

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

DECEMBER 4, 2013 7:30 P.M.

## MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on December 4, 2013 at 7:30 P.M. The meeting was called to order by Chairman Tim Ryan and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 3, 2013 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present: Mr. Applegate, Mr. Blair, Mr. Carugno, Mayor Chang, Ms. Coe, Mr. Maybury, Mr. Borger, Chairman Ryan, Solicitor Jesse Debrosse, Engineer Greg Valesi, Planner Harry McVey, Secretary Marion Karp  
Absent: Mr. Freeman, Ms. Sampson

The minutes of the November 6, 2013 meeting were approved as written.

### **Resolutions:**

22-2013 Terrance & Kimberly Brennan, Block 106, Lot 15 (220 Main Street) – major subdivision and bulk variances (adjournment until 12/4/13 meeting) – was memorialized.

23-2013 Robert Dunlap, Block 803.05, Lot 11 (9 Pine Tree Drive) – variance for ground mounted solar panels (adjournment until 12/4/13 meeting) – was memorialized.

### **Old Business:**

**Terrance & Kimberly Brennan, Block 106, Lot 15 (220 Main Street).** The Brennans were present along with their Planner John Pagenkopf. Mr. Pagenkopf showed the Board the plan as originally presented. Since that time, they had met with the HPC, who suggested an alternate arrangement for the subdivision. The Board received a letter today from the HPC; Mr. Pagenkopf stated that there were several conditions in this letter that the Brennans were not happy with. The HPC is primarily concerned with maintaining the viewscape of the farmhouse from Main Street. Two of the new lots are now proposed to be only 50 feet wide, which is in character for Rancocas Village and would be served by a common driveway. This would increase the number of non conforming lots to two, whereas the initial plan proposed only one non conforming lot.

Mr. Pagenkopf reviewed the letter from the HPC with the Board. The neighbor, Mr. Deeter, has not yet been made aware of the alternate plan. They think the drive should remain gravel and not be paved, as it could possibly be perceived as an extension of Second Street. Chairman Ryan explained that the HPC's letter was submitted too late for the Board and their professionals to consider; they had received it today, only a few hours earlier. Mr. Pagenkopf asked to briefly touch on the points in the letter.

There would be a permanent deed restriction against any further subdivision of the parcel, the demolition of any existing structures, as well as the removal of the evergreen trees along the eastern side of the property.

Harry McVey has been working with the Brennans as well as the HPC; he is familiar with the new concept plan. He gave some comments via email; he has concerns and issues about the proposed plan. There are engineering and practical concerns. Greg Valesi, Board Engineer, has concerns about the access easement and if it is wide enough and if the driveway should be paved; the other issue is for the sewer extension; if there are two lots the sewer main should be extended instead of having two force mains running parallel through the driveway. If the driveway is going to be common he is concerned with its width. There has to be some general strategy for storm water management as well.

It is Tim Ryan's opinion that we are almost back to square one with the new proposal; he thought the applicants were making great strides with the plan as originally proposed. Mr. Pagenkopf wants to know how the Board feels about the alternate plan (the plan worked out with the HPC) and if it is something they should pursue.

Greg Valesi suggested that the applicants make up their minds about which plan they want to pursue and provide enough engineering that will show what will work with the site. He thinks this is how the process should evolve and that this is how the process works. Mr. Pagenkopf advised the Board that they are going to move forward with their plan as originally proposed.

The Fire Marshall had met with Mr. Pagenkopf; they have received County approval, sent the proposed easements to the Solicitor and Engineer for review and submitted their application for wetlands approvals. Harry McVey thinks the plan is far enough along for a conditional approval although there are still some things to be worked out. This is typical for a subdivision, however. Drainage will be resolved between the applicant and the engineer; plans will not be signed off until all conditions have been met.

The applicant is asking for preliminary and final approval but the solicitor suggests bifurcating the application and voting for preliminary approval only.

The applicants asked for a continuance until the January meeting. It is Greg Valesi's recommendation that they incorporate the HPC's comments in their report, if they find them to be of value, into their plan. It is the applicant's call if they wish to do this. The applicants advised the Board that they wished to continue their application until the January 8, 2014 meeting.

