

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

November 2, 2022

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on November 2, 2022 at 7:00 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by the 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. Borger, Mr. Carr, Mr. Fagan, Mr. Guerrero, Mr. Henley, Mr. Holshue, Mr. Jones, Mr. Odenheimer, Mr. Thorpe
Absent: Mr. Grace, Ms. Tolor
Professional Staff: Attorney Nicholas Sullivan, Engineer Michael Roberts, Planner Chris Dochney, Secretary Jodie Termini

SWEAR IN PROFESSIONALS: Mr. Sullivan swore in Planner Chris Dochney and Engineer Michael Roberts

MINUTES: October 5, 2022. Motion to approve Mr. Jones. Second Mr. Odenheimer. None opposed. None abstained.

RESOLUTION(S):

25-2022- Ronald and Jennifer Devaney – Block: 906.01 Lot: 21 – 42 Roberts Drive, Approval of a Bulk Variance to construct a 24'x40' Pole Barn.

26-2022- SBC Laundromat – Block: 301 Lot: 2 – 483 Woodlane Road – Extension of Resolution 20-2018 for a retail facility of 11,780 sq. ft. and a car wash of 4,671 sq. ft.

OLD BUSINESS: None

NEW BUSINESS:

Westampton Residential Development, LLC – Block: 204 Lot(s): 2 & 2 Q-farm – Use Variance to permit the storage of construction trailers and temporary parking located at Springside Road. John Giunco, attorney for the applicant was present. Josh Hanarahan, Civil Engineer with Hammer Land Engineering was sworn in before the Board. The applicant is seeking a Use Variance to allow (16) 8'x20' Storage Containers (steel cargo containers), (1) 32'x8' Construction Trailer, (1) 20'x8' Construction Trailer, and temporary parking. Mr. Hanarahan testified that the storage containers are needed to store supplies as they become available as they are having a hard time getting supplies. The construction trailers are critical for construction activities. All storage containers and construction trailers will be locked and have lighting consistent with the Township requirements. Fire protection water is available on site with active fire hydrants that have been tested and fully pressurized. Therefore, they will have no impact or adverse effects to the surrounding area.

Mr. Holshue commented that there is currently no power or gas on site and won't be available until February or March. How are you going to keep the construction trailers heated?

Mr. Giunco commented that it was his understanding that the applicant would use temporary power or generators.

Mr. Holshue commented to make sure the Fire Marshall has been notified about the generator and obtain any permits that might be needed.

Mr. Giunco commented that he will make sure that is coordinated with the Fire Marshall.

Mr. Roberts states if they are going to use generators there may be a need to put a 500-gallon fuel tank on site so they can keep these generators active. If they choose to do that would have to be permitted and have spill kits on the construction site when you have gasoline or diesel fuel on the site.

Mr. Sullivan swore in Terrance Brown – 9 Pine Tree Drive, Westampton NJ - Asked Will there be any type of security used for the trailers?

Mr. Giunco states – The entire site is monitored by a security company that visits the site during evening hours when the site is not active for construction.

Mr. Borger asks – Will there be signs posted that the property is monitored by security?

Mr. Giunco states – That isn't in the plan but can be done if the Board wants that.

Mr. Borger states – The Board wants the signs posted.

Mr. Giunco states – He will have a total of 4 2'x2' signs mounted at the corners and entrance of the construction site.

Mr. Guerrero states – In the Resolution it needs to state how many containers and how many construction trailers they are requesting and give them an expiration date of when they need to be removed by.

Mr. Borger states – I propose that we cap it at 36 months and if they need more time they would have to come back before the Board for an extension.

Mr. Guerrero made a motion for the approval of the maximum of 16 storage containers for a maximum of 18 months and 2 construction trailers with their associated alternate locations for a maximum of 36 months. Also, four security signs 2'x2' at the locations indicated by the applicant. Second Mr. Oddenheimer. None opposed. None abstained.

Fly High Express – Block: 401 Lot: 3 – Use Variance to permit a truck repair shop. Sarah Werner, attorney for the applicant was present. The applicant is not seeking a site plan approval at this time and has elected to bifurcate the application. If the Board acts favorably upon the request for a Use Variance, then we will submit a separate application for the site plan approval. Mr. Sullivan swears in Bob Stout, Engineer and Lee Klein, Traffic Engineer, and Mark Remsa, Planner. Mr. Stout states his credentials and was approved as an expert witness in Civil Engineering. Mr. Stout testified that this is a 4.18-acre parcel that is currently vacant. We are proposing a 3600 sq. ft. building with three bays. One bay will be used as office space. The other (2) 20'x6' bays will be for the repairs. The garage access would be from the West side not toward the street. There will be 7 employee parking spaces although they have 5 employees, and their hours

are from 8 a.m. to 8 p.m. Monday – Saturday. There are 13 tractor and trailer spaces for storage area while waiting to be worked on. The trash will be enclosed by a fence and on a 10'x20' concrete pad. That will be one side trash and one side recycling. We are proposing to install evergreens and other landscaping which we will work with the Board's Planner on that. We are proposing a berm with a staggered row of Evergreens and some sort of 6' fence so the site will be self-contained from a landscaping perspective. We still have to meet the new stormwater management requirements of the DEP and we are still waiting for approval.

