

DELANCO TOWNSHIP

ORDINANCE 2023-10

**AN ORDINANCE AMENDING CHAPTER 110 OF THE
CODE OF THE TOWNSHIP OF DELANCO TO
CREATE THE I-3 (MODIFIED INDUSTRIAL) ZONE**

WHEREAS, the Township of Delanco, at Chapter 110, has existing Industrial Zones referred to as I-1 (Light Industrial) and I-2 (General Industrial); and

WHEREAS, warehouse uses are but one of many appropriate uses spelled out in the list of permitted or conditionally permitted uses in those Zones; and

WHEREAS, the rapid growth of e-commerce and consumer demand for same day delivery of goods in recent years has dramatically changed warehouse operations in the region; and

WHEREAS, municipalities throughout the State of New Jersey have experienced negative impacts by the development of large-scale regional warehousing and “last mile” fulfillment centers in locations that are not well suited for such development; and

WHEREAS, the Township, like much of the surrounding areas and the State overall, has experienced a growth of industrial warehousing, including but not limited to recent projects at 1000 Coopertown Road (RLS Logistics and Stanker & Galetto projects), 989 Coopertown Road (Bluewater project), and 800 Coopertown Road (Dolan project); and

WHEREAS, the NJ State Planning Commission analyzed this issue and published a report entitled “Distribution Warehousing and Goods Movement Guidelines” that provides guidance to local municipalities aimed at ensuring the development of such facilities is done in a manner that considers environmental impacts, economic sustainability, and public health concerns; and

WHEREAS, under the 2019 Master Plan Reexamination Report some of the major goals of the Plan related to Industrial Uses, including goals to:

1. Encourage industrial areas to redevelop and operate by responding to market forces, while seeking to minimize truck traffic in the residential areas of the Township; and
2. Encourage sustainable development; and

WHEREAS, the Reexamination Report also notes as an objective that the Township should:

Continue to reexamine ordinances regarding industrial, commercial, and residential development requirements and provisions.

The ordinance reviews have been ongoing, where issues and problems are identified and addressed as may be practical. There is continued concern regarding the lack of consistent enforcement of ordinances; and

WHEREAS, Plan further seeks to:

- Preserve and enhance the town's traditional residential village character and provide appropriate buffers between the mixed-use village from more intensive industrial uses along the railroad; and
- Protect, preserve, and conserve environmentally sensitive areas, particularly the wetlands, floodplains, streams, steeply sloped areas, and forested areas; and

WHEREAS, the Township has received numerous complaints from residents and the negative impacts to the public include noise, truck traffic, and air pollution; and

WHEREAS, the Township Committee of the Township of Delanco desires to amend Chapter 110 to meet the goals and objectives of the Master Plan and Master Plan Update, by creating a new I-3 (Modified Industrial) Zone to ensure a mix of industrial property uses and avoid an over-burdening of the Township, its infrastructure, and its residents from an over-development of warehouse uses; and

WHEREAS, the Township Committee of the Township of Delanco finds this amendment and addition to the Code to be in the best interests of the health, safety and welfare of the residents of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Delanco, State of New Jersey Chapter 110 is hereby amended as follows:

SECTION 1. Chapter 110-2. Districts enumerated, is hereby amended to add the following District:

I-3 Modified Industrial (minimum lot size: five acres)

SECTION 2. Chapter 110-37 is created, entitled I-3 Modified Industrial District, as follows:

§110-37. I-3 Modified Industrial District.

- A. Permitted principal uses. In an I-3 Modified Industrial District, land shall be used only for the following permitted uses:
- (1) Wholesale trade establishments engaging in wholesale of merchandise and goods for resale, such as durable non-consumer and consumer goods, materials, and supplies.
 - (2) Offices for administrative, executive, business, utility, professional and

financial services, insurance, photography, polling, advertising, public relations, marketing, translation, promoters and managers of arts, artists and sports, athletes, or other public figures.

- (3) General contractors, building architects or civil engineering, specialty trade contractors, building equipment manufacturers and suppliers, finishing contractors, and artisan shops, offices and showrooms. (Any term not already defined by this Code or the Municipal Land Use Law shall be governed by the definitions in NAICS (2022)).
- (4) Establishments engaged in manufacturing, including production, processing, distribution, and wholesale sale of fresh, refrigerated, and frozen food, (except animal slaughtering), beverages, durable medical goods, textiles, apparel, printing, machine tools, machinery, computer and electronic products, electrical equipment, appliances, components, and furnishings.
- (5) Establishments that provide information technology services including management, programming, consulting, installation, integration, publishing, motion picture and sound recording, broadcasting, and internet publishing.
- (6) Providers of educational services, including special education, business schools, computer and management training, technical and trade schools, driving schools, life-skills training, educational support services, except academic tutoring services, exam preparation, and college application consulting.
- (7) Telecommunications offices and facilities excluding cellular communications towers.
- (8) Governmental uses, including but not limited to municipal buildings, public works garages, motor vehicle inspection stations and recreational facilities.
- (9) Adult day-care and child-care centers.
- (10) Publicly accessible EVSE (Electric Vehicle Supply Equipment).
- (11) Lumber distribution facilities with a maximum cumulative building size of 60,000 SF.

