

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

JUNE 7, 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 June 7, 2017 at 7:00 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. Barger, Mr. Blair, Mr. Daniels, Mr. Guerrero, Mr. Lopez, Mr. Mumbower, Mr. Gehin-Scott, Solicitor Lou Cappelli, Planners Sam Agresta and Tamika Graham, Engineer Jim Winckowski, Secretary Marion Karp  
Absent: Mr. Applegate, Mr. Freeman

The minutes of the May 3, 2017 meeting were approved.

Solicitor Cappelli swore in the Board professionals.

### **Resolutions:**

6-2017 Dolan Contractors, LLC, Block 203, Lot 7 (90 Stemmers Lane) – major site plan and bulk variance (36,150 sq. foot building expansion) – continuation of application until June 7, 2017 meeting – was memorialized

7-2017 A. Duie Pyle, Inc., Block 202, Lot 2 (45 East Park Drive) – preliminary and final site plan approval (installation of security fencing, parking lot modifications) – was memorialized

8-2017 Dolan Contractors, Inc., Block 203, Lot 1.03, 2 & 3 (32 Springside Road) – amended final site plan (improvements to include guard booths, driveway with acceleration lane onto Ikea Drive, fencing, patio, site lighting, landscaping, trash compactor, truck staging area and entrance barrier gate – **NOT MEMORIALIZED**. The application was withdrawn by the applicant with the understanding that a new application would be required if any modifications were required. It is an unusual request according to Solicitor Cappelli; it will be a condition that any bills generated are to be paid; the applicant will have to waive their 45 day right and a new application would be required.

9-2017 Virtua Health, Inc., Block 1201, Lot 20 (798 Woodlane Road) – site plan waiver (mobile Farmer's Market) – was memorialized. Mr. Lopez stated that he had received a

letter from a resident regarding Farmer's Markets; the resident had concerns that the produce sold here should be locally grown and thought this may violate the Township's right to farm ordinance. It is the Solicitor's opinion that it doesn't apply here.

### **Old Business:**

**Dolan Contractors, LLC, Block 203, Lot 7 (90 Stemmers Lane) – major site plan and bulk variance (36,150 sq. foot building expansion) – continued from May 3, 2017 LDB meeting.** Russ Whitman, the applicant's attorney was again present for the third time before the Board. Mr. Whitman gave a brief history of the application to refresh the Board's memory. They believe they have addressed all the Board's and their professionals concerns.

Bernie Wojtkowiak, engineer and William Stevens, engineer were sworn in by the Board Solicitor. They first reviewed the Board Planner's letter dated June 1, 2017. They reviewed the items in the report and clarified some of the engineer's concerns. 9 foot by 18 foot spaces are allowed for employee only parking, abutting sidewalk needs to be 6 feet in width to accommodate overhang, however, the sidewalk they are installing is only 4 feet wide. This is a concern according to Board Engineer Jim Winckowski in addition to the spaces located along the loading/drive aisle. Mr. Stevens testified that there will only be 10 truck trips per day which reduces the possibility of conflicts between tractor trailers and employees. They are hoping to expand their business and thus want to provide as many parking spaces as possible. Many warehouses in the industrial park also have this same condition. Jim Winckowski suggested that if they install wheel stops on the spaces adjacent to the sidewalk that it would help with overhang and the reduced width sidewalk. They agree to install these; Jim is agreeable to working it out with the applicants. Jim Winckowski asked why the parking space sizes were mixed; Bernie Wojtkowiak stated that this was to meet the applicant's parking requirements.

Planting design involves mature landscaping already existing on the site; they will leave that and also fill in some areas that aren't landscaped. The Board would like some more landscaping added at the back property line to screen the view a bit better; arborvitae will also be added as requested by the Board.

Lights can have shields added if the Board requires at the south side of the property; however the applicants would like to leave the plan the way they have designed as it provides an adequate level of safety and all surrounding property is industrial, not residential. Dave Barger had concerns about one of the lights and would like the potential for glare on neighboring properties reduced; the applicants agree to do this.

They next reviewed the Board engineer's letter dated June 5, 2017. 15,921 square feet of the building will be dedicated as office space. Three times the amount of parking spaces needed are being proposed. Operations are during off peak hours; there are 2 shifts that operate and they are not during peak traffic times.

