

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

SEPTEMBER 16, 2015 7:00 P.M.

MINUTES

The special meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on September 16, 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 August 21, 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, Ms. Chang, Ms. Coe, Mr. Freeman, Mr. Maybury, Mr. Williams, Mr. Attaway, Ms. Haas, Chairman Applegate, Planner Barbara Fegley, Solicitor Louis Capelli, Engineer Greg Valesi, Secretary Marion Karp

Absent: Mr. Carugno

The minutes of the September 2, 2015 meeting were approved as written.

Resolutions:

13-2015 Egester Smith, III, Block 1801, Lot 7 (56 Greenwich Drive) – setback variance for addition – was memorialized

14-2015 Area in Need of Redevelopment Investigation, Block 401, Lots 2, 7 & 8 – was memorialized

New Business:

Grace Alliance Chapel, Block 906.07, Lot 6. The application was continued from the September 2nd meeting; an announcement had been made and proper notice served. John Gillespie, applicant's attorney was present for a use variance and a waiver of site plan. The property is in the OR-1 zone and a church isn't permitted in this zone. There are no storm water, lighting or parking issues, therefore they are asking for a waiver of site plan approval.

The church congregation numbers about 100 members or so. The proposed space is 4,824 square feet in size and has been vacant for over a year (address is 116-118 Burrs Road). Churches are an inherently beneficial use according to Mr. Gillespie. Hours are off business hours, on the weekend and in the evenings. The businesses that occupy

the facility during normal business hours won't be there during these times.

Paul Zazzo, pastor of the church was sworn in before the Board. They have been a church for about 12 years and currently meet in Burlington Township schools; they want their own permanent space that they can call home. Community involvement includes work with Police Departments; involvement and founding of a food bank; they are committed to the separation of church and state but are highly involved in the community. Several letters of recommendation for the church were submitted with the applications; they accurately cite the church's involvement in the community according to Pastor Zazzo.

They average about 100 congregants at Sunday services. Hours are mostly during non-business hours, in the evenings or on weekends. They will begin with one service per week; if they grow they will add another if needed. They have small groups that meet, such as youth groups and bible study groups that will use the facility during the week in the evenings.

Seating will consist of non-folding chairs, which will remain there, in place. There is office space that will be occupied, and will be used as a main office. Typically someone will be there Tuesdays and Fridays between 9 AM and 3 PM. Sometimes someone may come for counseling during the day but it is rare. Parking will be adequate for the congregation, according to the Pastor, who reviewed this with the landlord.

CME's report was reviewed with the Board. There won't be more than 5 cars in the parking lot during the day. Hours of operation are Sunday from 9 AM to about noon or 12:30 PM. The overhead door will be permanently locked so that it won't be able to be opened when the room is occupied, which was a concern of the Board professionals. Handicapped parking signage will be brought into compliance with ADA standards.

Gene Blair stated that a licensed architect will need to prepare floor plan drawings once the Board approves this application; he has concerns about restroom facilities amongst other things, due to a change of use from a warehouse to an assembly use. The Fire Official's report states that a Knox box will be necessary; the applicant agrees to comply.

There is no air conditioning in the warehouse area; they will install a new system to address this.

Deana Drumm, applicant's traffic engineer was sworn in before the Board. The Board accepts her as an expert witness. She has visited the site and used the DVRPC standards; site distance is more than adequate. She visited about 10 AM during the week and also on a Sunday. No one is there on a Sunday with the exception of some empty business vehicles. Parking is more intense during the week since the other businesses are occupied. About 16 spaces of the 40 in the front were occupied during her weekday visit. With 100 congregants, there should be approximately 30-40 cars using the 1 space per 3 congregants formula. On a daily basis Burrs Road has about

200 vehicles. From a traffic and a parking perspective, she sees no negative impacts from the church use.

Greg Valesi stated that the testimony given tonight has addressed the comments in CME's report of Sept. 9, 2015. He has no objection to a waiver of site plan approval.

Barbara Fegley reviewed her letter and is satisfied with the applicant's testimony and responses. She visited the site this afternoon; the ADA striping is faded and there is a large pothole that she is sure the landlord will address; no other improvements are needed.

The meeting was opened to the public for comment.

Nancy Burkley, Olive St. – knows Virtua is going to be redoing Burrs Road; does this have any impact on the church? Chairman Applegate says he doesn't know at this point in time, we don't have this information. Mr. Borger stated that they (Virtua) won't break ground for about 4 years.

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

The applicant would like to begin work as soon as possible and requested an at risk permit. The Board granted the permit.

Mr. Freeman made a motion to approve the application; the motion was seconded by Mr. Blair. Mr. Borger, Ms. Coe, Mr. Williams, Mr. Attaway and Mr. Applegate all voted yes. Mr. Maybury and Ms. Chang did not vote due to the application being a use variance.

Public Hearing, Redevelopment Plan, Block 401, Lots 2, 7 & 8. Greg Valesi explained why the plan was amended due to the inclusion of Block 401, Lot 7. This lot has since been acquired and will enable better access and circulation for the entire site. It is their recommendation that the Board approve the redevelopment plan.