Mr. Oddenheimer asks is this just a truck repair or trailer repair or both?

Ms. Werner states it is intended for both? It is not intended for a storage facility.

Mr. Sullivan swears in Gurpreet Singh – Owner/Applicant – Our plan is to do truck and tractor repair on this site. The 13 parking spaces that we have are not just for trailers. We made them that size, so a trailer was able to be parked there. People usually make appointments with our shop, and we mostly perform minor maintenance, tire rotation, oil changes and stuff like that so usually the vehicle would be done in one day. If the repair needed parts that we didn't have the vehicle could be there a couple of days until we get the part delivered.

Mr. Dochney asks Mr. Singh – How did you decide on this site? Did you look at other sites in town and what attracted you to this parcel?

Mr. Singh states that because the area is surrounded by warehouses and the logistic industry increasing, we found this to be a perfect sight.

Mr. Oddenheimer asks – Are you going to be a towing facility? Will tractors be able to be towed here overnight?

Mr. Singh states – We are not a towing facility, but they can be towed by other companies to our shop.

Lee Klein states his credentials and was approved as an expert witness in the field of Traffic Engineering. Mr. Klein testified that he prepared a traffic engineering report dated 6-2-22 based on a total of 20 parking spaces, three service bays, and on 1800 sq. ft. of office space would have no significant impact on operating on the road. This project has been redesigned due to the Wetlands delineation to two service bays and 1200 sq. ft. of office space. The numbers that are projected are 1/3 greater than what it should be because my report was based on the original proposal. I believe that the parking is adequate for this use, given the fact that there are a total of 20 parking spots. Thirteen of the spaces are for customers of this facility and the other seven are for either employees or customers.

Mark Remsa states his credentials and was approved as an expert witness as a Planner. Mr. Remsa testifies that he has reviewed the Townships Land Use Ordinance and Master Plan. This property is a wooded parcel that is a little over four acres in size and is in the Commercial district. The southeast corner will be developed and 2/3 of it kept to the natural wooded state. The proposed use is a service use to provide service to the industries around it and will enhance the industry area. He listed five points of positive criteria. As negative criteria he testified that there is no detriment to the public good and will not impact the surrounding area. As far as reconciling with the 2000 Master Plan reexamination report and this is going to be a very attractive use being buffered and it will create a desirable non-residential use in the C zone. In conclusion I believe that the use for this can be granted and have no impact and meets all the tests for the Use Variance.

Mr. Guerrero asks – What kind of noise can be anticipated from this kind of structure?

Mr. Borger asks – Is there a way to insulate this type of structure?

Ms. Werner states – There are statewide and municipal codes that have noise ordinances levels that we are not allowed to exceed, and we will comply with that. I don't know if the building can be insulated and that hasn't been looked into at this juncture. We're here for the Use Variance but it's something we can review.

Mr. Singh states – The work will be done inside the bays. With today's technologies and the tools that we have I don't see noise as a problem. It's going to be regular maintenance, tire changes, oil changes etc. If the Board requires insulation, we can look into that. The doors will mostly always be closed because of insurance purposes and liability issues.

Ms. Werner states – At this point I want to reiterate that the applicant is willing to work with the Board to make sure that any impacts of the surrounding areas are minimized. We will work with you on the windows, ventilation, and the noise reduction.

Mr. Guerrero states – I'm concerned with the noise that will come from the hammers and pneumatic tools and they make a lot of noise and with this type of use because of the proximity to Freedom Village which is across the street approximately 150' away. Mr. Remsa stated that this property is surrounded by industrial area and is considered an industrial node within the Township, and I disagree. Everything around this is Commercial or Residential. I would consider this a sensitive area because of the proximity to the residential areas; therefore, I feel that an industrial type of use being so close to these residential areas is the best use of the property.

Mr. Dochney states – A service station is a permitted use in this area for minor repairs and that is considered a gas station. This is considered a full auto body shop with major repairs and would not be permitted in the commercial district.

Mr. Thorpe states – I agree with Mr. Guerrero this is not an industrial node. Residents do consider this a residential area. I have a big concern with the hours of operation being 8 a.m. to 8 p.m. Monday – Saturday. This is excessive in this type of area and in an industrial zone it makes sense. I don't consider this an industrial zone.

Mr. Werner asks the Board – Based on some of the comments from the Board I'm requesting to continue this application to a future date to get additional studies done regarding the noise of the site as well as some architectural renderings to show the Board and hopefully address some of the concerns. Board agrees to continue but to hear from the Public regarding this application.

Mr. Sullivan swears in Eileen Kursikin- 10 Oak Tree Court, Westampton NJ. – Why are we even considering this when the zoning is not for Industrial? Why do we have zoning maps if we consider variances. Mr. Borger stated that we must consider and accept all applications.

Mr. Sullivan swears in Amber Pingatore – 71 Sherwood Lane, Westampton NJ – I view this area as a residential area. Freedom village is designed for disabled residents and most of those residents do use their mobility scooters to get to the Walgreens across the street. I have big concerns with inviting truck traffic to share the road with the mobility scooter of our disabled residents.

