

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

February 2, 2022

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on February 2, 2022 at 7:03 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. Blair, Mr. Guerrero, Ms. Haas, Mr. Henley, Ms. Karp, Mr. Odenheimer, Mr. Thorpe
Absent: Mr. Borger, Mr. Carr, Mr. Grace, Mr. Ottey
Professional Staff: Attorney Robert Swartz, Secretary Emily Hess

SWEAR IN PROFESSIONAS:

Not needed there are no new applications.

MINUTES:

December 1, 2021 Regular Meeting Minutes - Mr. Guerrero asks if any board members have any corrections. Mr. Guerrero states that there is a correction. Mr. Blair is marked present and absent he was absent for that meeting. Motion to approve with corrections Ms. Haas, and Ms. Karp second. None opposed. Mr. Blair and Mr. Henley abstained. December 1, 2021, minutes are passed with corrections.

December 14, 2021 Regular Meeting Minutes - Mr. Guerrero asks if any board members have any corrections. Mr. Thorpe states that there is a correction. Mr. Blair is marked Present and Absent he was absent for that meeting. Motion to approve with corrections, Mr. Thorpe, Ms. Haas second. None opposed. Mr. Blair, Mr. Henley, and Ms. Karp abstained. December 14, 2021, minutes are passed with corrections.

January 5, 2022 Regular Meeting Minutes - Ms. Karp made a motion to adopt the minutes. Mr. Odenheimer seconded the motion. None opposed. Mr. Blair and Mr. Henley abstained.

RESOLUTIONS:

02-2022 Reorganization 2022. Motion to approve Ms. Karp, Ms. Haas second. None opposed. None abstained. This resolution is passed.

03-2022 Authorizing the award of a contract for Professional services and appointing Land Development Engineer. Motion to approve Ms. Karp, Ms. Haas second. None opposed. None abstained. Resolution is passed.

04-2022 Authorizing the award of a contract for Professional services and appointing Land Development Solicitor. Motion to approve Ms. Karp, Mr. Henley second. None opposed. None abstained. Resolution is passed.

05-2022 KCA Westampton Phase 2 LLC, 76 Springside Road, Block 203, Lot 4.01 and 5.02, application for preliminary and final site plan, minor subdivision, and bulk variances. Motion to approve Ms. Haas, Mr. Henley second. None opposed. Mr. Blair and Ms. Karp abstain. Resolution has passed.

06-2022 PAG New Jersey CS, LLC, Block 804, Lot 16, application for minor site plan. Motion to approve Ms. Haas, Mr. Odenheimer. None opposed. Mr. Blair and Mr. Henley abstained. Resolution is passed.

07-2022 MRP Industrial NE, LLC, Block 804, Lot 12 (Irick & Woodlane Road) – preliminary and final major site plan (construction of 2 warehouse/distribution facilities 305,040 and 215,280 square feet in size) continued from January 4, 2022, meeting. Motion to approve Ms. Karp Ms. Haas second. None opposed. None abstained. Resolution is passed.

Ms. Haas asks Mr. Swartz what is their status? Are they still waiting for the information from the Opra request?

Mr. Swartz states from his understanding the answer to that question is yes and asks Mr. Guerrero if we can move into Old Business to give a little bit of insight because obviously as everyone is aware they have asked for a continuance to the March 2, 2022, meeting.

OLD BUSINESS:

MRP Industrial NE, LLC, Block 804, Lot 12 (Irick & Woodlane Road) – preliminary and final major site plan (construction of 2 warehouse/distribution facilities 305,040 and 215,280 square feet in size)

Mr. Swartz states he had a conversation with the applicant's attorney and he said they were waiting for something from an Opra request. He was working on a correspondence to me of some form or fashion providing for their position relative to the requirement for a use variance and that he would have it to me in the next seven to ten days. So, in my mind there should be no further need for continuance after the March meeting. I expect that I will have something and at that point we can determine whether in my judgement or my opinion that this Board has the jurisdiction to continue hearing this application. That will be brought to the attention of this Board in the March meeting to make that determination.

Ms. Haas states Thank You.

Mr. Swartz states we did receive correspondence yesterday from the applicant requesting a continuance to the March 2, 2022, hearing at 7:00 pm. They are aware and it was included in their request that they will have to re notice for that meeting because general rule is every three meetings you must re notice. They have asked for three continuances, so they are at that point, and they will be re noticing for that meeting as well.