There is an existing swale on the eastern side of the building; it will be modified to help

mitigate the increase in impervious coverage. There are still some technical issues to be resolved but Jim Winckowski says they are minor in nature and he is confident they can be worked out.

Gene Blair stated that we are still waiting for a report from the Fire Official; any approval granted this evening would be subject to his report; the applicants agree to this condition. They wanted to be able to proceed "at risk".

Dave Barger wanted to be able to have the applicant revisit the Board if in the future the shifts would change and present a problem. This could also be a condition in the resolution.

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

Mr. Lopez made a motion to approve the application; Mr. Blair seconded the motion. All voted yes; the motion carries and the approval is granted.

### **New Business:**

**Dolan Group VII, LLC, 80 Stemmers Lane, Block 203, Lot 7.01.** Chairman Dave Barger recused himself; Vice Chair David Guererro took over. Russ Whitman explained that they were seeking another one year extension for a previously approved site plan application. This provides for an expansion of the building. They want to be able to attract tenants in a competitive market and people look for properties with short delivery times. Mike Dolan was sworn in. He stated that there is a tremendous advantage if you have a building that suits a tenant's needs that is ready to go. They are hopeful to bring in some more tenants to the Township. The permit extension act finally expired in June of 2016. They had come to the Board last year and secured their first one year extension. Mayor Daniels stated that he is inclined to agree with Mr. Dolan; both site plan approvals should be extended.

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

Mr. Borger asked how many extensions were available to the applicant; there are 3 one year extensions that are permissible, unless the building is more than 200,000 square feet.

Mr. Lopez made a motion to approve the extension of the application, Mr. Mumbower seconded the motion. All voted yes with the exception of the Chair, who recused himself. The motion carries and the extension is approved.

**Dolan Contractors, Inc., 97 Stemmers Lane, Block 203, Lot 6.04.** This is currently an undeveloped parcel and involves the construction of a new building. Russ Whitman explained that they are again requesting another one year extension of the approval. They had secured their first 1 year extension last year; this would be their second extension.

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

Mr. Lopez made a motion to approve the extension; the motion was seconded by Mayor Daniels. All voted yes, with the exception of the Chair, who had recused himself. The motion carries and the extension is approved.

**KCA Westampton, LLC (Wawa), 76 Springside Road, Block 203, Lot 5.** Tim Prime, attorney, was present on behalf of the applicant. Matt Sharo, engineer, Nick Verderesb and Paul Phillips, Planner were present. The application is for conditional use approval, preliminary and final site plan approval and several bulk variances. The property is at the corner of Woodlane and Rancocas/Springside Roads and currently is occupied by a Wawa retail store, no fuel dispensing pumps.

Mr. Prime summarized the ordinance as it related to convenience stores. The site is approximately 4 acres in size. There will be no servicing of motor vehicles; only fuel will be sold and dispensed; they will only be accommodating cars, not trucks. The canopy height will limit trucks as will the slower flow gas dispensing nozzles on the pumps. The Wawa and the fast food restaurant will be on the same lot and will enter a lease agreement; there will be no subdivision. The new Wawa offers much improvement over the old store currently on the site. The detention basin will be surrounded by fencing. One variance being requested refers to the front yard buffer setback from the street due to the corner lot configuration. There are no other motor vehicle service stations at the intersection.

There is more than adequate parking proposed. Two free standing signs are permitted, not to exceed 60 feet. The proposed fast food restaurant will need a sign variance to add a panel on the Woodlane Road sign. Façade signs for the restaurant will require variances as well. Two other variances are requested – the front yard buffer which was required because they shifted away from the home located nearby. Secondly, lighting under the canopy will be higher than average due to business needing to be conducted 24/7; however there is zero light shed at the lot line. Mr. Prime feels that this Wawa will add a lot of convenience to people's lives; most customers are already out on the road and they known as "pass through traffic".

Gene Blair asked if a variance was being requested for the proposed pylon sign; such signs are no longer permitted by ordinance. Monument signs are allowed and preferred.

Matthew Sharo was sworn in by the Board solicitor. He is the applicant's engineer. He gave an overview of the site. The property is in the C Commercial zone; fast food restaurants are permitted and the Wawa is a conditional use. He showed architectural elevations, the building is 5,585 square feet in size, 22.5 feet high, with stone veneer on the bottom of the building. The front of the building is 33 feet in height. The fuel canopy will contain 6 fuel dispensers. Clear height is 14 feet.