B. Area and bulk regulations. The area and bulk regulations for this District shall be in accordance with the requirements set forth in the Schedule of Area and Bulk Requirements. That Schedule shall be amended such that the section governing I-1 shall reflect that the requirements govern both I-1 and I-3.

C. Other regulations. All other regulations of this chapter shall be applied accordingly.

D. Conduct of operations indoors and hours of operation.

- (1) The manufacture, fabrication, assembly, packaging or repair of products, goods, equipment, or similar shall be conducted entirely indoors. Indoor and outdoor operations, except as otherwise indicated below, shall not be permitted between the hours of 11:00 p.m. to 7:00 a.m.
- (2) Any vehicle engaged in a facility's commercial or industrial operations, which includes but is not limited to mechanical loading/unloading, back up beepers, onboard auxiliary power units, trailer refrigeration units, and bulk off-loading

apparatus shall not be permitted to operate between the hours of 11:00 p.m. to 7:00 a.m. Freight trains and customer and/or employee personal vehicles are exempt from this restriction.

- (3) The receipt, loading or unloading of trucks, tractors, and trailers shall not be permitted between the hours of 11:00 p.m. to 7:00 a.m. Trash, refuse and recycling vehicles are exempt from this restriction.

SECTION 3. The properties on the attached schedule shall be rezoned from their existing zoning to the newly created I-3 Zone. The Zoning Map shall be amended to reflect the creation of this new zone and its boundary lines.

SECTION 4. Repealer. Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

SECTION 5. Severability. If the provision of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 6. After introduction, the Township Clerk is hereby directed to provide a copy of the within Ordinance to the Planning Board for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64. The Planning Board is directed to make and transmit to the Township Committee within 35 days after referral a report, including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

SECTION 7. After introduction, the Township Clerk is hereby directed to provide by personal service, certified mail or email with confirmation that the email was delivered, at least 10 days prior to the scheduled hearing, a copy of this Ordinance and a Notice of Hearing in accordance with N.J.S.A. 40:55D-15 to: the clerk of any adjoining municipalities located within 200 feet of the boundaries of the affected properties; and the County Planning Board.

SECTION 8. After introduction, the Township Clerk is hereby directed to provide by personal service or certified and regular mail, at least 10 days prior to the scheduled hearing, a Notice of Hearing in accordance with N.J.S.A. 40:55D-62.1 to: the owners of the properties affected by this Ordinance; the owners of all properties within 200 feet of the boundaries of the affected properties; the Office of Planning Advocacy; and any military facility commander who has registered with the municipality.

SECTION 9. After introduction, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance in its entirety or by title and summary at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality, together with a notice of the introduction thereof, the time and place when and where it will be further considered for final passage. The publication shall include a clear and concise statement prepared by the Clerk setting forth the purpose of this Ordinance and a time and place when and where a copy of this Ordinance


can be obtained without cost by any member of the general public. The publication shall be at least one week prior to the scheduled hearing.

SECTION 10. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:49-2 and N.J.S.A. 40:49-2.1, is hereby directed to publish this Ordinance, in its entirety or by title and summary, together with a notice of the date of passage or approval, at least once in a newspaper published and circulated in the municipality, if there is one, and if not, in a newspaper printed in the county and circulating in the municipality.


SECTION 11. If adopted, the Township Clerk, in accordance with N.J.S.A. 40:55D-16, shall forward a copy of this Ordinance to the County Planning Board for filing.

SECTION 12. Effective Date. This Ordinance shall be effective upon proper passage and approval in accordance with the law.

THIS IS CERTIFICATION THAT THE ABOVE ENTITLED ORDINANCE WAS PASSED UPON SECOND AND FINAL READING AFTER A PUBLIC HEARING AT A MEETING OF THE TOWNSHIP COMMITTEE ON JULY 5, 2023 AT THE MUNICIPAL BUILDING, 770 COOPERTOWN ROAD, DELANCO, NJ.



