

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

NOVEMBER 4, 2015 7:00 P.M.

MINUTES

The regular meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on November 4, 2015 at 7:00 P.M. The meeting was called to order by Chairman Ron Applegate and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 6, 2015 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Blair, Mr. Borger, Mr. Carugno, Ms. Chang, Ms. Coe, Mr. Maybury, Mr. Williams, Mr. Attaway, Ms. Haas, Chairman Applegate, Planner Barbara Fegley, Solicitor Teresa Lentini, Engineer Greg Valesi, Secretary Marion Karp

Absent: Mr. Freeman

The minutes of the September 16, 2015 meeting were approved as written.

Resolutions:

16-2015 Grace Alliance Chapel, Block 906.07, Lot 6 – use variance (church) – was memorialized

17-2015 Redevelopment Plan, Public Hearing, Block 401, Lots 2, 7 & 8 – was memorialized

18-2015 Area in Need of Redevelopment Investigation, Public Hearing, Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03 (Rancocas Park) – was memorialized

19-2015 Project Freedom, Block 203, Lot 4.04 – amendment to sidewalk – was memorialized

20-2015 Virtua-Memorial Hospital Burlington County, Inc., Block 804, Lots 1, 7 & 7Q – General Development Plan – was memorialized

New Business:

Dolan Contractors – Block 203, Lot 6.02, amendments to previously approved site plan. This application will be adjourned until the Board's January meeting at the request of the applicant's attorney, Russ Whitman.

Westampton Interchange Redevelopment Plan (Rancocas Park), Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03. Board Engineer Greg Valesi gave a brief history of the project; the Board needs to adopt the redevelopment plan tonight. The needs study was considered by the Board at the last month's meeting. The existing warehouses are no longer considered state of the art primarily due to their heights; they also do not front on a public street which makes development more restrictive since variances are required. The first step is to come up with the standards for redevelopment; there are minimal changes from what the Industrial zone is currently. Minimum front yard setbacks are to be modified as well as a change to the floor area ratio (FAR). The plan must be reviewed and found to be consistent with the Township Visioning Plan and Master Plan. The meeting was opened to the public for comment.

Juanita Smith, 44 Fieldcrest Drive – asked if site plans are available. There are no site plans at this time; this plan is just to establish the standards to permit the redevelopment. She asked how residents in the area would be notified. This public hearing was advertised in the local newspaper. Board Engineer Greg Valesi summarized the changes in the redevelopment plan; the allowable building height will be raised from 45 to 50 feet; there are no changes to buffering or anything like that; the front yard setbacks will change due to the roads currently being easements and not public streets. The setbacks will now be permissible by ordinance rather than by variance. Floor area ratio (FAR) will change from 42% to 50% which will allow for development of the vacant parcels and is minimal in nature, according to Greg Valesi. Permitted uses have not been changed.

Ms. Smith asked if parking standards were being changed; they will not be. She then stated that she wanted all the residents to be notified.

John Mumbower, Lancaster Drive – asked about the Redevelopment report that was dated October 14, 2015. He asked how he could obtain a copy. He asked how to obtain a copy of minutes before they are memorialized.

Patricia Adams, 62 Bentwood Drive – asked about the road within the park; Greg Valesi explained that the road is currently private and variances are necessary for development because it isn't a public street. She asked what benefit this redevelopment is to the Township (taking the road over). Greg explained that right now there are vacant parcels and there is opportunity for development. She asked if any of the vacant lots border residential areas.

Nancy Burkley – isn't happy that we are crowding the buildings 17% closer. We need to maintain our open space.

Gilbert Gehin Scott, 3 Valley Farm Road – is trying to learn more about the front yard easements. He sees survey equipment; Mr. Maybury stated that this is the County doing the surveying; it has nothing to do with this.

Dave Barger – asked if any of the redevelopment is in the OR zone. Initially Greg Valesi stated no but it was determined that some of the lots do lie within the OR3 zone. He asked if any of the lots abut Springside Road; some of them do. He thinks it would be prudent to get the information regarding the zones on public record and that the Board suspends any approval of the redevelopment plan this evening. A five story building could be constructed within 50 feet of a residential area according to Mr. Barger. He asked if the area was found to be blighted; Greg Valesi stated that it was never said to be blighted.

