

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

FEBRUARY 5, 2014 7:00 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on February 5, 2014 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 3, 2014 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present: Mr. Blair, Mr. Borger (not present for roll call), Mr. Carugno, Ms. Chang, Ms.Coe, Mr. Freeman, Mr. Maybury, Mr. Ryan, Chairman Applegate, Mr. Williams, Mr. Attaway, Solicitor Jesse Debrosse, Engineer Jim Winckowski, Planner Harry McVey, Secretary Marion Karp

The minutes of the January 8, 2014 meeting were approved as written.

**Resolutions:**

5-2014 Nathan Roohr, Block 906, Lot 9.01 – variance (pole barn) – was memorialized

6-2014 Ikea Property, Inc., Block 203, Lot 6.01 – amended minor site plan approval – was memorialized

7-2014 Terrance & Kimberly Brennan, Block 106, Lot 15 (220 Main Street) – major subdivision & bulk variances – adjournment until 2/5/14 meeting – was memorialized

8-2014 Robert Dunlap, Block 803.05, Lot 11 (9 Pine Tree Drive) – variance for 56 ground mount solar panels – denial of variance – was memorialized

**Old Business:**

**Terrance & Kimberly Brennan, Block 106, Lot 15 (220 Main Street).** The Chairman asked that comments be limited to five minutes each this evening on this application. Mr. Carugno did not sit for the application because he had not listened to all of the tapes of the hearings. Mr. Borger arrived to the meeting before any new testimony was given. John Pagenkopf, the applicant's planner, was again present on behalf of the application, now amended to a minor subdivision with no variances required.

Mr. Pagenkopf summarized the changes to the plan briefly. Bill Nicholson, applicant's

engineer was sworn in before the Board and the Board accepted his testimony as expert witness since he has testified many times before them. The undersized lot has been eliminated and the two lot configurations have been changed to provide a view of the original homestead from Main Street. The applicants have applied for a wetlands delineation; they will pay a contribution in lieu of installing sidewalk, they will pay any affordable housing fees; and they agree to obtain approval from the construction office if demolishing any structures on the property. They do not agree to a deed restriction for a split rail fence; however, any fence to be installed will be subject to HPC review. The split rail fences on Main Street will be removed or relocated out of the right of way. They want to simply remove the fences since they are in poor shape.

The large ash and sycamore trees will remain and the Brennans agree to deed restrict them. The 40 inch maple tree that is in between the new lots is not in good shape and they would like permission to remove it. They reluctantly agree to deed restrict the evergreen hedgerow. This is a by right fully compliant subdivision with no variances required.

Basements may be constructed in the two new dwellings and they agree to provide soils information at the time of construction permit application. Jim Winckowski suggested that a soil log be done to prove that basements can be provided as he didn't want the new houses to tower over others in the area if the seasonal high water table proves to be too high. He wants a soil log to be done as a condition of approval; the applicants agree to do this.

Main Street drains onto the property near the front in several areas. Roof drains will run into the street storm sewers; net result will be that the rain water will be less than that today; drainage will be improved over current conditions. A 12 inch pipe will be provided on Lot 15.03 for drainage. The applicants agree to provide all items in the Engineer's report. They do have County approvals in place.

The driveway to the Brennans house will be removed, re graded and moved when the new house on Lot 15.01 is constructed.

The meeting was opened to the public for comment. Janet Curran stated that she has heard rumors that the Village residents are against the Brennans which is not true. She is unhappy with what they are doing to the property.

Jeff Savoy asked about what the setbacks would be on the new homes; minimum side yard is 12 feet, both sides total is 30 feet. They would not be asking for any variances.

Angela Zollner has mixed feelings; she is happy that the one undersized lot is being eliminated but she is saddened to think of the changes that may be made.

Chris Parente asked how much property would separate the two lots on Main Street. It is more than 100 feet. He thinks it is sad to see the open space diminished.

Angela Zollner stated that she feels that the Board is being a little dismissive of the homeowners concerns and their love of the community.

The Fire Marshal has issued a report and his concerns have been satisfied.

Gene Blair commented that that the residents understand that this is a by right application that has come before the Board. Since it meets the intent of the ordinance, there is not much that the Board can do. Chairman Applegate commented that the Board members understand the resident's passion and appreciate their input, however, there are things they can do and things they can't do. He wanted to make it clear that this was understood.

The meeting was again opened to the public for comment. Angela Zollner stated that this has been a great learning experience for her. She appreciates everything that the Board has done. She asked if something is by right why is it still opened for public comment. Solicitor Debrosse explained that the Board has some discretion.

Joe Krulik asked the Board about Resolution 21-2014 that was passed before the Township Committee and wanted to make sure the environmental commission gets a copy of the report since there are wetlands involved.

Mr. Ryan made a motion to approve the minor subdivision; Mr. Maybury seconded the motion. All Board members voted yes, with the exception of Mr. Carugno, who did not vote.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board