Janice M. Lohr, RMC
Municipal Clerk



Kate Fitzpatrick
Mayor



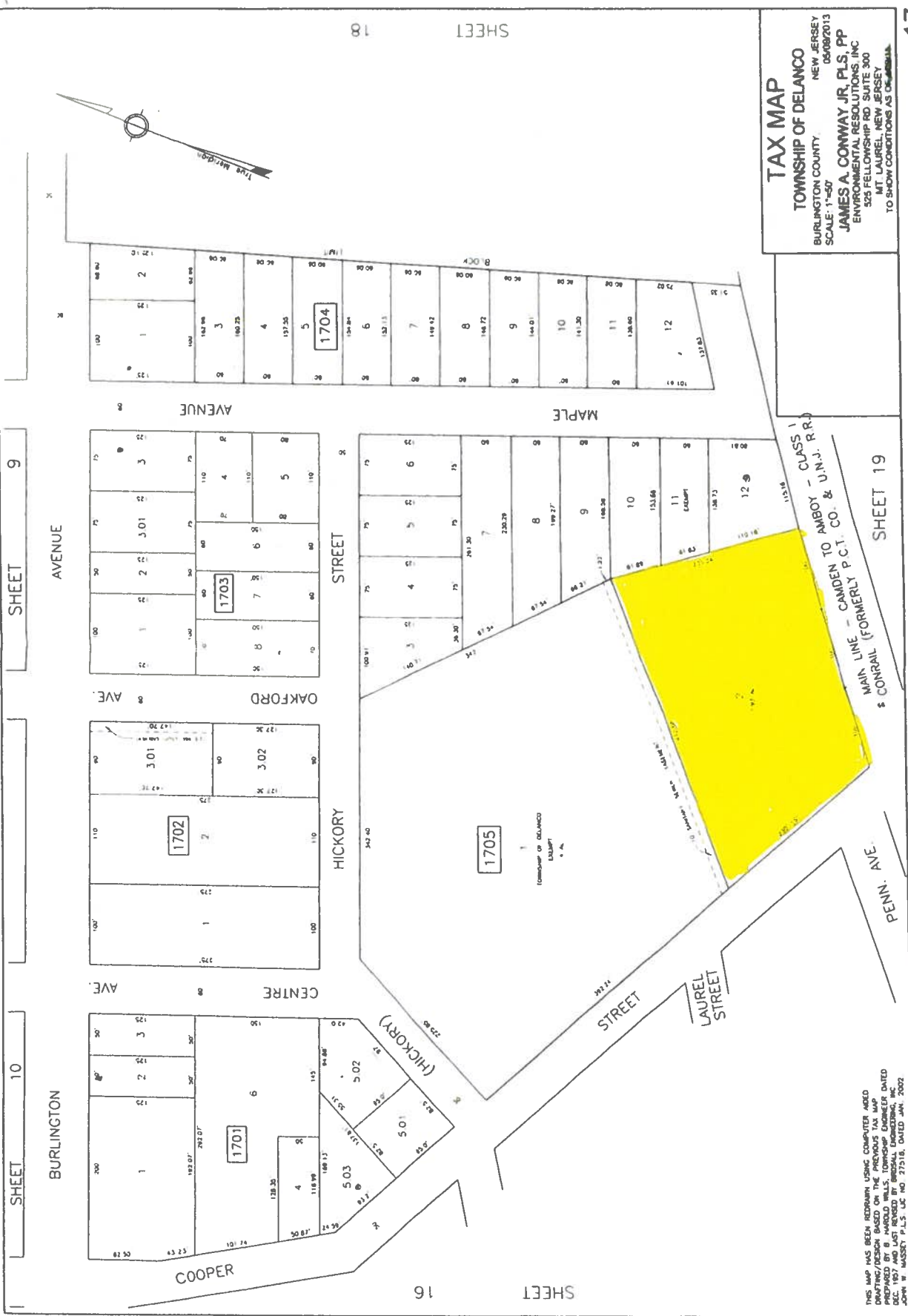
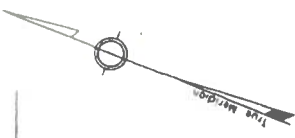
ORDINANCE 2023-10
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CODE OF THE TOWNSHIP OF DELANCO TO
CREATE THE I-3 (MODIFIED INDUSTRIAL) ZONE

