

RESOLUTION: # 2024-19

**A RESOLUTION OF THE JOINT LAND USE BOARD OF THE BOROUGH
BELLMAWR EXCISING THE CONDITION OF SITE PLAN APPROVAL FOR BIG
TIMBER JUNCTION, LLC, REDEVELOPER AND THE BELLMAWR WATERFRONT
DEVELOPMENT LLC**

WHEREAS, on October 7, 2024 the Joint Land Use Board, upon due notice at its regular October meeting, considered the application of Big Timber Junction, LLC, Redeveloper for relief from a condition of approval, consistent with factual findings of 19, 20 and 27, in the resolution conditionally approving site plan, which resolution is attached here to as Exhibit A ; and

WHEREAS, the redeveloper appeared represented by Donald Nogowski, Esquire and with witness engineer Samuel Renauro, who provided testimony in support of the application; and the Board, having heard from Steven Bach, Board engineer, and having heard testimony from any member of the public choosing to appear and testify.

WHEREAS, the Board having received detailed correspondence from the Board solicitor providing the background for the subject application, the background for the original condition of approval imposed by the board sought to be excised, and the changed circumstances that have led to the subject application together with exhibits attached thereto, by a letter dated October 4, 2024 attached as Exhibit B.

WHEREAS, it appears

1.) That there have indeed been positive changed circumstances that will address the uncertainty surrounding the connector road construction by NJDOT so as to facilitate the project by the redeveloper undertaking complete responsibility for the connector road project.

2.) The Council has adopted an Amended RDA (attached as Exhibit C) which includes improvements to the Bellmawr Borough streets and county streets with the result that this public improvement will be expedited, facilitating substantial advantages to the public and easing the traffic congestion and delays on Creek Road and local Bellmawr roads caused by high volumes of state highway "through" traffic directed by NJDOT onto Creek Road and adjacent Bellmawr municipal roads. The resolution adopted by Borough Council authorizes the governing body to execute an amendment to the redevelopment agreement which provides for the details for the redeveloper's undertaking of construction responsibility and all other details in connection therewith.

WHEREAS, the amended RDA in its purpose and effect eliminates the need for the prohibition of seeking building permits before for the vertical construction; and

WHEREAS, the 18 month delay in vertical construction of the logistics center buildings readily satisfies the criteria of NJSA 40:55D-36 , affording the applicant the relief from NJSA 40:55D-35, which would otherwise prohibit building permit issuance for a structure not abutting a street provided however, that the obligations of the RDA amendment #1 are strictly adhered to;

NOW, THEREFORE BE IT RESOLVED that the excision of the condition of approval #9 under NJSA 40:55D-36 has substantial merit and should be approved subject to strict compliance with the RDA amendment #1; nothing herein shall negate or effect all other terms and conditions of the site plan approval of the Board dated November 13, 2023.

Those Eligible to Vote

Murray
Stas
DeBerardinis
Staszak
Andrae
Mullen
Sauter
Corcoran


Those in Favor

8

Those Opposed

- 0 -

ATTEST:



MARK De BERARDINIS, SECRETARY

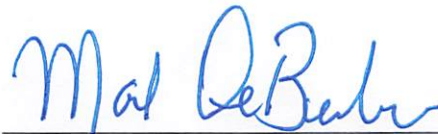
BOROUGH OF BELLMAWR
THE JOINT LAND USE BOARD:



KENNETH MURRAY, CHAIRMAN

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Borough of Bellmawr Joint Land Use Board at a meeting held on the 7 day of October, 2024.



MARK De BERARDINIS, SECRETARY