Mr. Sullivan swears in Chris D'Alessandro – 119 2nd Street, Rancocas, NJ – This is certainly in the middle of a residential area to the North, East, and West there is housing. This is not a wooded parcel in the middle of nowhere it is surrounded

by housing. I'm also concerned for the residents of Freedom Village because it is housing specifically designated to empower disabled people and their families to fully engage in the community. Putting this near Freedom Village is not fair for those people. If this is put there, we will have noise pollution, light pollution, and vehicle idling. The bay doors will be open, and we will have workers shouting at each other while doing their work. I'm an Army Logistics officer and very familiar with repair operations. This will have a significant impact on the surrounding community.

Rancocas Holdings – Block: 201 Lot: 10 & 11 – Use variance to permit a truck repair shop. Patrick McAndrew, Attorney for the applicant asked for this application to be carried until December 7, 2022, because we are going to run out of time and all his witnesses won't be able to testify.

Mr. Guerrero states – This application might be a res judicata application. From what was submitted I don't see any substantial changes made to this new application. Can we vote on that tonight?

Mr. Floyd states – The Board must listen to the full testimony for the new application to know if they submitted substantial differences.

Mr. Sullivan states – We can move this application and the applicant can give testimony in December. The Board agreed to move this application until December 7, 2022.

Technical Appendix to the Master Plan Warehousing and Distribution Centers

Mr. Dochney reviewed and gave a summary of this report.

Mr. Borger asked if there were any questions from the Board. None

Mr. Borger then opened this to the Public for discussion.

Ronald Kuriskan – Everyone has done a great job putting this report together. Mr. Dochney did a great job with the overview. I urge that the Appendix be approved and adopted and the areas get rezoned. I would like all Board members to go on record that they have read or not and comprehend and understand the Warehouse and Distribution Center Technical Appendix to the Master Plan dated 10-10-22.

Mr. Sullivan states – This Appendix even if approved by the Township would not impact the ongoing application with Woodlane Logistics, because it was initiated prior to any amendments to the zoning plan. The Board is not required to go to some type of poll or vote regarding the reading of the report. If they vote on it tonight, you can be assured that they read it.

Amber Pingatore – Thank you to everyone that was involved with this report. I feel my voice was heard this report addresses all the concerns that I had. I really appreciate all the hard work from the Board members. This is a great example of people working hard and addressing concerns and doing something about it.

Eileen Kuriskan – Everyone did a great job. I think we should add a couple of things. On page 14 it talks about sensitive land uses there is a section labeled established residential communities I think the following needs to be added, Tarnsfield, Irick Lakes, and Irick Woods. Under the section schools you might want to add and public buildings, such as fire and ems. Also, our county buildings, Library, Human Services, and the weather station on Woodlane Road.

Andrew Feranda – I’m a Professional that is here for another application but I’m going to speak out of my field not as a Professional but as someone that has been listening. I’ve served on Boards and gone through master plans, and this is a very detailed and great guide for Boards to use. I want to bring this to your attention regarding the Solar power requirements and I know there is some flexibility in there but be careful because there could be some structural requirements to larger warehouses when you put solar panels on the roofs. That may increase or change the structure of the buildings and it may also change liability of the buildings base on the electric now being on the roof. Maybe consider parking canopies for solar rather than on the roof tops.

Mr. Holshue states – There are safe says that permit solar panels to go on the roof and not endanger the building or life safety.

Mr. Thorpe states – This is important to me and solar is a big deal. When we put it in we didn’t state that It has to be on the building just that it needs to be on site.

Terrance Brown states – Thank you everyone for doing great work it’s a great start and should be approved. Is there any type of metric that can be put in to limit the number of warehouses? My concern is losing the character of Westampton if the number of warehouses continue to grow.

Mr. Dochney states – Legally we can’t put a cap on the number or square footage of warehouses. We are indirectly doing that by limiting where they are zoned and reducing the Industrial district by the two proposals.

Mr. Borger closed the meeting to the public.

Motion to approve the Technial Appendix Mr. Guerrero. Second Mr. Thorpe. None opposed. None abstain.

INFORMAL APPLICATIONS: None

CORRESPONDENCE: None

OPEN MEETING FOR PUBLIC COMMENT: None

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

Mr. Guerrero states – We have some Board members that weren’t’ on the Board when the application for Rancocas Holdings was heard. I believe we are going to need affidavits from those Board members on the hearing from the first time around.

Mr. Sullivan states – Yes, those Board members will have to review and provide a affidavit stating that they have fully reviewed the prior hearing.

Mr. Borger states – Mr. Jones, Mr. Holshue, and Ms. Tolor will have to listen and sign the certification.

Mr. Guerrero states – The next round of low to moderate income housing is coming up for 2025 where do we stand on that?

Mr. Dochney states – You are currently safe from lawsuits until that time. There isn't anything that can be done prior to 2025 because as some point maybe late 2024 the State will be putting forward a new set of regulations or rules and numbers for every town.

ADJOURN

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

Respectfully Submitted,
Jodie Termini, Board Secretary