SCHEDULE OF PROPERTIES

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY LOCATION/ADDRESS</u>	<u>CURRENT OWNER</u>
1705	2	620 COOPER STREET	IGOR, LLC
1802	6	2407 BURLINGTON AVENUE	WILLOW ACRES, LLC
1802	6.04	ASSD WITH B1802, L6	WILLOW ACRES, LLC
1802	6.02	2431 BURLINGTON AVENUE	CENTER FOR FAMILY SVCS
1802	6.03	605 PERKINS LANE	IGOR2, LLC
1900	1	700 COOPERTOWN ROAD	BOISE CASCADE MATL
1900	1.03	710 COOPERTOWN ROAD	BMD DELANCO R,LLC%BOISE
1900	1.01	740 COOPERTOWN ROAD	FRG-X-NJII, LP A RANDOLPH
1900	2	720 COOPERTOWN ROAD	F.C. GEISHEIMER JR, INC
1900	3	730 COOPERTOWN ROAD	ROSADO, ARLENE FENTON
2000	6.01	300 CREEK ROAD	BURL CO. BD OF FREEHOLD
2000	8	400 CREEK ROAD	STATE OF NJ (L&PS)
2000	10	600 CREEK ROAD	ASSD WITH B2000, L13.08
2000	11	1009 COOPERTOWN ROAD	GPG PROPERTIES INC
2000	11.01	1101 COOPERTOWN ROAD	GERLOCK CONSTRUCTION
2000	13	1107 COOPERTOWN ROAD	AVERY, SUZANNE & WILLIAM
2000	13.03	1107 COOPERTOWN ROAD	AVERY, SUZANNE & WILLIAM
2000	13.01	450 CREEK ROAD	500 CREEK ROAD INDUSTRIA
2000	13.04	500 CREEK ROAD	500 CREEK ROAD INDUSTRIA
2000	13.05	550 CREEK ROAD	BSE HOLDINGS LLC
2000	13.06	580 CREEK ROAD	GNALI ENTERPRISES
2000	13.08	600 CREEK ROAD	600 CREEK ROAD LLC %KE A
2000	11.02	ASSD WITH B2000,L13.08	600 CREEK RD LLC
2000	13.12	ASSD WITH B2000,L13.08	600 CREEK RD LLC
2000	14	UNKNOWN	Unknown(No record in assessment Program)
2000	15	900 CREEK ROAD	FK89 LLC
2000	15.03	1000 CREEK ROAD	FK89 LLC
2000	15.02	1100 CREEK ROAD	NJ BURL CO MUSLIM ASSOC
2000	15.04	1200 CREEK ROAD	NJ BURL CO MUSLIM ASSOC
2000	17	1109 COOPERTOWN ROAD	IWANICKI, BRIAN & SUZANNE
2000	18	1111 COOPERTOWN ROAD	WILSON, LORI & ROBERT JR
2000.01	1	801 COOPERTOWN ROAD	SWEET PRECISION LLC
2000.01	6.02	240 CREEK ROAD	ALLISON STOHNER LLC
2100	11	401 CREEK ROAD	401 CREEK RD INDUSTRIAL

34 TOTAL PROPERTIES

TAX MAP
 TOWNSHIP OF DELANCO
 BURLINGTON COUNTY
 NEW JERSEY
 SCALE: 1"=50'
 JAMES A. CONWAY JR, PLS, PP
 ENVIRONMENTAL RESOLUTIONS, INC
 525 FELLOWSHIP RD SUITE 300
 MT LAUREL, NEW JERSEY
 TO SHOW CONDITIONS AS OF 1/1/2002



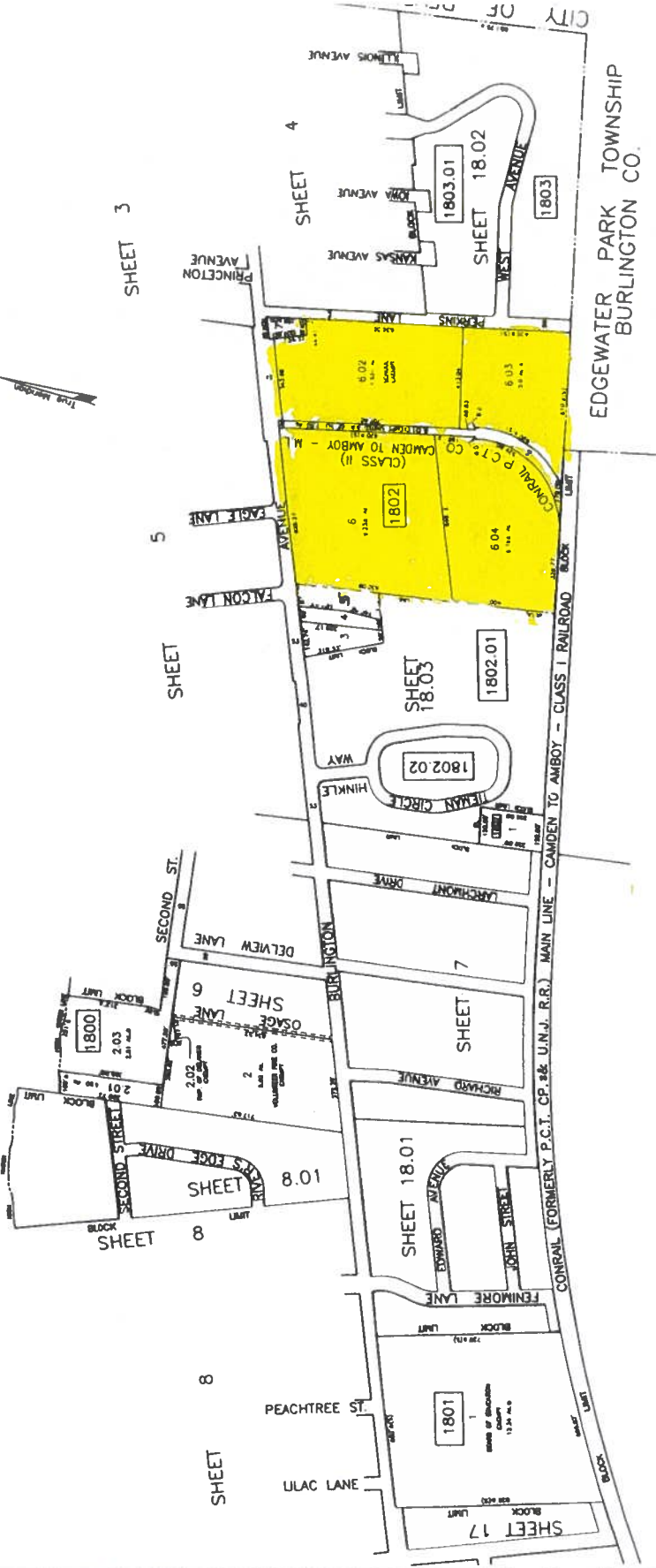
CLASS 1
 CAMDEN TO AMBOY - UNJ. P.R.R.
 MAIN LINE - CAMDEN TO AMBOY - CLASS 1
 & CONRAIL (FORMERLY P.C.T. CO. & UNJ. P.R.R.)

