

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

October 5, 2022

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on October 5, 2022 at 7:00 P.M. The meeting was called to order by Vice Chairman David Guerrero and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 10, 2022 and on the Township website. All guests were welcomed.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mr. Carr, Mr. Fagan, Mr. Guerrero, Mr. Henley (came late), Mr. Holshue, Mr. Jones (came late), Mr. Odenheimer, Mr. Thorpe
Absent: Mr. Borger, Mr. Grace, Ms. Tolor
Professional Staff: Attorney Nicholas Sullivan, Engineer Michael Roberts, Planner Chris Dochney, Secretary Jodie Termini

SWEAR IN PROFESSIONALS:

Mr. Cappelli swore in Planner Chris Dochney and Engineer Michael Roberts

MINUTES:

September 7, 2022 - Regular Meeting Minutes

Motion to approve Mr. Holshue, Mr. Thorpe second. None opposed. Mr. Carr, Mr. Fagan abstained.

RESOLUTION(S):

21-2022 Continue Fly High Express from 9-7-2022 to 10-5-2022 – Block 401 Lot 3

Motion to approve Mr. Jones, Mr. Thorpe second. None opposed. Mr. Carr, Mr. Fagan abstained.

22-2022 Extending Resolution 21-2019 for Crown Point Associates Block 807 Lot 13

Motion to approve Mr. Holshue, Mr. Thorpe second. None opposed. Mr. Carr, Mr. Fagan abstained.

23-2022 Granting Use Variance for Inductotherm, Block 403 Lot 1

Motion to approve Mr. Thorpe, Mr. Jones second. None opposed. Mr. Carr abstained.

24-2022 Continue Rancocas Holdings from 8-3-22 to 9-7-22 to 10-5-22 Block 201 Lots 10 & 11

Motion to approve Mr. Odenheimer, Mr. Thorpe second. None opposed. Mr. Carr abstained.

OLD BUSINESS: None

NEW BUSINESS:

SBC Laundromat – Block 301 Lot 2 – 483 Woodlane Road – Extension of Resolution 20-2018 for a retail facility of 11,780 s.f. and for a car wash of 4,671 s.f.

Motion to approve Mr. Thorpe, second Mr. Odenheimer. None opposed. None abstained

Fly High Express – Use variance to permit a truck repair shop. Block 401 Lot 3

This is being continued at the request of the applicant because we didn't have a full Board present.

None opposed. None abstained.

Rancocas Holding – Use variance to permit parking/storage of vehicles. Block 201 Lot 10 & 11.

This is being continued at the request of the applicant because we didn't have full Board present and some legal issues regarding Highland Drive.

None opposed. None abstained.

Ronald and Jennifer Devaney – 42 Roberts Drive – Block 906.01 Lot 21 – To construct a 24' x 40' Pole Barn.

Matt Madden (Mr. Madden) states - I'm the attorney for Ronald and Jennifer Devaney of 42 Roberts Drive. This is in your R1 residential zoning district. My client is proposing to construct a pole barn which would total 960 square feet. The pole barn would measure 24 feet by 40 feet. We're here seeking a variance related to the size of that proposed accessory structure. Your ordinance allows accessory structures like the one proposed but depending on how you define the structure itself. That will set what the parameters are for the allowable square footage. The ordinance allows a 200 square foot building if the building considered a storage building. However, the ordinance allows up to 600 square feet if the structure is considered a private garage, which we believe this fits that definition. That definition in the ordinance is a building or space accessory to a residence which provides for the storage of motor vehicles, and in which no occupation business or service for profit is carried out. My client will give some testimony in a little bit about exactly what his intent is for the structure. Regardless of how it's characterized, we need a variance for the overall size of the structure. In reviewing the ordinance today, I came upon what will likely be another variance requirement and that's related to the location of the structure. Mr. Madden shared his screen with exhibits A1 through A12. Your ordinance provides that with respect to accessory structures that an accessory building cannot be located closer to the front lot line than the rear building line of the principal structure. Now, this wasn't picked up until later and it's not in your engineer's letter, but I'm considering this where my mouse is the rear line of that principal structure, and that pole barn would fall slightly forward that so I just wanted to alert you to the need for that variance and we will be requesting that tonight. I included a couple aerial shots in the application. The pole barn is proposed for this area where the driveway terminates. I wanted to alert the Board that I am the attorney for one of the board members so I'm going to assume as much as I'd like him to vote that he's conflicted out of this. My client's going to provide testimony mail unless there's any initial questions.

