the warehouse would have an appearance similar to an office building rather than an industrial building.

9. The Applicant's Engineer, Richard Burrow, P.E., LEED AP, introduced an Aerial Exhibit as Exhibit A-1. Mr. Burrow testified that the subject Property contained 40.96 acres and was located at the south end of Bishops Gate Boulevard. He stated that the surrounding properties were improved with commercial office buildings, except toward the west, which contained the Crème de la Crème Learning Center and the Bancroft School. He stated that the subject Property was currently improved with an office building, parking, and a stormwater basin.

10. Mr. Burrow next introduced a Color Rendered Site Plan as Exhibit A-2. Mr. Burrow testified that the subject Property was located within the I-Industrial Zone and that the proposed warehouse was a permitted use which would comply with all bulk standards. He stated that the warehouse would contain 507,535 square feet with 108 loading docks, 106 trailer parking spaces, and 330 passenger vehicle parking spaces.

11. Mr. Burrow further stated that the proposed height of the building was 50.3 feet which a maximum of sixty (60) feet was permitted. He testified that the proposed building

coverage was 28.5% where the maximum permitted building coverage was 50%. Mr. Burrow also explained that the proposed total impervious coverage was 62.7%, where the maximum permitted total impervious coverage was 80%. He highlighted that the proposed impervious coverage would be less than the existing conditions of the subject Property. He stated that the proposal complied with all bulk requirements and that the proposed fence would not exceed six (6) feet in height. Mr. Burrow further testified that the height of the light poles would be compliant at thirty (30) feet. He also confirmed that the dimensions of the parking would be compliant with parking spaces at 10' x 20' and drive aisle widths of twenty-five (25) feet.

12. Mr. Burrow further testified that 1,725 parking spaces would be required as a result of the square footage where the Applicant was proposing 330 parking spaces. He explained, however, that the Applicant was not seeking variance relief from the number of parking spaces, rather was proposing in the alternative to limit the employee occupancy of the building at 660. He stated that this cap would render 330 parking spaces compliant. Mr. Burrow stated that the majority of the parking spaces would be located to the northerly side of the building and that approximately 100 parking spaces would be located to the southerly side of the building.

13. Mr. Burrow also explained that green space would be located along the perimeter of the subject Property. He stated that a buffer would also be located between the truck court and Leadenhall Road. Mr. Burrow noted that the proposed buffer would also be located between the truck court and Walton Avenue along with a berm.

14. Mr. Burrow then identified five (5) existing access driveways including three (3) connecting to Leadenhall Road, and two (2) connecting to Walton Avenue. He stated that the Applicant was proposing to remove the two (2) access driveways connecting to Walton Avenue and the center access driveway connecting to Leadenhall Road. Mr. Burrow explained that tractor

trailer traffic would enter at the access driveway at the Bishops Gate Boulevard intersection and then circulate the site counterclockwise. He then stated that an internal 30-foot-wide circulation road was proposed. Mr. Burrow explained that the internal circulation road would allow passenger vehicles to bypass the truck courts to circulation around the building.

15. Mr. Burrow further testified that the existing easterly access driveway had left-turn lane on Leadenhall Road. He stated that the Applicant was proposing to construct a similar left-turn lane on Leadenhall Road to enter the site at the Bishops Gate Boulevard intersection. Mr. Burrow also testified that Walton Avenue had a four-ton weight limit, therefore, the Applicant was proposing “no left turn” signs for tractor-trailers at both access driveways.

16. Mr. Burrow also stated that the Applicant was proposing tractor trailer parking. He confirmed, however, that trailer storage would be prohibited. He stated that two (2) monument signs were proposed with one being located at each driveway. Mr. Burrow also explained that there were not any tenants known at this time, but each monument sign would be compliant.

17. Mr. Burrow next testified that the proposed stormwater management system would comply with the State regulations because the impervious coverage would be reduced. He stated that the existing stormwater basin discharged to Parkers Creek.