Mr. Guerrero states from what it sounds like they should be ready to continue in March or if there is some other type of determination that their application will be pulled.

Mr. Swartz states that he doesn't think that the application will be pulled but they will be present in March and it's up to the Board to determine if they have jurisdiction to continue to hear it. If they do, then that hearing will continue and if they don't then we will be done for now.

Mr. Guerrero states he feels they would want to continue in March and let the board make that determination in our hands.

Mr. Swartz states that is correct and it becomes the Boards decision whether they have jurisdiction or not.

Mr. Guerrero states that he feels that they have had plenty of continuances and I would hope that they won't ask for anymore and if they do, he would be inclined not to approve it.

Mr. Swartz states if that's the opinion of the Board then he doesn't have an issue making Mr. Floyd aware that the Board would consider not to give them another continuance after the March date.

Mr. Guerrero asks was their first meeting in August 2021?

Mr. Swartz states yes. They have been before the board August, September, and December.

Motion to approve the continuance of MRP Industrial Ms. Haas, Ms. Karp second. None opposed. Mr. Blair abstains.

NEW BUSINESS: None

INFORMAL APPLICATION: None

CORRESPONDENCE:

Only from MRP there is no other correspondence.

Open meeting for public comment: None

Comments from Board members, Solicitor, Engineer, Planner and Secretary:

Mr. Thorpe states he has a comment/question. The link that we now have to the Land Development Board drop box. Is this the link that we will use from now on?

Ms. Hess states that Wendy sent out the link and she's pretty sure that is the current and correct link.

Mr. Guerrero states just to let the members know that there is a difference between using the link and a shared folder. If they share the link, then any files you are seeing that space should not go against your own personal drop box space and those links will always be available to you. So, if you are running out of space it's because you have a shared folder not going through a link.

Mr. Guerrero states he has some general comments. He has seen other Townships with their own Township websites which he thinks they do a fantastic job when it comes to access to agendas and we do share our minutes there as well, but currently other townships have links just like we share amongst ourselves through drop box or having access to applications. Currently Westampton does not have that on their website. Is that something that the Land Development Board wants to ask the Township if that is something that should be investigated. I think it's important especially around the time of Covid-19 where people don't want to come out to the Public Buildings but a shared space where they can see that application from home through a link on the website.

Ms. Haas states she thinks it's a good idea if someone is able to do it and it makes it easily accessible.

Mr. Guerrero states they are sharing the link with us and asks Mr. Swartz if all the information in his drop box is for public knowledge.

Mr. Swartz states when he looks on the Land Development Board portion of the website. There are links relative to the MRP application but what needs to happen is that every application needs to have them but there are links as he is looking at it now. There seems to be shared filing that's on the website but that might be through another resource he's not sure, but all these applications should be on the website since we are doing the meetings and applications electronically through Zoom for the Public to view.

Ms. Karp states she was working at the Township on the Website she would scan a whole packet which consists of the agenda, minutes, resolutions, the applications, any exhibit that was small enough to scan. Obviously, I couldn't scan multiple copies of gigantic sit plans, engineer's reports, planner's reports, Fire Marshall's reports anything that I could scan it through and if people wanted to see the sight plans, I would send that to them, but she made all that information available on the website each month.

Mr. Guerrero states who should we ask to have that happen.

Mr. Henley states that something that the Land Development Board Secretary can do but again I think that obviously the call would have to be to the Township first to make sure that it's something we can put into play and what are the steps to make it happen.

Mr. Guerrero states it seems like everyone is on the same page and they want to see that happen.

Mr. Thorpe states he thinks the Board does want that to happen because of transparency and as a resident it makes perfect sense. I have looked at other websites Dave and it's nice to see all that stuff up there and have access to it. I believe in transparency and easy access.

Mr. Guerrero asks Mr. Swartz since we are talking about the LDB secretary is that something that we need to talk about this evening.

Mr. Swartz states no, it will be in March because we will have to appoint her then.

Mr. Guerrero states he hasn't received the annual notice of disclosure.

Ms. Karp states that it is a Municipal Clerk's duty and that should be coming soon.

Mr. Guerrero ask Mr. Henley for an update on the boards request for a Master Plan review and the Turnpike Irick Road bridge.