Mr. Sullivan swears in Ronald Devaney (Mr. Devaney)

Mr. Devaney states he has lived at 42 Roberts Drive, Westampton, NJ for year and a half. This is the high point of the property, and any stormwater would flow away from the neighbors. It is level with the driveway and it's a very flat spot at the high point. I have a few antique cars, lawn equipment, and tools that I would like to store in the pole barn. Mr. Madden shows pictures of these cars. There will be no business being conducted inside this pole barn and this will not be a residential building. The building will have basic electric with some LED lights and some outlets. Outside we will have security cameras. To reduce visual impact to the neighbors we are going to plant arborvitae along the line to shield the view. This structure will comply with the side yard setback requirements, and it will vary from 6.5 feet to 7.5 feet. There are several types of detached garages in our neighborhood. Mr. Madden shares photographs of these structures.

Mr. Guerrero states – These exhibits need to be forwarded to the Board Secretary to have on file. The exhibits will be marked A1 through A12.

Mr. Guerrero asks - How mature are the arborvitaes going to be upon planting? Besides the electric are there going to be any other utilities installed?

Mr. Devaney states - I think they usually come like seven-eight feet, and they will be planted five feet apart. There will be no other utilities installed.

Mr. Thorpe states – The arborvitaes come anywhere from a six to eight-foot range. So that's always preferred. I recently built a pole barn, and I did our arborvitaes at 6' as starters and planted them 3' apart and that worked well. My only comment and it's not a requirement, but I would consider the arborvitaes being closer than five feet apart. Five feet is wide and if you really want to make your neighbors happy, I suggest 3' apart. The only other thing I wanted on the record for the minutes, I'm not terribly unhappy, but I would have liked to have seen all this package when it was submitted before tonight. So, I want that on the minutes for the record, that when people submit the applications, they should be complete. That would be very much appreciated by this Board. But I think other than that I have no questions.

Mr. Guerrero asks Mr. Madden to go back to the picture of the coloring rendering of the pole barn.

Mr. Madden shared the colored rendering of the pole barn.

Mr. Guerrero asks - This looks great as is but are the doors going to match the doors of the current three car garage?

Mr. Devaney states - Yes, we're going to change the color of the shutters and the doors and we're just waiting for the actual barn to be built to be able to match the colors.

Mr. Guerrero states - So the pole barn door will be painted to match?

Mr. Devaney states - I believe the pole barn door will be white but the door on the garage is white. The front door and the shutters will be changed.

Mr. Guerrero asks if there were any questions from the Board members?

Mr. Carr asks - May I ask a question even though I must abstain from the vote? I was just curious what the height of the building was?

Mr. Madden states - The maximum height to the peak of the roof is 16 feet.

Mr. Guerrero asks if anyone else from the board have any comments or questions before I open up for public comment? There were none.

Mr. Guerrero opens the meeting for public comment.

James Robinson (Mr. Robinson) raises his hand and Mr. Sullivan swears his in. I'm the house that's next door and I'm a realtor as well with Keller Williams. I know this whole area well and I've been here for about 10 years. My main concern is the location because the driveway slopes down. You know, the other structures in the neighborhood that were presented are either closer to the house or they're toward the back of house. I would like the pole barn to be moved either closer to his house or on the other side of the house away from my property line. The trees as being presented will be right on my property. I understand the need for the facility, but my only concern is the location. I think it needs to be closer to the house or closer to the forest or the tree line in the back of the property. With it sitting right on my property line it's going to be a big eyesore. I know it will be nice looking but nevertheless a big structure that's going to be eyesore.

Mr. Guerrero asks Mr. Devaney – What is the width of the structure?

Mr. Devaney states – It's 24' wide.

Mr. Guerrero states - From looking at some measurements here from your survey, and as well as Google Maps, it looks like your driveway termination at the back is about 20' so that's about right to?

Mr. Devaney states - The street is about 20', but it goes about another six to eight feet and it bumps in a little bit to the actual house garage. There's a bump out there and I was trying to line it up with that and put the bump out on the driveway.