Mr. Applegate made a motion to table the Redevelopment plan; the motion was seconded by Mr. Borger. Mr. Blair, Mr. Carugno, Ms. Chang, Ms. Coe, Mr. Maybury, Mr. Williams and Mr. Attaway voted yes.

Pacific Outdoor Advertising, LLC, Block 202, Lot 2 (45 East Park Drive), use and bulk variances (changeable copy billboard signs). Attorney Allen Zeller was present on behalf of an application for a use variance to permit the installation of 2 pylon ground mounted changeable copy signs. The property is bordered by the Turnpike to the south and Route 295 to the North; the site is 32 acres in size and is in the Industrial zone. It is developed with a large warehouse and office space facility. The property was developed back in 2000. The signs will be 79 feet in height; each sign will be 16 feet by 60 feet in size; in total 960 square feet in size. All face the Route 295 corridor. NJDOT has issued permits already. Signs on the north monopole are static; signs on the south monopole are changeable. Several bulk variances are required; changeable copy signs aren't permitted; sign area is exceeded; sign height is exceeded; lot frontage and side yard setback variances are necessary as well, which are preexisting variances. A use variance is required because the signs advertise goods or a use that isn't on the lot where the signs are located.

Chairman Applegate asked if there are any signs in Westampton that are like these; Mr. Zeller answered that there are a few on Route 541. He asked if there are any changeable copy signs in Westampton, he believes there are not.

Joseph Jacobs, of Pacific Outdoor Advertising, Leah Fury, planner and Dan Dougherty, engineer were sworn in before the Board. The Board accepts them as expert witnesses. Joseph Jacobs gave the Board a background of his business in billboards. He believes that billboards are suited for particular areas, mostly around highways and never in a residential zone. Even though he has his state approvals, he would be happy to install just static billboards and not the changeable billboard. If he has downtime he would permit the Township to use the billboards to promote Township public service announcements; he would install a Welcome to Westampton sign on the billboard. The boards will only be visible to Route 295 and the site is particularly suitable. The type of advertising would be from local advertisers and is his priority and preference. He has digital billboards and is able to place Amber Alerts and emergency notices on them instantaneously; there would be no charge to the Township.

The signs would be visible at night with lighting directed up towards the signs. The lighting will go off at midnight for the static signs; however digital signs would remain on at all times. The site is at least a mile away from any residential area.

Mr. Blair commented about the elevation or grade on the site which is about 25 feet above grade; he asked if it was necessary to go up 79 feet. Mr. Jacobs explained that it was due to the height of the trees in the area. Gene cannot visualize 60 foot trees in the buffer near the parking lot.

Mr. Borger asked for a description of the static sign; it is a typical billboard with copy on it. He asked if customers lease it for a particular period of time; the period is usually anywhere from 2 or 3 months to longer periods.

Mr. Applegate wants to know what the signs would look like; the closest billboards north are on the Turnpike in Woodbridge.

The billboards are only visible from Route 295 and the property on which they are located. It is a V-shaped sign.

Mr. Applegate personally has issue with an LED signs; as does Gene Blair. The applicant is amenable to just installing static signs and eliminating the changeable billboard type of sign. The up lighting is shielded and bulbs cannot be seen.

The applicant's engineer gave testimony regarding the site. He has visited the site on many occasions. The signs are to be located on the northwest side of the site along Route 295. All the uses in the area are warehouses and commercial uses. The distance between the two signs is about 1300 feet. It is 79 feet to the top of the sign. The signs are standard sign size, 16 feet by 60 feet. The distance from the sign to Rancocas Village is about 3500 feet. It is pretty much enclosed in mature tree growth. The light pole heights in the Sports Complex are approximately 75 to 80 feet in height and are much closer to Rancocas Village.

Lighting bulbs are at an elevation of about 60 feet. There will be one tractor and one trailer parking spot that will be lost if the signs are installed; there is plenty of parking on the site. No regular parking spots would be lost; there are 237 of those on the site. There will be no impact to traffic. They will get confirmation from the FAA that there will be no impact on the nearby private airport, if required, a beacon will be installed.