THIS MAP HAS BEEN REDRAWN USING COMPUTER AIDED
 DRAFTING/DESIGN BASED ON THE PREVIOUS TAX MAP
 PREPARED BY B. HAROLD WELLS, TOWNSHIP ENGINEER, DATED
 12/15/01. THE TOWNSHIP ENGINEER HAS REVIEWED AND
 APPROVED THIS MAP. U.S. NO. 27518, DATED JAN. 2002.
 JOHN W. HANSETT, P.L.S. U.S. NO. 27518, DATED JAN. 2002.

REVISIONS	DATE	BY	REASON



DELAWARE RIVER



THIS MAP HAS BEEN REVISIONS USING COMPUTER AIDED
 DATA/SECTION BASED ON THE PREVIOUS TAX MAP
 PREPARED BY B. HAROLD WELLS, TOWNSHIP ENGINEER
 DATED DEC. 1987 AND LAST REVISED BY AERIAL ENGINEER
 JOHN W. WISSEY P.L.S. LC. NO. 27314, DATED APR. 20, 1992

TAX MAP
 TOWNSHIP OF DELANCO
 BURLINGTON COUNTY
 SCALE 1"=200'
 NEW JERSEY 05/09
JAMES A. CONWAY JR., P.L.S., I
 ENVIRONMENTAL RESOLUTIONS, INC.
 523 FELLOWSHIP RD. SUITE 300
 MT. LAUREL, NEW JERSEY
 TO SHOW CONDITIONS AS OF 4/9/91

EDGEWATER PARK TOWNSHIP
 BURLINGTON CO.