Mr. Guerrero states – I will leave it up to the Professionals to see if they feel it can be moved to accommodate Mr. Robinson. Mr. Dochney and Mr. Roberts, do you see any way of giving them extra space here or do you think the placement of where he's got it proposed is probably the best place?

Mr. Roberts states - It looks like a pretty good location. If you were to move it in more towards the house, you would probably have to do some additional pavers to kind of address that. Whoever is driving in and out of it would be able to do that without having to go over the grass. You could obviously push it back towards the woods, but then you would have to do something to get to it which I don't know that that this is necessary in this case. The driveway just makes more sense from a practicality standpoint. I have no real concern and no more comments.

Mr. Dochney states - I agree with everything Mr. Roberts just said. It looks like there certainly is room to move it closer to the house or further back that would require changes to the paving or additional paving to create a larger driveway. Your ordinance does allow accessory structures to be set back up to six feet from a property line and they are proposing six feet six inches as was noted on the survey. Not to downplay any of Mr. Robinson's concerns, but by moving the structure is going to be much of a visual difference whether it's seven feet off the property line or 10 feet off the property line it's going to be just as visible. The only thing that's going to make a difference is with proper landscaping, buffering and perhaps a fence. I'm looking right now it doesn't look like there's a fence separating your properties. Is there a fence?

Mr. Robinson states – There is no fence, and my point was yes to move it a tad back or closer to the house. This type of structure is huge, and you aren't going to be able to hide it. It's going to be an eyesore regardless as far as size and location of it. I'm saying push it back or put it a little bit closer this house and it does make a difference to me because it's at a low point and there is going to be water run-off. He says it's a high point but if you stand at the street, you can see that the driveway slopes down. So, when you put this structure in there it's going to run off towards my property and that is a major concern I have.

Mr. Dochney states - Okay, I'll defer to the engineer on the runoff issues. There certainly is enough room to shift the structure in any direction because their backyard there is pretty large just require some adjustments to drawings. The only other comment I can make in terms of the orientation of the proposed garage looks like it's being set either parallel and perpendicular to the driveway itself, whereas the property line adjacent to the driveway is that a bit of an angle so that six feet six inches on the back and I think that's seven feet six inches in the front. If you rotate the pole barn a little bit, maybe make it parallel with the property line that gives you a little bit more space also for the landscape buffering to be put in.

Mr. Robinson states – I wasn't looking for it to be rotated, it I'm saying just move it over a little bit.

Mr. Dochney states - There is certainly space to move it further away from the property line if the board wants to see that. The variance they're requesting tonight is just for the size of the garage and not necessarily its placement. The placement can be a consideration here so that is a valid discussion point.

Mr. Madden states - The neighbors' concerns are always valid. He's got to live with what we're trying to create here with uniformity. If you see the photographs that come with the application it gives a healthy, pretty robust landscape buffer that shields that driveway, and we were trying to keep uniformity and continue that buffer along that property line to

create some separation there and then over time completely shield the struggle. There's certainly room to move it around but we were also trying to avoid you know pouring unnecessary impervious coverage onto the lot.

Mr. Robinson states – This structure is bigger than all the exhibits that were shown tonight. It needs to be moved closer to his house. This is too big for a housing development.

Mr. Sullivan states - Thank you Mr. Robinson for your comments. I just want to remind you the Board does hear comments, but it's not a question-and-answer session at this time. We are going to turn it back over to the Vice Chairman.

Mr. Guerrero states - Thank you for your comments, Mr. Robinson and we will take them into consideration. Are there any more questions from the public regarding this application? There were none and it's closed for public comment. Are there any questions from the Board regarding this application?

Mr. Fagan states – Mr. Madden is associated with one of my businesses so I'm going to have to recuse myself.

Mr. Guerrero states - For the record I did get a message from Mr. Henley that he did come in before this application and has listened to the testimony so he can vote.

Mr. Oddenheimer states - For clarification of the variance that is being sought. The size of the proposed garage versus what's permitted for the accessory structure so what is the relief being sought?

Mr. Guerrero states – It's strictly based off size because it exceeds the allowable square footage legally allowed.