The meeting was opened to the public for comment. No comment was made. The meeting was closed to public comment.

Mr. Blair made a motion to approve the plan; the motion was seconded by Mr. Freeman. Mr. Borger, Ms. Coe, Mr. William, Mr. Applegate and Mr. Attaway voted yes. Mr. Maybury and Ms. Chang did not vote.

Public Hearing, Area in Need of Redevelopment Investigation, Westampton Interchange (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. Greg Valesi stated that this property is the Dolan Industrial Park; redevelopment is a planning tool used to increase the local economy and Township

ratables, along with the appearance of the community, etc. It is at the Board's discretion to approve this. He briefly took the Board through the report. There are 8 criteria for redevelopment; he believes it meets 3 of the criteria and only 1 is necessary. Many of the properties in this park don't front on public streets, they front on private easements. Some buildings have been vacant or un-utilized for 10 years. Many were built in the early 1990s and are different than warehouses constructed today; many of them are obsolete and will need to be re-purposed in some way. He recommends that the Board adopt this as an area in need of redevelopment. State statute sets forth the criteria according to Lou Capelli.

Mr. Freeman asked if the warehouses could not be used as they are; Greg Valesi stated that surrounding areas with new warehousing will be developed quicker; they should take action to foster the redevelopment of this area. Ultimately it will be up to the property owner and developer as to how they will re-purpose the site.

The meeting was opened to the public for comment.

Nancy Burkley – many of the Board members were around during the Master Plan; the Master Plan was against redevelopment; seems like we are constantly building and taking away our open space. She is very concerned with this. This area is not a blighted piece of land. People don't want huge tall buildings and the LDB didn't approve the height of the proposed Ikea building. She doesn't want to see more redevelopment. She is concerned about truck traffic, with more industry there will be more truck traffic. Her house is old and can't stand up to this; just last week she lost a piece of her ceiling. She doesn't want anything else built. Is this going to be another PILOT problem? The schools won't receive any funds. The Master Plan needs to be followed; please do not take away our open space.

The only thing the Board is considering at this point is whether or not the property meets the statutory criteria. The next step is the development of the plan for the Board to consider according to Lou Capelli. This is a very defined area and is redevelopment. Gene Blair explained that this is in the Industrial zone and not along Springside Road. Rhonda Coe asked what the purpose is for bringing this to the Board. Mr. Borger asked what the potential effect will be to buyers. The redevelopment plan will actually become a zoning overlay.

Abraham Lopez, 59 Amara Lane – asked if any members were aware of or had any conversations with anyone who would benefit from this redevelopment, such as any developer or any owner. Solicitor Capelli doesn't understand the question and advises the Board not to answer it. Mr. Williams said that he doesn't understand the question either. Mr. Capelli stated that no applications have been considered and nothing has been submitted. Mr. Williams asked Greg Valesi to again go over the criteria for redevelopment. He didn't like Mr. Lopez making accusations regarding the Board.

John Mumbower, Lancaster Drive – asked about the lots involved. Are some vacant? Some are vacant and some have buildings on them. His concern is the vacant land that

is currently farmed. Greg Valesi informed him that they are zoned for Industrial and can be developed that way. He would rather the vacant lots stay that way and the current warehouses redeveloped.

Mr. Maybury spoke about the parcels; Dolan has a by right approval on one of the lots. It has already been approved for a 700,000 plus square foot warehouse.

Denise Bell, 33 Tarnsfield Road – asked if the warehouses are really to be considered obsolete. Did something go wrong? Greg Valesi stated there has been a lot of advancement; they are constructed much higher in height these days, for one thing. She asked what percentage of warehousing in the park isn't being used right now; he stated that he didn't know.

John Gillespie, attorney – is representing Dolan. He appeared before the Township Committee and requested of them that they consider the redevelopment. He has done lots of redevelopment in the area. Warehousing is less person oriented and are constructed higher in height these days. These warehouses built in the 90s are obsolete. Florence has changed their ordinances which allowed them to provide flexibility. Westampton is perfectly situated on Route 295; our location is great. Our ordinance was last amended in 2001 which is 14.5 years ago. The warehouse industry has changed. He compared our bulk standards with those of Florence Township; he is hoping that the Board will accept the report. It's an inappropriate area for open space since it is on a cloverleaf. This is where the development should be.

Mr. Maybury – 3 years ago Subaru left, we can't compete with Florence. These kinds of things need to be considered.

Mr. Williams – thanked Mr. Gillespie for his comments. He gave the Board a good perspective.

Dave Barger, 212 Olive Street – every few years we come up with this area and its inherent conflict with nearby residential areas. He thinks we are basically trying to override zoning by using redevelopment. There is anxiety amongst residents regarding past redevelopment housing projects. He wants to know what the game plan is and wants to know why the existing zoning can't remain the same and be acceptable. He doesn't think it is a good idea; there are enough issues with the current zoning. He wants the Board to consider residents from Spring Meadows and Rancocas Village. He thinks the intent of the redevelopment statute is to deal with blighted properties. We should focus on crafting a better zoning ordinance instead of redevelopment. He wants to know if there has been any conversation regarding a PILOT at this point; there has not been.