The Board engineer's report was reviewed; the applicant has no issues with the comments in the report. The color of the mounting monopole will be dark green, dark brown or black which is standard throughout the industry.

Gene Blair asked about electric service; they would be individually metered with underground service. Gene will require a letter of no interest from DOT and FAA if the application moves forward.

Tony Carugno – asked if this would set the standard with billboards in Westampton. Gene said it will raise a question whether or not we should revisit this in the Master Plan to see if billboards should be permitted.

Ron Applegate is concerned regarding maintenance of the signs; it was explained that the signs are a substantial investment for the owners and they would be maintained. Gene thinks we should consider a type of restriction in the resolution that if in disrepair the owner would be required to take it down. Mr. Jacobs has no problem with that condition, if the Board requires it.

The applicant's planner reviewed the requirements of the zone. She reviewed the positive and negative criteria. Special reasons to warrant the grant of the variance is that it promotes public safety and welfare; it is a most suitable location and will have minimal impact on the surrounding area, zone plan and the public. The Planner's report was reviewed and all comments were addressed.

Mr. Applegate asked the Planner if this sign was planned for where she lives, if she would like it. She has no state highways where she lives so it would be hard to answer. She thinks it is the perfect location. Mr. Zeller commented regarding a similar situation that exists in Cherry Hill.

Mr. Williams asked the applicant if he lived in this Township, which type of sign would he prefer, the static or the digital. He answered that when he heard the Board's concerns regarding digital signs he was happy to agree to install only a static sign. He looks for sites that are suitable for signs. Mr. Jacobs thanked the Board for their time and consideration.

Mr. Borger is torn a bit taking the digital signs off the table since it seems to him that they could promote the public welfare. He thinks the Board shouldn't be so quick to dismiss the option of digital signs.

Solicitor Lentini asked if the time limit for the digital billboard was negotiable. He answered that there is a problem with time limits and he would rather not move forward with them if he had to have a restriction imposed. She thinks it is relevant for the applicant's engineer to testify on behalf of impact of changeable copy digital signage on drivers. Mr. Jacobs said it is off the table.

Public Comment

Juanita Smith – asked if there is tax revenue to the Township and if the content of the signs is regulated. The content is regulated to the extent that there can never be any cigarette advertising nor anything illegal.

Mr. Milanes – wants to know how much will be paid to the Township if they are allowed to build the billboards. He doesn't want the billboards.

Gilbert Gehin Scott, 3 Valley Farm Road – had a question regarding the airport. He wanted to know if the illumination would be a visual distraction to the air traffic at the Inductotherm Airport. Their engineer explained that private airports have different regulations than public airports. The lighted billboard would not be a distraction to air traffic. There are no FAA regulations for lighting on billboards. Mr Gehin Scott commented if the town isn't getting any tax revenue, why ruin the landscape.

Nancy Burkley – if the signs can't be seen by residents, she doesn't see what the big deal is especially if they are going to promote businesses in Westampton.

Gene Blair – we have residents here from Rancocas Village. He asked what their feelings were regarding static signs vs digital signs. If the feeling from the residents is that it is okay, maybe our ordinance needs to change.

Dave Barger – thinks a study should be done for impact on air traffic. The solicitor stated that a condition was already imposed by the Board to get a letter of no interest from the FAA. He asked if the applicant would agree to install some kind of landscaping screening if the billboards were in fact visible to residents in Rancocas Village. Solicitor Lentini stated that there has already been testimony to the fact that the probability of anyone seeing the signs is extremely low. This would not be a reasonable request. He asked about the potential of this opening the door to more billboard sign requests being granted. He doesn't want to see a proliferation of billboards because we started the ball rolling here.

Janet Curran – is hearing something for the first time; how did they pick this area and how long have they been proposing to do this in our area. Mr. Jacobs explained that he saw the site and thought it extremely well suited. It was the only location in this area that is suitable for billboard development. She doesn't think we need the signs.

