

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

OCTOBER 6, 2021 7:00 P.M.

## MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on October 6, 2021 and started at 7:04 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 4, 2021 and on the Township website. New Jersey Administration Code Chapter 5:39-1.7c was read.

Everyone stood for the Pledge of Allegiance.  
All guests were welcomed.

**Roll Call:** Present: Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Karp, Mr. Thorpe, Board Solicitor Robert Swartz, Board Engineer Mike Roberts, Planner Chris Dochney and Board Secretary Emily Hess.  
Absent: Ms. Haas, Mr. Henley, Mr. Odenheimer, Mr. Otty, and Mr. Wisniewski.

Solicitor Robert Swartz swore in the Board Professionals.

The minutes of the September 1, 2021 meeting were not completed and will be approved by the board at the November 3, 2021 meeting.

**Resolutions:** For approval/ memorialization

26-2021- MRP Industrial NE LLC Block 804, Lot 12 (Irick & Woodlane Rd) - Preliminary & final major site plan (construction of 2 warehouse/distribution facilities 305,040 & 215,280 square feet in size) (continuation from September 1, 2021 meeting)

27-2021- Odise A Carr, Odise Carr, Diana Colon Carr and Senela Ibric, Block 906.01, Lot 17 continued application for bulk variance from September 1, 2021 meeting.

28-2021- New Jersey American Water Company, Block 1203, Lots 17 & 18 – “d2” Use variance, preliminary and final site plan approval, and bulk Variances (continued from September 1 2021)

Mr. Thorpe asked if not having been able to read the resolution itself as a full written resolution if he could vote “yes” without fully reading it.

R. Swartz stated, “No, you cannot vote on it if you have not read the full resolution.” Vote is to be held on the November 3 2021 meeting.

Robert Swartz states that all 3 Resolutions be memorialized at the November 3, 2021 meeting.

Mr. Borger explained to the public that there was a change in administration, the board secretary left, and a new one was appointed.

Resident Louis Shore of 205 Irick Rd spoke “No, Gary, I just want you to deal with serving the people rather than yourself for the past 40 years.”

Mr. Borger states that the resident is out of order.

Mr. Swartz states that MRP Industrial hearing at last month’s meeting was not completed and was to be heard at the October 6, 2021 meeting. A request from the applicant’s attorney requesting that the application be continued at the November 3, 2021 meeting. Moving forward, no further action is required by the applicant.

Mr. Borger clarified Mr. Swartz’s statement to the public.

Odise A Carr, Odise Carr, Diana Colon Carr and Senela Ibric, 34 Roberts Drive, Block 906.01, Lot 17 continued application for bulk variance: At request of the applicant, it will be heard at the November 3, 2021 meeting. No further notice is required by that applicant.

New Jersey American Water Company, Block 1203, Lots 17&18 “d2” Use variance, preliminary and final site plan approval, and bulk variances-

Niall O’Brien, Esquire, from the law offices of Archer and Greiner represents New Jersey American Water Company. States: That because there are only 6 zoning board members present at this meeting instead of the full 7, he asks for 3 minutes to call his client to see if they wish to proceed with the presentation of their application.

Mr. Borger agrees to allow the Applicant’s attorney the time to make the call.

Mr. O'Brien states that he has a decision from his client: His client wishes to present the application in front of all 7 board members and to continue the hearing until the next meeting. The Board agrees that the Application will be heard at the November 3, 2021 meeting.

**Informal applications and Correspondence:**

SPC Laundromat submitted a letter requesting a one-year extension to their site plan approval, they received an initial extension in October 2018. The Board previously granted a one-year extension last year. The Applicant is requesting a second one-year extension. Mr. Swartz requests putting it on as an application for the November 3, 2021 meeting pursuant.

Mr. Swartz asks if the applicant's attorney should be present at the next meeting? Gene Blair states that as long as there are no changes to the original application, he does not see a need for the applicant or their attorney to be present at the next meeting. Board agrees that it will be heard at the November 3, 2021 meeting.

