

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

APRIL 5, 2017 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 April 5, 2017 at 7:04 P.M. The meeting was called to order by Chairman David Barger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 5, 2017 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Daniels, Mr. Freeman, Mr. Guerrero, Mr. Lopez, Mr. Mumbower, Mr. Gehin-Scott, Solicitor Stephen Boraske, Planners Sam Agresta and Tamika Graham, Engineer Jim Winckowski, Secretary Marion Karp
Absent: Mr. Borger, Ms. Berkley

The minutes of the March 1, 2017 meeting were approved.

Solicitor Boraske swore in the Board professionals.

Resolutions:

4-2017 Recommendation of Ordinance #1-2017, Amend Westampton Township Code, Chapter 250, Zoning, Sections 250-4 & 250-26 (definitions of convenience store, motor vehicle service station and principal use) – was memorialized.

Old Business:

None

New Business:

Dolan Contractors, LLC, Block 203, Lot 7 (90 Stemmers Lane). The applicant's attorney Russ Whitman was present on behalf of an application to construct a 36,150 square foot building addition to an existing building at 90 Stemmers Lane. Additional parking is proposed. A "C" variance is requested for a 33 foot side yard where 50 feet is required. Mike Dolan, principal, Bernie Wojtkowiak, PE and William Stevens, PE, PP were sworn in by the Board solicitor.

The proposed addition will serve as a freezer and will be attached to the building. The

intention of the project is to make the entire facility a fully refrigerated building. The occupancy history has been spotty on this building according to Mike Dolan; it is currently being occupied for overflow by Camuto Group. Before that it was vacant for a number of years. It's been a long time since there has been a steady long term occupant of the building. This building was constructed in 1995; the original tenant lasted two years and then Ikea used it for overflow for 4 years. It is a basic building with minimal improvements, basically a concrete shell box. Buildings of this size that exist are being repurposed for other uses. The number of additional parking spaces will accommodate the tenant's needs; the tenant interested in the building is Sunbasket.

Office space within the building will be expanded from a current 3,990 office to a proposed size of 6,265 square feet. Sunbasket ships food to homes, along the lines of Blue Apron. They are currently located and headquartered in San Francisco; they are operating in Highland Business Park in an existing refrigerated space of about 40,000 square feet. The meal boxes are assembled here. It is not an operation that requires a large amount of loading dock activity. Staff will likely be increased, but Mike Dolan isn't sure exactly by how many, he thinks somewhere in the line of 250 employees total and they currently employ about 150 now. They are looking to lease the building.

The Planner's letter of 3/29/17 was reviewed with the Board. Ms. Graham noted that several items required to be submitted had not been submitted with the application; the applicants agree to supply all of the missing information. The applicant is proposing 241 new parking spaces. Bumper blocks will be removed from the proposed parking area. The applicants would like to seek an additional variance to allow for their proposed parking layout.

Sidewalk is proposed along the front of the building; they agree to provide a revised sidewalk layout. The applicants request a waiver from having to provide a 50 foot buffer in the front; they want to leave it the way it currently is. They are also seeking waivers from items # 2 and #3 in the report. They agree to comply with the rest of the comments regarding landscaping and plantings.

Lighting will be upgraded to LED lighting across the entire frontage. Lighting in the rear will be matched to what currently exists there now. The lighting plan needs some revision since they can't install lighting poles in the PSE&G easement. They may use some floodlights in addition to standard shoebox fixtures in order to bring the light level up to what it needs to be. The lighting plan will meet the Township ordinance. Jim Winckowski asked if PSE&G would provide a letter indicating their approval with the plan; Mike Dolan explained that they have experience dealing with them. This building already has parking located within the easement area. The poles will be located just outside the easement area and point towards the building.

Trash is handled by an existing compactor at the rear of the building; there is no existing enclosure.

No additional signage is proposed at this time; they will use the existing and just change

the facades.

The Board engineer's letter was then reviewed. Jim Winckowski asked about the additional employees and their traffic impact; the applicant doesn't believe there will be much of an impact.

The storm water management design was recently completed and was submitted to the Board engineer. The existing system will remain; there is an existing swale which leads to a basin. Jim Winckowski was concerned with ground water recharge. Their engineer suggested changing the outlet structures to retain more water so that it will recharge into the ground; they have ample storm water management storage. Jim stated that there are a lot of open ended issues and the applicant is asking for both preliminary and final approval this evening. He hasn't had time to review the storm water design; they haven't had time to address traffic; they have no testimony from the proposed tenant, etc. He thinks the engineering details can be worked out, we always do, but he is concerned about relying on a storm water management facility on an adjacent site.

Bill Stevens said that all three buildings in the area function well together as far as storm water management; Jim commented that it may be so but he hasn't had time to verify this.

Board Chair Dave Barger asked if a preliminary approval would satisfy their tenant; Russ Whitman stated that they have often received conditional approvals. He does understand Jim's concerns; it is a complicated thing and something that has to be reviewed. He suggested that it be handled as a resolution compliance issue which will be worked out at a later time.

Jim Winckowski asked if the 294 spaces were something set in stone or if they could be adjusted. Mike Dolan stated that the proposed tenant was seeking 300 spaces. Jim is ok with the 9 foot wide employee parking spaces.

There are some areas where outside condensers will be located; Jim Winckowski stated that two of them are located in a parking space and also in a drive aisle. Bernie Wojtkowiak stated that they are looking at different equipment that would reduce the size. They have a lot of flexibility with the mechanical design. Jim asked if all three had to be in front of the building; Bernie said they could explore other options. Loading docks at the front of the building will be removed.