18. Mr. Burrow also stated that the existing utilities were adequate. He also opined that there was no need for a water tank on-site. Mr. Burrow stated that the existing sewer line was close to the proposed building and would therefore not need to be relocated. He stated that the new sewer line would run along the southerly drive aisle connecting the sewer line within Leadenhall Road to the sewer line within Walton Avenue.

19. Mr. Burrow proceeded to explain that the Applicant was proposing 174 shade trees, 48 ornamental trees, 714 evergreen trees, and 614 shrubs as part of the landscape plan. He stated

that a water utility line ran through the frontages which created a break within the landscape buffer. Mr. Burrow further testified that landscaping was not permitted above the utility line in order to provide sufficient access to the utility line for maintenance and repairs. He also stated that a twenty (20) foot gap would exist in the buffer along Leadenhall Road, and a thirty (30) foot gap would exist in the buffer along Walton Avenue. Mr. Burrow stated that both truck courts would be buffered. He also stated that the Applicant would follow the Fire Marshal's recommendation to prohibit combustible foundation plantings.

20. Mr. Burrow next testified that there was increased illumination on the lighting plan near the northwesterly corner of the building. He explained that the additional lighting was from the proposed guard shack at the entry of the truck court. He stated that the light fixture on the guard shack was a Type 'A' fixture, which increased the lighting level.

21. Mr. Burrow also stated that trash compactors would be located near the loading docks. He explained that a construction trailer would also be located near the Bishop Gates Boulevard access driveway. Mr. Burrow stated that the Applicant would also comply with the Fire Marshal's July 21, 2023 letter.

22. Mr. Burrow next testified that the Applicant was seeking the following design waivers relief:

- a. **Section 138-25.C.(1)(d)** – The elevation of the hydraulic gradient at any point where the system opens to the surface, such as an inlet or manhole, shall be three feet below the surface of the ground. Mr. Burrow stated that the gradient was greater than one (1) foot.
- b. **Section 138-25.C.(2)(d)** – When the pipe sizes change, the inside tops of the pipe shall be matched. Mr. Burrow stated that the pipes would connect soffit to soffit and invert to invert.
- c. **Section 81-10.D** – Signs and markings: Fire lanes and fire zones shall be appropriately posted with signs indicating the words “No Parking – Fire Lane” or “No Parking – Fire Zone” in red letters on a white background, with a red

line bounding the perimeter of the sign, said sign to be a minimum of 12 inches by 18 inches, made with rust-resistant reflectorized coating, posted at the ends of each fire land and at one-hundred-foot intervals therein. Fire zone areas shall also be designated by covering the face and top of the curb or painting a four-inch line on the pavement of the prohibited area with a solid yellow color of paint. The above criteria for the painting of fire areas is to be considered the minimum, and additional painting may be placed on the site consisting of crosshatches, solid yellow areas or such other designations, in addition to the curb or four-inch strip on the pavement as may serve as to act as deterrent to parking in fire zones. Mr. Burrow stated that the Applicant was proposing to post the signs around the internal circulation roadway at intervals of 300 feet. He stated that the Fire Marshal was satisfied with this proposal.

23. Mr. Burrow also testified that the Applicant had obtained approval from the Burlington County Planning Board on November 3, 2023. He stated that the Applicant had applied to Burlington County Soil Conservation District and had responded to inquiries on November 22, 2023. Mr. Burrow also noted that the Applicant had obtained initial approval for Sewer-1 and Water-1 on October 10, 2023. He stated that the Applicant would apply for the Sewer-3 and Water-3 permits. Mr. Burrow further testified that the Applicant's NJDEP permit was pending because there was a small wetland impact. He explained that the NJDEP's General Permit 10A was for 630 square feet of impact on a permanent transition area. Mr. Burrow explained that an 8,653 square foot temporary transition area was proposed. He stated that the Applicant had also applied for a NJDEP General Permit 1 for the existing stormwater basin which had a 5,232 square foot impact. He stated that the Applicant would also apply for the treatment works for approval from the NJDEP.