**Robert Dunlap, Block 803.05, Lot 11 (9 Pine Tree Drive).** Mr. Dunlap distributed three drawings showing perspectives of the solar array with the proposed landscaping installed. He went over a topographical drawing of the area where the array is to be installed. The highest part of the array will be four feet higher than the view from the street.

Mr. Dunlap researched the deed restriction that is indicated on the survey but was unable to find anything. At this point, he doesn't know where to go with it. The Solicitor thinks the deed restriction is in a deed from 1983. Mr. Dunlap did not complete a title search. Solicitor Debrosse feels uncomfortable with the deed restriction and it is his opinion that the Board needs to understand the conditions surrounding the basin. The Board wanted Mr. Dunlap to have a professional title search completed to make sure that the deed restriction did not exist and he was advised of this at the last meeting.

The Board instructed Mr. Dunlap to have a professional title search done before he returned to the Board.

From a municipal engineering standpoint, you generally never put anything in a detention basin, according to Greg Valesi. Construction may affect the functioning of the basin. There are some threshold engineering issues we have to deal with here and it's generally not a good idea, especially for something that generates power. He would bring back some minimum engineering standards that the Board could look at.

Mr. Dunlap was advised that he needed to supplement his escrow account. The application would be continued until the Boards' January 8, 2014 meeting.

### **New Business:**

**Gilbert Gehin-Scott III, Block 104, Lot 8 (3 Valley Farm Road).** The applicant was present and was sworn in by the Solicitor. He is requesting a variance for construction of a pergola over his driveway. He has to locate it here due to the placement of his septic system. He thought this would be more appealing than a garage in the front yard. The pergola will be 20 by 24 and about 9 feet in height, constructed of treated lumber.

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

Harry McVey stated that the pergola will only be 20 feet from the right of way line. It is his recommendation that Mr. Gehin-Scott provides some kind of perspective about what it will look. This is a relatively short setback and is visible from the road. It will have a clear corrugated roof and will be used as a carport. The roof will not be visible. It will have a 3 inch slant from the front to the back of the roof.

Mr. Carugno made a motion to approve the variance; Mr. Applegate seconded the motion. All Board members voted yes, Mayor Chang, Mr. Maybury and Mr. Borger abstained.

The applicant asked the Board for an at risk permit, which they granted. He would go back to the HPC for further approvals if he decided to paint the 8 by 8 beams instead of leaving them in their natural state.

**Electro-Steam Generator Corp., Block 403, Lot 1 (50 Indel Avenue).** Robert Murmane was sworn in by the Solicitor. The building needs repair from storm damage; there is an existing stock area and they would like to be able to pull trucks in to the building; therefore they need to pave the area in order to do that. This is a corporation and there is a legal issue as to whether they need a Solicitor to represent them. The Board does entertain waivers without representation and had recently done so for Hampton Hospital, so they would hear the site plan waiver.

Harry McVey stated that the site does need some upgrades. There is a yard drain in the middle of the loading docks; he wanted to know where the water will be channeled to, hopefully it would not be discharged into the street.

They wanted to pave over the top of the existing asphalt. No soil is being disturbed and parking will not be affected.

Greg Valesi has no objection to granting the site plan waiver but would like to review the plan so that engineering wise it works. He advised the applicant that any engineering review would require additional escrow.

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

Greg Valesi would coordinate with Jim Winckowski who had already looked at the plans.

Mr. Carugno made a motion to approve the application; the motion was seconded by Mr. Applegate. All Board members voted yes.

The Board granted an at risk permit to the applicant, as requested.

The Board adjourned the meeting for closed session to discuss their professional appointments for 2014. Motion made by Gene Blair, second by Ron Applegate. All Board members were in favor.

The Board reconvened and the meeting was opened to the public. Angela Zollner asked when the agendas are usually posted on the website; Secretary Marion Karp answered that it is usually the Thursday before the meetings were held. Janet Curran appreciates what the Board does and thanked them. Chris Parente thanked the HPC for the meeting that they held in regards to the Brennans.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board