Mr. Williams – appreciates Mr. Barger's comments; he appreciates open space too. One of the biggest concerns are the taxes we pay in the Township; the only way to get them under control is to bring development into the Township. He wants everyone to think about that. When he moved here in 1987 his taxes were less than \$4K, now they

are more than \$8K. He has the same concerns they have. He wants to have some say into what goes on in this Township; but we have to look at the big picture.

Mr. Borger – wants to reiterate that we aren't changing the zone; and secondly everyone will have the right to come in and listen to the plan when it is presented. He thinks there is anxiety and paranoia about what might happen; nothing is going to happen tonight.

Mr. Williams – wants everyone to voice their concerns before the LDB and the Township Committee.

Mr. Applegate – this is how the process works.

Maureen Smith Hartman, 36 St. Andrews Court – asked why the Board would vote without having a plan in front of them. Ron Applegate explained it her.

Mr. Freeman – stated that we are talking about buildings that are already here, we aren't building anything new.

John Mumbower – asked what redevelopment would do to encourage someone to come in to one of Dolan's warehouses. Lou Capelli explained that it would be modified in a way to attract businesses. Based on our current zoning, there would have to be changes made.

Nancy Burkley – asked Gene if Dolan sold some vacant land to a developer, could they force us to change the zoning to build a housing project.

David Guerrero, 121 Sharpless Blvd. – considering all of the Dolan properties, there is really no room for expansion. He wants to know how big of a building could be built. He doesn't see what the purpose is for redevelopment. He thinks that it can supersede zoning; he is concerned about this. Rancocas and Spring Meadows are very sensitive to industrial use. Thinks the Master Plan and Visioning Plan are good, is concerned about this redevelopment and that it will be intrusive.

Janet Curran – has learned a lot tonight. Doesn't know why it is a special meeting. Mayor Chang stated that our regular meeting was held on Sept. 2nd and was occupied by the Virtua presentation. Tonight was scheduled to allow the meeting not to go on to 1:00 AM. This was the reason for the extra meeting. Ms. Curran says we get ratables but we are still stuck; we aren't out of the woods.

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

Mr. Applegate made a motion to approve the redevelopment plan; Mr. Blair seconded the motion. Mr. Borger, Ms. Coe, Mr. Freeman and Mr. Attaway voted yes; Ms. Chang, Mr. Maybury and Mr. Williams abstained.

Project Freedom, Block 203, Lot 4.04. John Dumont, applicant's attorney was present. Russell Smith, engineer was present seeking a modification to their plan. One of their sidewalks that is under construction in Phase 1 requires some modification. It is a sidewalk that runs to the property line from the looped sidewalk on the site. It dates back to the 2011 plan where there was some discussion regarding the possible development of a park on the site which has not occurred. As designed, it is a very steep sidewalk even though ADA compliant. They would like to leave it as grass. The benches and bike rack will be relocated. They don't want to encourage the use of this sidewalk by the handicapped. Jim Winckowski recommended that they come before the Board for approval. Greg Valesi doesn't have a problem with it and it seems reasonable. Mr. Borger asked how it will be differentiated from the rest of the parcel. You will be able to tell it is a walkway because it is graded flat and it is very clear that it is a path.

Mr. Williams asked why we need it at all. He asked if it is a cost issue. It is not an accessible route according to Mr. Smith; it is simply a path that leads to the adjacent parcel. They are concerned about the safety of the residents. In the future if the park is developed and the hedgerow is cleared, it will function as a walking path. It is about 115 feet in length. Cost is an issue but most important is the safety of the residents.

Not knowing what the plan is for the adjacent property, this seems to be the best idea. Greg Valesi thinks that there will be adequate circulation even if the park is eventually developed.

The meeting was opened to the public for comment. No comment was made and the meeting was closed.

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

Resolution 15-2015: Area in Need of Redevelopment Investigation, Westampton Interchange (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 – was memorialized.

The meeting was again opened to the public for comment. Dan Herriman, Burrs Road – thanked the Board for their time. He wasn't able to come to the Virtua proposal but is concerned about Burrs Road and the traffic. The fastest way to the hospital will be through Burrs Road which will change the community quite significantly. He wants the Board to consider this. He asked the Board to consider what happened in Oklahoma City.

Comments from Board Members

Mr. Applegate – commented that they are trying to work with Virtua regarding the Burrs

Road intersection.

Mr. Freeman – thinks the process of having the public really engaged benefits the community. He welcomes it, all representation.

Ms. Coe – thinks it would be extremely beneficial to her to have some context as to why redevelopment is important and how it benefits the town. She wants to know how we hope to benefit from this besides just stating an increase in rates. She would like the professionals to provide this information.

Mayor Chang – thanked Mr. Herriman for his comments; she appreciates Mr. Applegate's comments regarding Burrs Road.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board