David Fisher, 227 Main Street – will go to the dollar store and get pink balloons and put them 79 feet up in the air, then we will know what the signs will look like.

There being no further comments from the public, the meeting was closed.

Mr. Borger made a motion to approve the application; the motion was seconded by Mr. Williams. Mr. Blair, Ms. Coe, Mr. Applegate, Mr. Attaway voted yes; Mr. Carugno voted no. Ms. Chang and Mr. Maybury did not vote since this involves a use variance.

Westampton Township, Block 401, Lot 2, minor subdivision (Capital Review). The property in question is being developed as an affordable housing project. The subdivision conforms to all standards. It will be submitted to the County for approval. It will separate out the storm water easement from the rest of the property.

This was opened to the public for comment. There being no comment from the public, the meeting was closed.

Mr. Carugno made a motion to approve the application; the motion was seconded by Mr. Borger. Mr. Blair, Ms. Chang, Ms. Coe, Mr. Maybury, Mr. Williams, Mr. Applegate and Mr. Attaway voted yes.

Housing Element & Fair Share Plan 2015-2025, Public Hearing. Planner Barbara Fegley explained that this was adopted last in December of 2014; this goes back to COAH Round 3. We did file a declaratory judgement with the Courts. This must be filed by December 8th. It revises what was done before and how the township will address the obligation for Round 3 although we don't have a number of units at this point. Our number established by the court was 613 units; although the number was negated and we are going back to round 2 numbers. We are working with what we think the number will be. This is the public hearing this evening. This is to be in compliance with the declaratory judgement. There is not much in this version that wasn't in prior documents. There aren't any new sites added with the exception of the new sites that the Board is familiar with nor any surprises. We are on a very tight timeframe unfortunately. The only different thing in this report is that the growth share has been removed.

Rhonda Coe asked for clarification regarding our new COAH number.

The Mayor asked if there was a court order requiring this to be submitted by December 8th. She stated that there was, the timeframe was tight.

Solicitor Teresa Lentini suggests having the Township Solicitor send a correspondence to Judge Bookbinder to see if an extension could be granted. If not, a special meeting would have to be scheduled. There were 3 Board members who had not read the plan and were not comfortable voting on it. If there are a sufficient amount of members that feel comfortable voting tonight, the Board could act on it. If not approved, the implications can be very significant, according to Planner Barbara Fegley.

At this point, the meeting was opened to the public for comment.

Dave Barger – wanted to commend the Planner on an accurate report. He wanted to know what the target quota was, is it 613 units. She stated that at this time, it was. The numbers are constantly changing.

The township has made significant strides in finding suitable affordable housing sites according to the Planner.

Jane Curran – isn't sure what we are voting on.

There being no further comments from the public, the meeting was closed.

The Board determined that they were familiar enough with the document to vote on it. Ms. Coe made a motion to approve it; the motion was seconded by Mr. Applegate, Mr.

Blair, Mr. Carugno, Ms. Chang, Mr. Maybury, Mr. Williams and Mr. Attaway voted yes. Mr. Borger abstained.

Public Comment

Robert Davies, 2 Tenby Court – is here to deliver a letter addressed to Mayor Chang, the Board Chairman, Council members and future Council members. It is regarding the Virtua Medical Campus. He spoke at length before the Board, advising them that he thought the hospital coming into Westampton at this location to be a bad idea. The Board attempted to explain that what was approved was only a General Development Plan, which is conceptual in nature and not a site plan, which would not be submitted for several more years.

Mark Duerr, 54 Quail Hollow Drive – has served the township as an EMT, he implores the Board to rethink the Virtua project. He has lived here a long time and thinks it is bad for Westampton.

John Mumbower – thought the hospital would be set further back, 9 stories is a pretty big facility.

Maureen Smith Hartman – asked if Virtua is a done deal. It certainly is not and Virtua asked for input from the residents. She stated that she isn't sure if the residents understand this.

Robert Davies – thinks the LDB rubber stamped the GDP on September 2nd.

Comments from Board Members

Michelle Haas – encourages people to attend LDB meetings

Mr. Williams – to those who left, we can't speak for them.

Mr. Applegate – appreciates the input from the residents.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board