Mr. Guerrero states - I was taking what Mr. Robinson said and, in his comments, and outside of being able to move the pole barn a few feet. I think what I'm seeing right now is the best orientation outside of the 90 degrees and with the additional landscaping I don't see what else you could really ask for hiding this building from this neighbor. So, I would assume that this would probably be the best layout

Mr. Guerrero asks – Anyone on the Board have any other comments? There were none.

Mr. Guerrero asks Mr. Sullivan – Can you give us a brief synopsis of what we're voting on here tonight?

Mr. Sullivan states - This is an application for a bulk variance by Ronald and Jennifer Devaney. Seeking to construct a 24' by 40' pole barn totaling 960 square feet with a maximum height of a 16' roof. The property is a single-family residence owned by the applicant. The subject property is in the r1 zoning district at block 906.01 Lo 21 otherwise known as 42 Roberts Drive. This is an irregular shaped lot with 200 front footage. The applicant seeks a variance from sections 250-10(B)(4) and 250-22(A)(1) of the code. The Board can grant the requested bulk variance relief where the applicant proved the positive and negative criteria. The applicant satisfied the positive criteria by showing the application advances one or more purposes of the MLUL such as promotion of the general welfare or by showing that applying the Townships ordinances will result in a unique or undue hardship. The applicant must show how the negative criteria meaning that the applicant can be granted without substantial detriment to the public good or substantially impairing the master plan or ordinances. The majority of votes are required to approve and if any of the members have any conditions of approval, please state such prior to voting.

Mr. Dochney states - I would like to thank Mr. Madden for pointing out the other variance that is required. That is the location of the pole barn is forward of the rear building line. Which is in the same section of the ordinance that limits the size. It's something that Mr. Roberts and I overlooked and there are technically two variances being requested. Motion to approve Mr. Thorpe, Mr. Hoshue second. None opposed. Mr. Carr and Mr. Fagan recused.

INFORMAL APPLICATIONS: None

CORRESPONDENCE: None

COMMENTS FROM BOARD MEMBERS, SOLICITOR, ENGINEER, PLANNER, AND SECRETARY:

“Master Plan Warehouse Report Draft” – Discussion only no action will be taken on this item.

Mr. Dochney states - We completed a draft of the warehouse and distribution center report, which is the intent that this will ultimately be adopted as a technical appendix to the master plan. As I'm sure most of you are aware, since it has been brought up in virtually every one of the planning board meetings that we've had for the past three or four months. The town did contract with us to prepare a report. I as well as Mr. Guerrero, Mr. Thorpe, and Mr. Carr as a subcommittee along with the township Attorney Bob Wright. We've been working as a subcommittee to put together a report largely focusing on trying to look at some potential updates to the township code regarding industrial uses in general and most specifically, looking at warehouses and that the township code for industrial uses as it is currently in place was adopted in 1987 and has had a couple of minor updates since then. In the last two years or so the warehouse industry has really exploded and the pace of growth of that industry has significantly outpaced the ability of the township code to properly regulate such facilities. So, considering the recent warehouse applications, and it's not just in Westampton but all over Burlington County. We did we looked at your current regulations as well as some advice I should say from a state guidance documents on properly citing warehouses and some factors that a town can do to mitigate their impacts. Hopefully you've all been able to at least skim over the draft to provide us with some feedback. I can make the updates or changes with the intent that perhaps next month this will be in a form ready for the Board to adopt as technical appendix to the master plan which lays groundwork for the Committee in the future. They can then make any changes to the land use ordinance that are deemed necessary. Mr. Dochney briefly went over the report draft. I would like to turn it over to Mr. Guerrero, Mr. Thorpe, and Mr. Carr since they were part of this subcommittee to see if they wanted to add anything before it's opened to the Public.

Mr. Guerrero states – We talked about lighting as well which is not part of this draft but may be part of the final draft. I don't think we talked about color temperature.

Mr. Thorpe states - We did not talk about it specifically, but it is something that I wanted to address for the final draft.

Mr. Guerrero states – I think that it should be somewhere between 2700 to 4000 would be the most acceptable range for lighting those type of properties. I know we have current design standards and maybe this is something that we need to address since other Townships send out these to a third party for their review? This may be something that we need to look into just in case we ever run into situations that we've run into some type of difficulties or some type of arbitration for design standards that will be suitable for both parties, the township, and the applicant.