SHEET 19

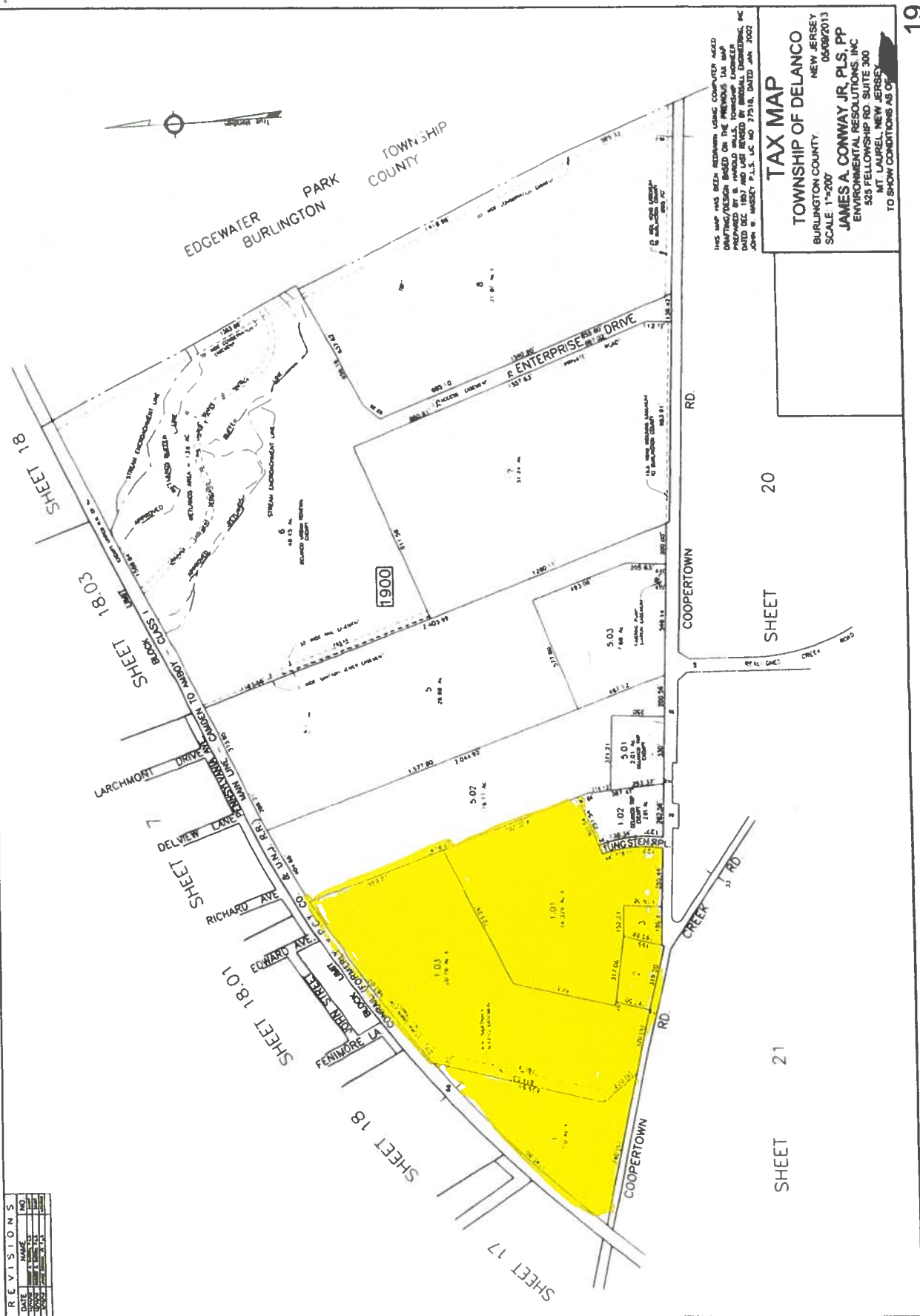


EDGEWATER PARK TOWNSHIP COUNTY
BURLINGTON

THIS MAP WAS PREPARED USING COMPUTER AIDED
DRAWING/DESIGN BASED ON THE PREVIOUS TAX MAP
PREPARED BY S. HAROLD WALLS, PROFESSIONAL ENGINEER,
DATED DEC. 1997 AND LAST REVISIONS BY JAMES A. CONWAY, P.E.,
JAN. 11, 2007. SEE SHEET P.L.S. NO. 2701A, DATED JAN. 2007.

TAX MAP

TOWNSHIP OF DELANCO
BURLINGTON COUNTY NEW JERSEY
SCALE 1"=200'
JAMES A. CONWAY JR., PLS., PP
ENVIRONMENTAL RESOLUTIONS, INC.
525 FELLOWSHIP RD SUITE 300
MT LAUREL, NEW JERSEY
TO SHOW CONDITIONS AS OF



REVISIONS	
NO.	DATE
1	12/15/07
2	1/11/07
3	1/11/07
4	1/11/07
5	1/11/07
6	1/11/07
7	1/11/07
8	1/11/07
9	1/11/07
10	1/11/07