Deliveries take place 4 times a week for fresh groceries; chips and sodas are delivered two to three times a week; dairy items approximately 3 times a week. Trash pickup takes place via a trash enclosure in the southeast corner, which is 16 by 30 feet in size. It is screened by an eight foot high enclosure. The gates are self-closing and are substantial. Trash is picked up three times a week and takes place during daytime hours. Each fuel dispenser does offer diesel; attendants will turn away tractor trailers that wish to refuel here. There are two 20,000 gallon underground tanks located in the northern corner of the site.

The fast food restaurant will seat 132 people and is 5100 square feet in size; hours of operation will be from 6:30 AM to 10:00 PM. There will be 60 or so employees on 3 shifts. Deliveries take place at the rear of the store. There will be 2-3 deliveries every day and fresh food delivered daily via a box truck. Trash pickup will occur 3-4 times a week, along with pickup of recyclables, during day time hours. The drive thru is at the east side of the site; the que can handle 22 cars stacking.

There are two access points to the site; one on Springside Road and one on Woodlane Road. Both driveways are subject to Burlington County approval. Wawa has 25-30-35 foot wide drive aisles.

Regarding parking spaces, 23 are required by Ordinance, 52 spaces are proposed for the Wawa. For the fast food restaurant, 24 spaces are required and 52 are proposed; all parking spaces will meet ordinance requirements at 10 feet by 20 feet in size. Adequate ADA parking is proposed. The loading zone at Wawa is to the south of the building; the restaurant's is between the drive thru and the building at the eastern part of the site. A waiver is requested for the location of the loading zone. Waivers are also requested for parking closer to the building than allowed by ordinance. There are crosswalks and sidewalks throughout the site; sidewalks are going to be installed along Springside and Woodlane Roads.

Landscaping is pretty substantial throughout the site according to Mr. Sharo; evergreens are being provided along both road frontages. 557 plantings are proposed in total for the site; at this time they are requesting a waiver for providing the 28 required canopy trees but they agree to work with the Board Planner on this. The chain link fence will be replaced with a four foot high split rail fence, as suggested by the Board engineer.

Mr. Lopez – has polled the residents; their primary concern with the new Wawa is traffic

and aesthetics. He asked if the canopy could be modified in any way; perhaps an A frame style. He showed a photo of another canopy from a Wawa to Mr. Prime. The applicants agree to explore this option but they can't promise this will be installed.

Storm water management is handled by two basins, one underground along Woodlane Road and the other at the rear of the site. They will comply with the Board engineer's comments regarding storm water management.

The signage package includes one free standing sign on Springside Road, 3 façade signs, and one shared monument sign on Woodlane Road with an added panel that will require a variance. The restaurant is proposing a monument sign, 3 façade signs (variance required because only 1 is allowed by ordinance); and a 15 foot high pylon sign. Gene Blair is concerned with the number of signs on Springside Road and especially with the pylon sign which isn't permitted by ordinance. Gene thinks the proposed signage is excessive and thinks they need to ask for a waiver for the proposed digital gas signage as well. The sign on Springside should be a monument sign like the one proposed for Woodlane Road and that is enough signage for the site, according to Gene. Mr. Sharo stated that the digital signage proposed for the site is limited only to the gas prices and only changes once a day.

The applicants agree to comply with the Fire Official's report. They aren't providing any oversized parking spaces since it has proved to be a problem at other Wawa locations. There is a flagpole 35 feet in height proposed at the restaurant. Landscaping will be fully irrigated.

Nicolas Verderesb was sworn in by the Board Solicitor to address traffic. He addressed on site traffic flow. The Springside road driveway is in the same location as the current one; however it will be made larger. Left turns are being restricted onto Springside Road. They feel comfortable that their proposed design will be approved by the County. Drivers making deliveries to Wawa are instructed on how to deliver to the sites; they should primarily be arriving from the south. They have completed a traffic impact study. Existing Wawa traffic counts were utilized and they added traffic generated by the gas pumps and restaurant. They did counts in the morning, midday and the evening. They did an analysis of the intersection as well; there are small changes in the delays but those changes are acceptable. The County hasn't completed their traffic review yet.