Mr. Dochney states – We can include a recommendation of that if that is what you guys want. I don't know if there are any laws written restricting the number of professionals that can represent a board, certainly plenty of other towns that we work with have the engineer review all applications myself as the Planner review a lot but not necessarily all applications. Landscape Architects come in for certain parts of the review, sometimes I've seen that happen especially for cell phone towers, the radio frequency engineer comes in to help with those reviews.

Mr. Guerrero states - It was just something that maybe we would want to entertain.

Mr. Dochney states – That's something that wouldn't be out of the question. If you're talking about design standards, in terms of building design, that you have an architect come in as well to provide us some guidance there.

Mr. Guerrero states – Yes, that is what I'm referring to.

Mr. Guerrero asks Mr. Thorpe - Do you have anything to add to the lighting?

Mr. Thorpe states - I think that's what we've been doing as our standard is 2700 to 4000. I'm really leaning towards trying to go into the warmer tones. I'm investigating a lot of stuff because some of the stuff that comes over doesn't give

a good CRI which is the Color Rendering Index. On some of the things we've seen have CRI's of 74 which is just worthless. I'm trying to come up with proper wording which I will send over to see if that's of interest to people to up that. That way lighting actually renders colors on a building much more realistically at night and tends not to look like yellow green stuff. We did talk about the lighting and putting into the standard that warehouses particularly should be falling the dark light concept. That concept is critical for me, and it means that all lighting is shielded from public view, and you don't see the source itself you see a light that is necessary. We did talk about footcandles and trying to address in the ordinance down the line to change that from .5 footcandles to 1 footcandle. Those are a couple of things that we did chat about and how to get that into either this draft or give suggestions to the township committee to update pieces of the ordinance to reflect those positive things.

Mr. Guerrero asks if anyone has anymore comments regarding this draft report.

Mr. Carr states - I remember us speaking about the architectural designs and trying to get these warehouses to use bricks and I see that it made its way in there. Mr. Thorpe and you had suggested that making it look like a home or a house if possible. I think that's a really good idea I think we should consider that a little bit more and if it's feasible to make it required.

Mr. Dochney states - We did not specify materials that it would be brick and we don't specify it to look particularly residential. We did have some of this discussion and Mr. Thorpe pointed out a building that is located at Springside and Rancocas and there's an office building there. That certainly could be something that can be included to some degree, but I would caution with that idea that the scale of a residential building and the scale of an office building might not translate very well to something that's 1.6 million square feet. A 500,000 square foot warehouse trying to imitate the residential architectural character of a group of rowhomes or townhouses it's going to be difficult to do. It would be 800 linear feet of a brick row house, as opposed to 800 feet of concrete wall. Depending on architectural treatment could be better and in some ways that might end up being worse. Primarily what we are trying to do with a lot of these standards of requiring the landscaping buffering all around is to make these buildings, so they are not highly visible. No architectural treatment is going to make a 1,000,000 million square foot box that is 40 feet high warehouse make it look any better.

Mr. Guerrero states – We are trying to avoid the look of a plain blank wall because there is nothing attractive to it. We're trying to avoid that by adding these standards within this recommendation.

Mr. Guerrero asks Mr. Dochney when can we expect to have this draft finalized.

Mr. Dochney states – Next week. I don't know that we need to open this to the public tonight since it's just formal discussion amongst the board, but I'm not opposed in doing that. From what I heard from the subcommittee that you want this to be a public process and have transparency. Since we have members of the public on the call tonight, I would like to hear their thoughts and they can shed some further insight on something that we can include into the report.

Mr. Fagan states – I would like to hear from the public as well. I'm very happy to see this report and what Mr. Thorpe, Mr. Guerrero, CME, and Mr. Carr came up with. I've lived here for a long time, and I grew up here and I will say that the zoning for these warehouses needs to be updated. A lot of people have issues with some of the things that have been built over the last 10 years and I feel like the rezoning East of the Turnpike to R1 and R5 is fantastic, and it does seem appropriate for the West side of the Turnpike on Route 541 as well. I agree with Mr. Guerrero that getting an architect for a design review would be fantastic and we can have more input and an educated say on what can and can't be done and what is feasible as far as the actual look of the warehouse. I agree that our standard should look like the warehouse picture from Florence. I agree with Mr. Thorpe about the lighting because with the CRI you have color temperature if it's a 70 CRI and it's like weird green or magenta colors. At least an 80 or 90 CRI would be better it might cost more but it does make a higher impact to have a higher CRI. I support having a higher standard for lighting and color temperature. I

Mr. Guerrero asks if anyone from the committee have any other comments? None. Before I open this to Public for comments regarding what they heard tonight they should be informed that we will have a final draft of this report available soon for dissemination and for your review. It will be posted on the Township website and a formal presentation of this report at our November meeting. If you do not have any comments this evening, you will have a chance to review it and ask questions during the November meeting.