SHEET 20

SHEET 21

SHEET 1803

SHEET 1801

SHEET 1801

SHEET 1801

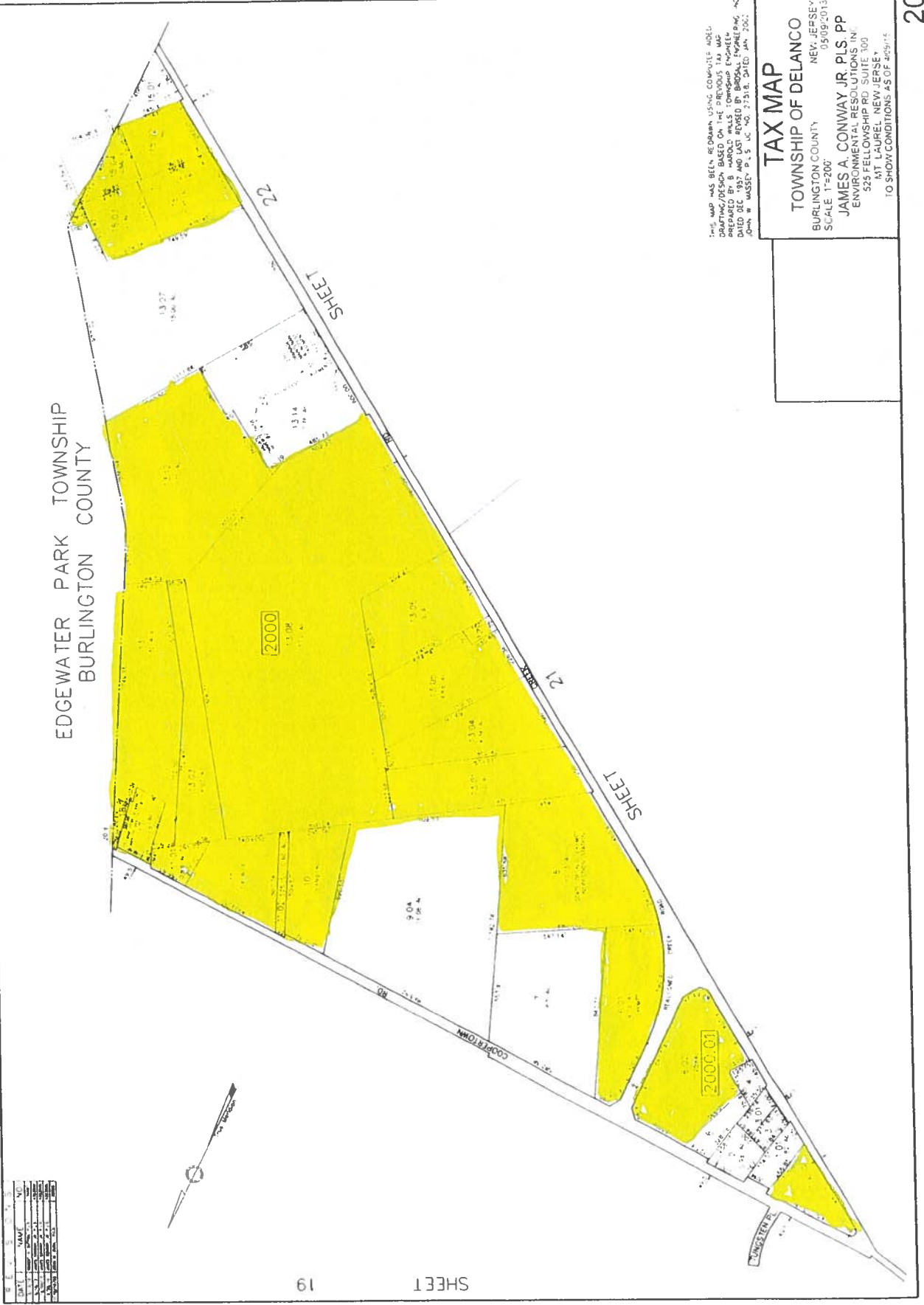
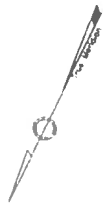
SHEET 18

SHEET 17

1900

EDGEWATER PARK TOWNSHIP
BURLINGTON COUNTY

DATE	NAME	NO.



THIS MAP HAS BEEN RE-DRAWN USING COMPUTER AIDED
DRAWING/DESIGN BASED ON THE ORIGINAL
SURVEY DATA AND FIELD NOTES OF THE ENGINEER
DATED DEC 1987 AND LAST REVISED BY BRADSHAW, ENGLEBOM, INC.
JOHN W. MASSEY, P.E., U.C. NO. 27318, DATED JAN. 2002.

TAX MAP
TOWNSHIP OF DELANCO
BURLINGTON COUNTY, NEW JERSEY
SCALE 1"=200'
JAMES A. CONWAY JR. PLS. PP
ENVIRONMENTAL RESOLUTIONS INC.
525 FELLOWSHIP RD SUITE 300
MT LAUREL, NEW JERSEY
TO SHOW CONDITIONS AS OF 05/01/15