24. The Applicant's Traffic Engineer, Daniel Disario, P.E., PTOE, testified that he had prepared a Traffic Impact Statement (TIS) dated October 10, 2023. He stated that the TIS considered the historic traffic generated by the existing vacant office building. Mr. Disario also explained that five (5) existing curb cuts existed. He stated that the Applicant was proposing to

remove the two (2) existing Walton Avenue access driveways because Walton Avenue had a four-ton weight limit and had a school on the westerly side of Walton Avenue. Mr. Disario explained that the Applicant was also eliminating the existing center access driveway on Leadenhall Road. He stated that the easterly driveway had a left-turn lane on Leadenhall Road to enter the site. Mr. Disario testified that the Applicant was proposing to reconfigure the existing access driveway at the intersection of Bishops Gate Boulevard to accommodate tractor-trailer traffic including creating a new left-turn lane on Leadenhall Road to enter the site. He stated that the benefit of closing three (3) of the five (5) access driveways was to reduce conflicts with traffic.

25. Mr. Disario also stated that he had consulted the Institute of Transportation Engineers (ITE) manual in determining the trip generation of the proposed warehouse. He testified that he had used the ITE's Code 150 for warehouse. Mr. Disario explained that sixty (60) passenger vehicles in and twenty (20) passenger vehicles out would be generated during the morning peak hour. He also stated that ten (10) trucks would proceed in and twenty (20) trucks would proceed out during the morning peak hour. Mr. Disario stated that the combined total number of trips generated during the morning peak hour would be 110 trips. He also testified that the trips generated from passenger vehicles during the afternoon peak hour would be ten (10) trips in and seventy-five (75) trips out. Mr. Disario explained that fifteen (15) truck trips in and fifteen (15) truck trips out would be generated during the afternoon peak hour. He stated that 115 total trips would be generated during the afternoon peak hour.

26. Mr. Disario further stated that although the total number of trips was slightly higher than the 100-trip threshold to be considered significant, the number of trips would have a minor impact on the area roadways. He opined that the number of trips generated from the warehouse were significantly less than the trips generated from the existing office building when at full

capacity. Mr. Disario also stated that the total 870 trips would be generated from the warehouse over a twenty-four (24) hour period, whereas the office building would generate 4,000 trips over the same twenty-four (24) hour period.

27. Mr. Disario also stated that he had analyzed the Levels of Service (LOS) of the driveways as part of the TIS. He explained that the driveways would operate at a LOS of “A” and “B” and would be safe and efficient. Mr. Disario stated that the Applicant had obtained approval from the Burlington County Planning Board, which included a traffic management plan. He explained that the Burlington County Planning Board required the Applicant to perform traffic counts over a twenty-four (24) hour period when it reaches 80% occupancy. Mr. Disario also agreed to comply with the comments of the Board Traffic Engineer’s Report dated December 11, 2023.

28. In response to questions from the Board, Mr. Disario testified that the Applicant was proposing a twenty-four (24) hour operation if the zone permitted. Mr. Baranowski explained that the building was designed for one (1) or two (2) tenants. He stated that the employee limit would be imposed upon both tenants. He also stated that 80% capacity meant 80% of the square footage was at capacity, not the number of tenants.

29. In response to further questions from the Board, Mr. Disario confirmed that the only driveway access would be the eastern most driveway and the Bishops Gate Boulevard intersection driveway on Leadenhall Road.

30. Mr. Burrow further testified that the guard at the guard shack would direct truck drivers to the particular loading dock. Mr. Disario also testified that the internal circulation road was designed to accommodate a queue of trucks at the guard shack without impact the public

roadways. He also stated that the Applicant would enter into a Title 39 agreement to permit the Police Department to enforce “no left turn” signs.