Marion Karp asks: If the Board is able to vote on the SPC Laundromat extension at this meeting, instead of waiting until the November 3, 2021 meeting.

Gene Blair moved to grant the one-year extension and Marion Karp second the motion. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Karp, and Mr. Thorpe voted yes. No one opposed.

**Open Meeting for Public Comment:**

Louis Shore 205 Irick Rd - asked what will be done about the tractor trailers coming down Irick Rd? He also states that the Sunday before he saw a tractor trailer coming off of Irick Rd., turning onto Rancocas Rd., and there was also another early this morning.

Gene Blair states- He understands the residents' frustration and instructs Mr. Shore to go to the police and speak with Chief Steve Ent, and file a report.

Mr. Shore stated that he went to the police and they instructed him to see Gene Blair.

Brian Morgan 3 Maple Tree Dr. – States that his questions is purely hypothetical. Under what hypothetical situation would somebody be granted a continuation

when their testimony has been completed and all that was left to do is listen to the public comment and how long can those hypothetical extensions be granted?

Robert Swartz states- The Board has the right to grant a continuation for an applicant that may or may not be prepared for the evening's testimony depending upon the circumstances; without having facts in front of him it makes it difficult to answer the question. An application that is continued without a hearing) if it is a continuation as a result of the fact that the late hour has forced a continuation. However, if it's just a continuation because the applicant decides that they are not ready, they have up to three continuances generally before requiring a new notice. It does not deem the application invalid.

Gary Borger closes the meeting to the public

**Comments from Board Member, Solicitor, Engineer, Planner and Secretary:**

David Guerrero asked Mr. Borger- if he had time to sign the letter to the Township Committee for the master plan review?

Mr. Borger states that he didn't see the letter. Asked for it to be emailed to him.

David Guerrero gave a summary of the letter which was a result of a conversation at the July meeting, explaining the short falls of the master plan due to the developments that happened over the last few years due to re- development, COAH obligations, and low to moderate income housing that could be some potential problems for the master plan. Normally the Township will do a master plan review once every 10 years as required but can be done more often if needed. LDB discussed some of these shortcomings and felt it was prudent to ask the Township Committee to fund the next master plan review.

Gary Borger wanted the public to know that there is expense in the engineering and planning when they ask the Township to fund the review.

Nancy Burkley asks - If the Dropbox data can be increased. She also states that it costs \$120 per year. She also states that she asked the Township Committee and they said it was too expensive.

Gary Borger states that a letter should be submitted to the Township Committee stating the need for more memory in the Dropbox.

Mr. Guerrero states that the amount of storage is with the Township and if they upgrade the system they will be able to significantly increase the memory.

Mr. Borger states again that we should write a letter to the Township Committee, asking to increase the memory of the Dropbox at \$120 a year or \$10 a month.

Marion Karp states that she used to mail everything out and the cost of postage is more than what the Dropbox upgrade would cost per month.

Mr. Guerrero asks where the older files are kept.

Marion Karp states that she would scan the files all into Dropbox. She doesn't know what happens with said files once they are deleted from Dropbox.

Mr. Blair states that the original files are kept in the Township in the standard paper files.

Robert Thorpe - Wants applicants to submit their applications in a timely manner. He feels that the Board shouldn't be lax about the 10 days in advance policy. He also feels that if applicants do not submit their applications no later the 10 days beforehand , their application should not be heard until the next meeting. He is frustrated with the applicants not doing their job. Also not submitting revisions when they say they are.

Robert Swartz states that the applicant in some situations may not be able to submit certain material at that hearing date. He will look further into it.

Chris Dochney- Has one minor comment to point out that the submission of materials should depend on the complexity of the case. But he agrees with holding applicants to the 10-day requirement. There are minor things that are just points of clarification that he feels don't need to be in 10 days in advance.

No further comments

Motion to adjourn

Respectfully submitted,  
Emily Hess, Secretary  
Westampton Township Land Development Board