Mr. Swartz states he needs to speak with Mr. Guerrero and meant to do that last week but he didn't, so he apologized. His recollection was the Chairman had sent some email asking me to reach out to the Turnpike Authority which I will gladly do but I want to get a better handle on what it is so that I ask the right questions.

Mr. Guerrero asks Mr. Henley update on the Master Plan and if that is a request the Township received. Mr. Henley did not respond.

Mr. Guerrero states he has another comment for the whole Land Development Board and Mr. Thorpe you are a member of the HPC. He was curious on the historic landmarks and how we go about looking at historic landmarks. Especially if there is anything in this township that might be of interest as a historic landmark that has been preserved or even have been approached to be preserved.

Mr. Thorpe states the HPC can look at properties and make a recommendation to the Township Committee to have a property designated as historic. There are other things on other levels, State and Federal and there are some processes there. I think it's an interesting conversation and it has come up from a couple people recently and I would solicit and love to hear if people have thoughts on different properties in town that have historic significance and that people would be interested in and then the HPC could decide and make a recommendation or not to the Township Committee to see if they would like to designate some properties as historic to be preserved.

Mr. Guerrero states that the owners of the properties are normally the ones who approach the Township but has the Township approached any landowner or homeowners about this?

Mr. Thorpe states that it is usually the homeowners. In the past, quite a few years ago, the Chairman of the HPC had contacted an owner to see if they were interested in designating their property but he never got a response.

Mr. Guerrero states that a few properties he can think of, but one came up in a weird way. It was the Hancock Farm with the agrihood zoning where they did their whole plan, but they wanted to keep the house in tack, but the house was never signified as being a historic preservation. I'm not even sure if it's a historic home but probably one of the older ones in town.

Mr. Thorpe states he has no knowledge of that home but if someone does or wants to send information on it and see if it has historic significance then I think the HPC might be very interested in recommending it for preservation.

Mr. Guerrero asks Mr. Thorpe if the township has anything outside of Rancocas or outside of Peachtree?

Mr. Thrope sates he doesn't know for sure but from some of the applications that have come through the LDB nothing has been there but he's going to ask Ms. Karp and Mr. Blair if they know of any off the top of their head to see if they know of any.

Mr. Blair states the Township designation and development of HPC was for the basis of the building and structures within the Village. As you mentioned Peachtree has been around for quite a few years but best to his knowledge there is no other structures that are of any date that would be classified as historic.

Mr. Guerrero states that he doesn't want to miss this opportunity if there is something out there but as he is aware there is nothing else.

Mr. Blair states the only problem is with the designation of the Village and HPC we have had a lot of pushbacks from neighbors and residents within the village that are not actually historic. We have log cabins, and we have ranchers that are not of age to be stuck in that category of HPC and there is a lot of tension about having to go through review and things along those lines when it's a 1950's structure or 1970's structure.

Mr. Guerrero asks Mr. Henley if he is back on?

Mr. Henley states yes.

Mr. Guerrero asks Mr. Henley if there was an update on the letter that the board sent to the TC regarding the Master Plan review.

Mr. Henley states they discussed the Master Plan review, and we discussed the costs but, right now our Solicitor is working with the Engineer to see if we can do something where it's not a full Master Plan review but it's something that helps the Township and the board as far as what we are looking for. We did have a meeting and we did discuss that, but we haven't finalized it yet, but the Solicitor is working on it with the Engineer. So, your voices have been heard.

Mr. Guerrero thanks Mr. Henley for the update.

Mr. Guerrero asks the board if anyone has anymore comments or concerns?

Mr. Guerrero asks Mr. Swartz if the board has had any affidavits submitted regarding MRP for any other members?

Mr. Swartz states that he did receive one or two and this evening updated that document but based on the number of people that are here this evening, he was going to ask Ms. Hess or Ms. Termi to send out an email reminder and include each of the links like I sent to your earlier so that if people have missed a meeting or two they can potentially be ready for the March meeting.

Mr. Guerrero states that we are now at six eligible members.

Mr. Swartz states yes that is correct.

Motion to adjourn the meeting Ms. Haas, Mr. Thorpe second. None opposed. Meeting adjourned.

Respectfully submitted

Jodie Termi, Land Development Board Secretary