31. The Applicant’s Architect, Zach Wester, RA, introduced an Architectural Rendering of the Northwest Corner as Exhibit A-3. Mr. Wester testified that the material of the building would be concrete panels with a mix of earth tones and grey. He stated that the glazing would have a grey tint with anodized metal frames. Mr. Wester noted that reveals would be included in the wall panels of different colors. He stated that the reveals would minimize the scale of the longer elevations and create a design rhythm. Mr. Wester testified that lap panels were proposed to provide relief from the flat panels. He also stated that accent panels would be located on the easterly and westerly sides of the building, which were the shorter sides of the structure. Mr. Wester further explained that the accent panels would be tightly spaced horizontal reveals, as well as over the office entryway. He noted that the entryway had projected horizontal bands of dark aluminum in order to break up the tall glass and provide a distinction between the first and second floors, as well as bring the scale down to a human scale. He stated that the horizontal bands also provided a canopy over the entryways. He stated that the entryways were also flanked by dark concrete which was subtly carried from the bands.

32. Mr. Wester next introduced Architectural Elevations as Exhibit A-4. He stated that clear story windows were proposed to allow natural light into the building. Mr. Wester explained that the height of the building was forty-eight (48) feet. He stated that a ridge would exist down the center of the roof with the slopes toward the longer sides of the building. Mr. Wester testified that the roof would drain to an internal pipe which would lead to an underground stormwater basin. He stated that the roof equipment would be screened by a parapet. He stated that the roof was designed as solar panel capable, however, no solar panels were proposed.

33. Mr. Wester next introduced the Floor Plan as Exhibit A-5. Mr. Wester testified that two (2) office spaces were proposed with one located at each corner of the building containing a maximum of 10,000 square feet each. He also confirmed that the building would have an ESFR fire suppression system. Mr. Wester further testified that the fire pump would be located at the westerly wall near the office. He also stated that the roof access would be located near the fire pump, as well.

34. Mr. Wester next further testified that the Applicant was proposing compliant façade signage at each entryway. He stated that if there were one (1) tenant, then there would be one (1) façade sign at a maximum size of sixty (60) square feet and a maximum height of three (3) feet. He stated that if there were two (2) tenants, then there would be two (2) façade signs at a maximum size of forty (40) square feet and a maximum height of three (3) feet.

35. In response to questions from the Board, Mr. Burrow testified that there were fifty-six (56) loading docks located on the easterly side of the structure and fifty-two (53) loading docks located on the westerly side of the structure. Mr. Burrow also testified that a noise study had not been performed, however, the Applicant would be required to comply with the State regulations. He stated that noise generated had been considered within the design of the site but that a study was not performed. He also confirmed that there would be 714 evergreen trees providing screening of the truck courts. He also stated that no hazardous material would be stored on-site. Mr. Burrow stated that if a tenant needed refrigeration, then the Applicant would have to return to the Board to propose refrigeration. He stated that the Applicant was not courting any specific type of tenant.

36. The Board Planner, Jenizza Corbin, P.P. reviewed her Report dated September 10, 2023. Ms. Corbin testified that the Applicant was not seeking any variance relief, and none were necessary. She explained that the Applicant would require variance relief for the number of parking

spaces, however the ordinance permitted an alternative to cap the number of employees at 660 to make the proposed 330 parking spaces compliant. She also stated that she had no objection to the proposed number of parking spaces with the alternative cap on the number employees.

37. Ms. Corbin further stated that the Applicant had agreed to work with the Board's Professionals to supplement the landscape buffer along Leadenhall Road. She testified that variance relief was not required for the signage because the Applicant had agreed to comply with the Ordinance requirements. Ms. Corbin explained that all other comments of her Report had been addressed.

38. The Board Engineer, William Long, P.E., reviewed his Report dated August 11, 2023. Mr. Long testified that the Applicant was seeking submission waiver from several checklist items, which he recommended granting, except for Checklist Item #48 – General Soil Information. He stated that a Phase I Environmental Site Assessment had to be submitted.