Dave Barger asked if the color of the wall panels could be changed from white and painted to match the existing building which is a tan color; the applicants are agreeable to that. He asked if they would consider supplementing the buffer along Route 295 east of the future freezer area as well; they agree to this as well. It will improve aesthetics.

The existing driveway will remain untouched. The Fire Official submitted a report dated 3/29/17; the applicants agree to comply with the items in his report. Gene Blair stated there is a Knox box ordinance that they need to comply with; the applicants agree to do

this. There is a two foot gap between the side of the building and the driveway; this will be concrete.

Board member Bill Freeman stated that he has concerns that the increase in traffic hasn't been addressed by the applicant. He thinks an addition of this magnitude should address traffic concerns.

Russ Whitman stated that this isn't a very large addition; Mike Dolan commented that this is an existing building and it is a small amount of space and a small number in comparison to the overall business park. Internally there is really little traffic and there are no issues currently. Tenants fluctuate over time; the last time an addition was constructed was two years ago. It was a 60,000 square foot addition and they didn't do a traffic study at that time.

Abe Lopez has concerns because we don't know the shift schedules of the business; the storm water management issues are concerning as well as a lack of a circulation plan. Russ Whitman stated that they are happy to have any approval conditioned upon approval of our Board professionals.

Jim Winckowski said the impact of traffic isn't so much dependent on the size of the building as on the use of the building. He cannot review traffic impact as part of resolution compliance the same way that he can do with the storm water management.

Abe Lopez is concerned with the use of the building; he wants more detail on the use such as the hours of operation; how many employees; are the shifts going to be staggered, etc. He doesn't know what the intentions are of the incoming business.

Russ Whitman stated that they can't provide this information because they don't yet have a contract, they don't have a tenant, and they are doing this on a speculative basis. He hopes the Board members have been through the industrial park; there is virtually no traffic in the park. His experience can't be unique. He believes a traffic study isn't a checklist item and it isn't required; it is an unfair burden to place on Mr. Dolan. He is a businessman but he has a long term interest in Westampton Township. He understands the Board's concerns but it isn't a reality; there are no traffic issues in the business park. This is not a large addition.

Dave Barger stated that if 294 employees leave all at one time, the intersections will be a mess. The Board will hear it from the residents. This is why the Board needs information from the proposed tenant regarding shifts, etc.

Bill Freeman stated that they are adding to a conglomerate of traffic, there are other businesses in the township. The Board is just trying to address their concerns, they live here, and they are residents.

Dave Barger asked if a preliminary site plan approval would convince their tenants that they are on the right track; Russ Whitman stated that he believes it would. Abe Lopez

said we want to roll out a red carpet for business in this town; we just have a concern. We don't want to hurt a potential deal.

Mike Dolan stated that they have done three or four traffic studies and they are of the whole park and required by Burlington County. The Board has never asked for a study for one building.

Jim Winckowski said this is the first time that parking has increased so greatly with no explanation; nothing has come in to the Board in this business park in years. The onsite roadways aren't an issue, but the intersections are. They still don't have details on the operation so it is hard to make a decision as to whether traffic will be an issue.

Mr. Stevens spoke regarding the "C" variance for insufficient side yard; there are a few reasons for this, most predominantly the tenant requires the space for freezers. They are constrained by the site; it is their opinion that it is a di minimus variance.

Dave Barger asked if the County Planning Board might require a traffic study. Jim Winckowski suggested that perhaps the Board could determine a threshold amount of trips that the applicant would generate during peak hour. Usually it's around 100 trips. If they exceeded that they would have to return to the Board. Perhaps the Board could grant an approval based on a condition that a certain number of trips not be exceeded.

A peak hour trip generation report needs to be submitted to the Board; if it doesn't exceed 100 trips per hour the applicant would not have to return for amended final approval. If it does, then they would have to. Resolution compliance is always conducted between the professionals according to Russ Whitman and doesn't involve the Board at that point. Solicitor Boraske advises that this is a discretionary thing for the Board to decide; the Board has two options. They can give just preliminary approval tonight; the second open is to grant both approvals tonight and have the Board professionals work out the outstanding issues.

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

Russ Whitman stated that they wanted both preliminary and final approvals this evening; the outstanding issues are the kinds of things that aren't unusual to work out during resolution compliance. The advantage to them is they can market the property as having a conditional final approval, it means a lot. They don't want to deal with the uncertainty of a Land Development Board meeting. Russ said they are in competition with other areas and they don't have a signed contract yet. Spec buildings never have the advantage of being able to talk to the tenant ahead of time; it certainly isn't an unusual issue. Getting the building up to spec is a very expensive venture. This is a tenant that has been in the Township a number of years and hasn't raised a profile at all.

Russ Whitman asked the Board if the matter could be continued until the next meeting.

Mr. Guerrero made a motion to continue the application; the motion was seconded by Mr. Freeman. All Board members voted yes.

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

Comments from the Board

Mayor Daniels thinks the Board did their due diligence; he understands smart growth but there were many conditions attached, ultimately this may just walk away. As a Mayor he is always looking at ways of minimizing impact to resident's pocketbooks. We can't have it both ways. Mike Dolan has helped this township grow.

Abe Lopez commended everyone on the Board for trying to balance economic growth and the concerns of the residents. He saw the Board trying to make this work; he thinks we were really close to coming to a resolution.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board