OPEN MEETING TO PUBLIC COMMENT:

Mr. Robinson states – This is my second house in Westampton, and I’ve lived in Westampton for about 14 years and lived on both sides of 295. I’m glad you made this thorough report and happy to see it. I just want to get clarification that you are going through this process to minimize the impact that it has on the Environment of the residential area, correct?

Mr. Dochney states – Yes that is one consideration. We are trying to minimize the impacts of the warehouses would have on residential communities.

Mr. Robinson states - But we can build anything we want in our own residential area?

Mr. Dochney states - Well, anything that is currently permitted within the residential zone. We are not proposing with this report any changes to what would or would not be permitted in the residential zones.

Mr. Robinson states – An earlier vote just gave permission to build something that is way oversized in a residential area. That's what I’m trying to understand the inconsistency.

Mr. Dochney states – Just for clarification this report is a draft and ultimately will be adopted in some form hopefully something very similar to what was presented tonight. The applications that have already been made before the Board including the one that was voted on this evening as well as any pending applications this report has no bearing on that. Once an application is made the Board is obligated to act on it under the laws that were in place at the time of that application. I just want to make things clear that if this report is adopted whether it's November, December, or January, that doesn't wipe out that application if anyone is thinking that's going to be the case.

Mr. Guerrero states – Even if we act on this it’s up to the Township Committee to make the changes.

Mr. Sullivan swears in Terrence Brown 9 Pine Tree Drive, Westampton, NJ – I would like to commend you guys on being able to get this report together. I’m looking forward to being able to view it and offer some other suggestions that I may have if they aren’t already included. I think the planner said that it may be available sometime next week on the township website. I’m looking forward to sitting down and going through it.

Mr. Guerrero states – Once it’s available to the Township it will be posted on the township website. We are required to have at least seven days of public notice as well as a public time to review that report prior to its public comment and for the for the November meeting.

Mr. Sullivan swears in Christina Goetz 109 West Maple Tree Drive, Westampton, NJ - I wanted to say thank you because I know that all of you are volunteers except for Chris and you have put in a lot of time to look at the master plan and try and change things so that we can keep that hometown look of Westampton. I wanted to thank you for putting your time and effort into everything and I look forward to the final draft.

Mr. Sullivan swears in Ryan Byrd 304 Irick Road, Westampton, NJ - Obviously we are still waiting for a final draft to review but I notice we are talking about moving just two residential areas and I’m sure that there is other analysis in there about other residential communities in Westampton. I just want to make sure those items are sited and noted because everyone must have a fair shake at that. One of the larger things that I've noticed and just seeing what maybe

future legislation around warehouses in New Jersey as well as traffic and other things that are associated with that cannot just be a single Township focus. I don't know if there's anything in this plan about how Westampton is a small community it borders many other communities that are all in the same development problem right now with warehouses and we all share the same highways. One thing that I have always noticed on all the calls when there is this conversation about traffic that there is a tactic of well that's at the County level because it's a County Road and it's not our problem when honestly, it's our problem. Is there anything going into the report analysis about the development in the other communities and how all of this comes together? We all share the same roads and now on 541 the traffic is bad at rush hour and will only get worse with the development of warehouses. Is there anything regarding noise? Many Township residents work remotely and traffic noise from the trucks and high decibel levels, especially in areas like next to the Technical School that is proposed. That could have detrimental effects on children and education and can create learning deficits or productivity with noise distractions.

Mr. Dochney states – Regarding the traffic, you are mostly correct in a large degree this Board is limited in its ability as the Township in general and anything that we put in the master plan. Most of the major roads in Westampton are Burlington County roads and two interstate highways. So, jurisdiction of what is allowed or not allowed on the roads really up to Burlington County or the New Jersey Turnpike Authority. We do have a recommendation in the plan that the Township to reach out to Burlington County and try to work with them. We are recommending that anytime a warehouse is adjacent to an existing residential use or residential zone that in addition to the berming and landscaping that a sound wall be installed.