39. Mr. Long also stated that the Applicant was seeking design waiver relief from the elevation of the hydraulic gradient requirement to be three feet below the surface. He explained that the Applicant had addressed his concern regarding granting such design waiver relief. Mr. Long also confirmed that the proposed depth increased the distance with the ground water. He stated that the Applicant was seeking design waiver relief from the spacing of the fire lane signs. Mr. Long testified that the Applicant was also seeking design wavier relief from matching the top of the crown of the pipe, which because the pipes were pre-existing, he took no issue with granting the relief.

40. Mr. Long further noted that the Applicant agreed to prohibit the storage of trailers on-site. He also stated that the Applicant had addressed the parking variance relief. He explained that the Applicant had proposed to make improvements to Leadenhall Road by creating a left turn

lane into the site at the Bishops Gate Boulevard intersection. Mr. Long stated that time controls were not necessary on the lighting if the operation was twenty-four (24) hours. He also testified that the stormwater management would have a positive impact because the Applicant was reducing the impervious coverage. He explained that the impervious coverage was being reduced by the removal of much of the existing parking lot. Mr. Long stated that the gaps in the buffer were for utilities. He stated that the Municipal Utility Authority (MUA) would not permit an landscape buffer over the utilities.

41. Mr. Long next asked if the Applicant would consider performing a noise study after the warehouse was operational. Mr. Baranowski represented that the Applicant would perform a post construction noise study at the discretion of the Township Engineer.

42. In response to questions from the Board, Mr. Long explained the standard for the hydraulic water table. He explained that the distance below the surface was in regard to the flow within the pipe to the inlet opening. Mr. Long also explained that the stormwater management system was sufficient because the Applicant was reducing the asphalt coverage, even though the amount of roof coverage was being increased. He further explained that roof runoff was considered clean whereas vehicle surfaces would require treatment. Mr. Long also testified that the overall reduction in impervious coverage was a positive, but the reduction in asphalt was a greater positive. Mr. Long also stated that he had no concern with solar panels because they were permitted.

43. Mr. Long next reviewed the Traffic Engineer's Report dated December 11, 2023. Mr. Long stated that the Traffic Engineer had found that the LOS calculations as testified to were accurate and acceptable. He stated that the trip generation would be significantly reduced from the existing office building. Mr. Long explained that the Applicant was proposing a left turn lane into the site, but prohibiting left turns out. He asked if there were any physical barriers to prohibit the

left turns out. In response, Mr. Burrow testified that a “pork-chop” stripping would be located at the easterly driveway, but none at the Bishops Gate Boulevard because passenger vehicles were still permitted to make left turns.

44. Mr. Long further stated that the Burlington County Planning Board approval required a post construction study for county roads. He asked if the Applicant would provide a similar study for local municipal roads. Mr. Burrow agreed to conduct such post-construction study of local municipal roads.

45. The Fire Marshal, Brian McVey, reviewed his Report dated July 21, 2023. Mr. McVey stated that the Applicant had worked with him to address his comments in his report and had provided a response letter. He stated that he supported the Applicant’s proposal to not provide foundation plantings.

46. The Board Environmental Expert, Toni Sapio, reviewed her report dated November 28, 2023. Ms. Sapio stated that the Applicant had addressed the majority of the comments within her report, but she had some remaining comments. She asked if the Applicant would provide a management plan for clean fill if soils were to be imported. Mr. Baranowski represented that the Applicant would agree to provide such plan. Ms. Sapio also asked for the Applicant to comply with the Right to Know Act if any hazardous material were to be brought on-site. She stated that the Environmental Impact Study (EIS) was greater than 180 days old, and therefore requested that the Applicant provide a statement as to the continued viability of the EIS. Ms. Sapio also asked that the demolition plan notes include how any hazardous material is to be disposed of. She stated that the Phase I Environmental Site Assessment indicated that there was an irrigation well on the subject Property. Ms. Sapio asked for the Applicant to either reuse the irrigation well or properly abandon it pursuant to NJDEP regulations. Ms. Sapio further stated that a No Further Action

(NFA) letter issued in 1997 indicated that the subject Property was part of a large farm field. She stated that the NFA indicated an environmental hot spot on the large farm field. Ms. Sapio testified that the location of the hot spot was not included in the NFA, so the hot spot may not be located on the subject Property, however she asked for the Applicant to review and confirm that the hot spot is not located on the subject Property.