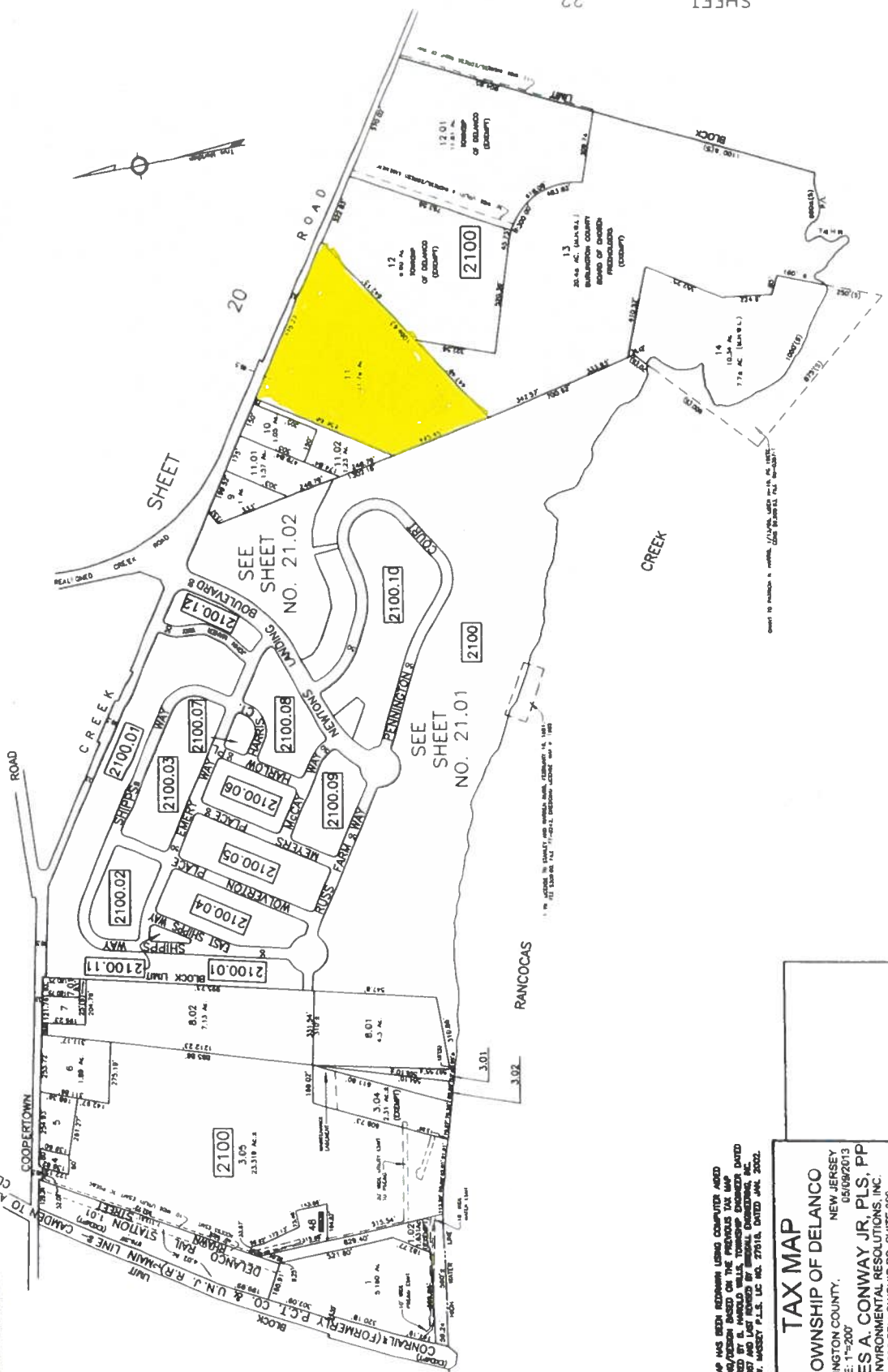
REVISIONS	DATE	NAME	NO.
1	05/06/2013	J.A.	1
2	05/06/2013	J.A.	2
3	05/06/2013	J.A.	3
4	05/06/2013	J.A.	4
5	05/06/2013	J.A.	5
6	05/06/2013	J.A.	6
7	05/06/2013	J.A.	7
8	05/06/2013	J.A.	8
9	05/06/2013	J.A.	9
10	05/06/2013	J.A.	10

SHEET 16

SHEET 15

SHEET 19

SHEET 19



THIS MAP WAS MADE BY THE BUREAU OF LANDS USING COMPUTER AIDED DIGITIZING/PROCESSING BASED ON THE PREVIOUS TAX MAP PREPARED BY B. MARCOLO WELLS, TOWNSHIP ENGINEER, DATED DEC. 1987 AND LAST REVISED BY BUREAU OF LANDS ENGINEER, JOHN W. WISSEY P.E., LC NO. 27016, DATED APR. 2002.

TAX MAP
TOWNSHIP OF DELANCO
 BURLINGTON COUNTY, NEW JERSEY
 SCALE: 1"=200'
JAMES A. CONWAY JR., PLS., PP
 ENVIRONMENTAL RESOLUTIONS, INC.
 525 FELLOWSHIP RD., SUITE 300
 MT. LAUREL, NEW JERSEY
 TO SHOW CONDITIONS AS OF 4/09/15