Mr. Byrd states – I'm concerned about the general traffic sound and a sound wall isn't going to stop that.

Mr. Dochney states – One of the primary recommendations here is to ensure where warehouses are permitted which is the four zoning districts, we already talked about primarily making sure that those are locations where trucks should not have to drive in front of somebody's house to get to the highway.

Mr. Brown states – I have another comment. I wanted to see if there can be a distance between warehouses and neighboring counties added to the master plan? Can you put a restriction on how many warehouses you have in a particular area?

Mr. Dochney states – I don't know if there is any case law on this type of thing but generally speaking and my understanding is other than the new cannabis businesses or sexually oriented businesses, I don't think the Township will legally be allowed to put a cap on the number of warehouses that is allowed in the town or exact footage of a warehouse. The Municipal Land Use law requires that towns be permissive in finding somewhere that every use or legitimate business is allowed and placing restrictions on them would be legal.

Mr. Sullivan swears in Bryan Oneal, 15 Mayfaire Circle, Westampton, NJ – With the master plan you guys are drafting and hopefully implementing by the end of the year, has anything been taken into consideration regarding the land that Virtua Hospital was going to build on. I know it can work within our system currently except for

Mr. Guerrero states – That land is in our sensitive area on the report, and it currently does have the overlay for a hospital use if a hospital decides to build there.

Mr. Oneal states – What happens if the hospital decides to sell that land? Would it be rezoned at that point?

Mr. Guerrero states - The original zoning on that property that would still be in effect.

Mr. Dochney states – That property is not zoned to allow warehouses and we are not recommending for that to be rezoned to allow warehouses. If they wanted to build a warehouse they would have to come before the Board and request a use variance.

Mr. Oneal asks – Is the land where the Fountains were going to be built taken care of also?

Mr. Guerrero states – That is a piece of property that we recommended change from commercial to Business 1 which would allow warehouses within that lot. There is an approved plan there and they just came before the Board to request a one-year extension on that approval.

Mr. Oneal states – I just wanted to let you guys know that I know it's not an easy job, but you guys are doing a good job and I want to thank you.

Mr. Thorpe states – Part of the idea of rezoning that particular piece of property to B1 is because we are suggesting to take away two of the industrial zones and making them residential zones. We thought that trying to move something that if someone wanted to build a warehouse away from the center of Westampton this was probably a good trade off we are trying to make things better for everyone. This report is only a recommendation and then it's up to the Township Committee to see if they want to use it and if they want to rezone anything.

Mr. Brown states – Regarding to what Mr. Thorpe just stated regarding the Industrial Zone. Would the farmers still be able to farm on that land if you change the zoning?

Mr. Guerrero states - There is no zoning or farming and it's allowed in any zone.

Mr. Dochney states – Regardless of the zoning if you are an existing use prior to the zoning change you are legally entitled to keep your existing use.

Mr. Guerrero asks if there are anyone else have any comments? None. Closes the Public Comment. Does the Board have any other comments?

Mr. Carr states – I would like to thank the subcommittee for volunteering their time to put together this draft report.

Mr. Henley states – I would like to thank the subcommittee for volunteering their time and coming together and working hard to get this draft report done and making sure that we are putting Westampton in the best situation.

Mr. Thorpe states - I want to thank Chris particularly and everyone worked on this. I'm proud of it and we tried hard and I'm looking forward to the final draft and getting it out to the public. I think this is what people have wanted. It is not a complete overhaul of our entire zoning system but it's some good recommendations to try to keep Westampton the town that we moved into and love.

Mr. Guerrero states – We have our special meeting on October 25th at 6:30 p.m. Just for the Board's information because these applications tonight were moved to November; we most likely will be having another special meeting in November. Expect an email from Jodie looking for your availability for some potential dates in November.

Mr. Roberts states – I have an announcement. Jim Winckowski is leaving CME. Starting next week, I will officially be the Board's Engineer and I look forward to doing that in an official capacity.

ADJOURN:

Motion to adjourn Mr. Carr, Mr. Thorpe second. None opposed.

Respectfully Submitted,
Jodie Termi, Board Secretary