47. In response to questions from the Board, Ms. Sapio stated that the specific species of vegetation within the buffer along Walton Avenue were identified on the landscape plan and that the Applicant had agreed to supplement the buffer. Mr. Burrow also testified that the Applicant was proposing a berm ranging in height from five (5) to ten (10) feet depending on space and grade. He stated that the vegetation included a variety of species of evergreen, shade trees, and ornamental trees in a double row. Mr. Burrow explained that the species included Maple, Red Maple, Hackberry, Sweet Gum, Tupelo, American Sycamore, American Holly, Eastern Cedar, Southern Magnolia, Norway Spruce, Eastern Hemlock, and Green Giant Arborvitae. He stated that the trees would be planted at a height of seven (7) to eight (8) feet would be fast growing.

48. There were no members of the public expressing an interest in the application.

WHEREAS, the Mount Laurel Planning Board, having reviewed the proposed application and having considered the impact of the proposed application on the Township and its residents to determine whether it is in furtherance of the Municipal Land Use Law; and having considered whether the proposal is conducive to the orderly development of the site and the general area in which it is located pursuant to the land use and zoning ordinances of the Township of Mount Laurel; and upon the imposition of specific conditions to be fulfilled, hereby determines that the Applicant may be granted preliminary and final major site plan approval pursuant to N.J.S.A. 40:55D-46 and 50 with design waiver relief pursuant to N.J.S.A. 40:55D-51, as well as submission waiver relief.

The Applicant has requested the following submission waiver relief:

- a. **Checklist Item #14** – Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and rights-of-way, utility easements, and sight triangles easements.
- b. **Checklist Item #15** – Metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all centerlines and rights-of-way, utility easements, sight triangle easements, and centerline curves on streets.
- c. **Checklist Item #25** – Any proposed easement or land reserved for or dedicated to public use, utility use, conservation use, or restricted by reason of wetlands or wetland buffers, and any organizations for the ownership and maintenance of open space required by the Municipal Land Use law (N.J.S.A. 40:55D-43). Homeowners or Property Owners Association documents should be submitted if an Association is to be used.
- d. **Checklist Item #31** – A letter containing a list of all items not installed or completed and to be covered by a performance guarantee, with quantities of all items.
- e. **Checklist Item #35** – Existing rights-of-way and/or easements on and within 500 feet of tract.
- f. **Checklist Item #67** – Signage plan showing location and details of site identification signs, traffic control signs, fire zone signs and directional signs.

The Board finds that the subject Property is improved with a 376,122 square foot office building with parking, and associated site improvements such as lighting, landscaping, and stormwater management facilities. The Board also finds that the Applicant is seeking preliminary and final major site plan approval to demolish the existing building and construct a 507,353 square foot warehouse with 108 loading docks, 106 trailer spaces, 330 passenger vehicle parking spaces, signage, and associated site improvements such as lighting, landscaping, and stormwater management facilities. The Board determines that it has enough information to render a decision and that submission waiver relief is appropriate.

The Board finds that the Applicant may be granted design waiver relief. The Applicant has provided compelling testimony that the elevation of the hydraulic gradient is sufficient. The Board finds that a compliant gradient would interfere with the water table. The Board also finds that the pipe connections soffit to soffit and invert to invert are adequate. The Board also finds that the spacing of the fire lane signs is satisfactory to the Fire Marshal. Requiring strict compliance with the Ordinance requirements would therefore create practicable difficulty in implementing the best design and developing the subject Property for its permitted use. Design waiver relief pursuant to N.J.S.A. 40:55D-51 is therefore appropriate.

The Board finds that with the exception of the above-referenced relief, the Applicant has complied with all zoning, site plan and design ordinance requirements. Preliminary site plan approval pursuant to N.J.S.A. 40:55D-46 and final site plan approval pursuant to N.J.S.A. 40:55D-50 are therefore appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Mount Laurel on this 8th day of February 2024, that the action of the Board taken on December 14, 2023 granting application no. PB 2327 of CNLI OMLNJ, LLC for preliminary and final site plan approval pursuant to N.J.S.A. 40:55D-46 and 50 along with design waiver relief pursuant to N.J.S.A. 40:55D-51 is hereby memorialized as follows:

The application is granted subject to the following conditions:

1. The development of the site shall take place in strict conformance with the testimony, plans and drawings which have been submitted to the Board with this application except as modified herein.
2. Except where specifically modified by the terms of this Resolution and as set forth on the record at the hearing on the application, the Applicant shall comply with all recommendations contained in the Reports of the Board's Professionals.

3. No more than a maximum of 960 employees shall be permitted on-site.
4. Storage of trailers is prohibited.
5. The Applicant shall supplement the buffers subject to review and approval by the Board Professionals.
6. “No Left Turn” signs for vehicles greater than four (4) tons shall be installed at both driveways.
7. Combustible landscaping is prohibited against the building.
8. The Applicant shall submit copy of the post operation traffic study as required by the Burlington County Planning Board.
9. The Applicant shall enter into a Title 39 agreement with the Township.
10. All signage shall comply with all applicable Ordinances.
11. The Applicant shall comply with all applicable noise regulations.
12. The Applicant shall perform a post construction noise study at the discretion of Township officials.
13. The Applicant shall submit a soil importation plan.
14. The Applicant shall disclose any hazardous materials on site pursuant to the New Jersey Worker and Community Right to Know Act.
15. The Demolition Plan shall depict notes regarding the disposal of hazardous material.
16. The irrigation wells shall be decommissioned pursuant to NJDEP regulations, if necessary.
17. The Applicant shall identify the hot spots indicated in the NJ DEP No Further Action letter issued in 1997.
18. The Applicant shall provide a certificate that taxes are paid to date of approval.
19. Payment of all fees, costs, escrows due or to become due. Any monies are to be paid within twenty (20) days of said request by the Board Secretary.
20. Subject to all other applicable rules, regulations, ordinances and statutes of the Township of Mount Laurel, County of Burlington, State of New Jersey or any other jurisdiction.

BE IT FURTHER RESOLVED that the Applicant is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper and the Board Secretary is authorized to send a certified copy of this Resolution to the Applicant and to the Township clerk, engineer, attorney and tax assessor, and shall make same available to all other interested parties.

FOR APPROVAL

ON MOTION OF: Mr. Pfeiffer

SECONDED BY: Mr. Giegerich

	YES	NO	ABSTAIN	ABSENT	INELIGIBLE	RECUSE
Richard Bathke	x					
Bryon Blum					x	
John Coffey				x		
Karen Cohen					x	
William Giegerich (Designee for Mayor)	x					
Navleen Kharoudh (Alt 2)	x					
Christopher Lovato (Alt 1)					x	
Ronald Lieberman	x					
Michael Pfeiffer	x					
Meredith Riculfy	x					
Antonio Sorrentino	x					

FOR MEMORIALIZATION

ON MOTION OF: _____

SECONDED BY: _____

	YES	NO	ABSTAIN	ABSENT	INELIGIBLE	RECUSE
Richard Bathke						
Bryon Blum						
John Coffey						
Karen Cohen						
William Giegerich (Designee for Mayor)						
Navleen Kharoudh (Alt 2)						
Christopher Lovato (Alt 1)						
Ronald Lieberman						
Michael Pfeiffer						
Meredith Riculfy						
Antonio Sorrentino						

Richard Bathke, Chairman
Township of Mount Laurel Planning Board

STATE OF NEW JERSEY:

SS:

COUNTY OF BURLINGTON:

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Mount Laurel Township Planning Board, Burlington County, New Jersey, at a public meeting held on February 8, 2024.

Trish Hochreiter, Administrator
Mount Laurel Township Planning Board