Mr. Lopez wanted to know what the difference was between the different types of traffic studies; he also let the applicants know that there have been quite a few accidents at this intersection in recent years. Traffic generated at this Wawa is higher than what convenience stores typically generate. Jim Winckowski said the overall study was consistent with ITE; but they did question one method they had used. Because they had existing counts they were better able to understand what the traffic will be. Jim isn't concerned; the County knows what they are doing and they are the higher authority. Residents are welcome to attend the County Planning Board meetings where they can voice their concerns.

Paul Phillips, Professional Planner, was sworn in by the Board Solicitor. This application largely complies with the Township ordinance. Only one bulk variance is being sought for setback on Woodlane Road where a 20 foot setback is required; the buffer is 5 to 6 feet deficient in order to provide as many parking spaces as possible. The excess buffer at the rest of the site makes up for this lack, according to Mr. Phillips. They are below the impervious coverage limits. He sees no detrimental effects for granting the variance.

The meeting was opened to the public for comment.

Allie Stanford – she is opposing this Wawa, the same as she did in 1999. She doesn't think it belongs in a residential neighborhood. It will bring traffic and gas fumes. She sees no benefit to the neighborhood, nor to Westampton. Wawa isn't an asset and they don't belong here, they belong on a highway.

Robert Maybury – says he didn't receive notice of the meeting and isn't properly prepared. He read a statement that he had prepared. He owns property adjacent to the Wawa site. He asked that the Board not vote on this tonight as he needed more time to review the plans.

Mike Eaton – Spring Meadows was approved 20 years ago and recently Project Freedom was constructed a few years ago. He feels like the residents are an afterthought. The only good thing about this application are the sidewalks they are installing. He likes Wawa but he doesn't think it will be beneficial in this area; it will cause problems for the residents.

Machell Pettis – asked if an air quality study was done. She was told that it isn't a requirement. She asked if the gas station has to be on their property or if it could be across the street. She asked what the increase in traffic would be.

Patricia Iannone – said she doesn't think a lot of Westampton residents know a Wawa is being proposed; she thinks more people need to know. She doesn't think a Wawa belongs in this residential neighborhood. She is very concerned with traffic.

Mr. Lopez explained that we want to see sidewalks along areas such as Springside Road; it is beneficial both for the residents and the Township.

Ms. Iannone absolutely opposes it.

Vernita Jones – it took her a long time to figure out where to move; we need to stop giving our town away. This is a residential area; we don't need another super Wawa here. It will bring in crime as well as more traffic. We need to think about the residents.

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

Tim Prime – respectfully, this is a Commercial zone, it is a multimillion dollar

redevelopment, this is not in a residential zone. This site needs to be improved; they have done everything they could to try to minimize the impact. The County will ultimately decide if this goes through.

Dave Guerrero – asked about procedure and proof of mailing. They have to provide proof of mailing, certified mail, not returned receipt. He just wanted to make sure.

Mr. Lopez – there have been announcements on social media as well as newspaper articles regarding this impending application. There have been diverse opinions and chatter about this meeting. He has heard all the concerns of the residents; this is a project that will bring in taxes; nothing is being given away. This development isn't taking anything from us; to the contrary, we do need some funds to pay for other projects that are coming in such as the Ingerman project that will be bringing many school children into the Township and very little as far as taxes. He has received comments from residents that want to see a gas station here and they want to see a total overhaul of the Wawa.

Dave Guerrero – would like to see buffering increased on the south side if possible. Jim Winckowski stated the only possible thing is to add fencing.

Gene Blair – the landscaping plan on page 7 shows a dual row of evergreens; if they consider fencing go with something long lasting; like white vinyl. As far as signage, the pylon sign is prohibited under our ordinance. Mr. Prime stated that they will reduce signs to one monument sign on each road and those will be dual use.

Dave Barger – there is already a Wawa here. It is in conformance with the Master Plan. This is in the commercial zone and will improve the aesthetics of the area, it needs remodeling. There have been gas stations at this intersection; these aren't any new uses that are being introduced. The overall benefits of this project outweigh the detriments in his opinion. He wanted the applicants to construct an A frame canopy instead of the proposed slanted type; this would be a condition of any approval granted by the Board.

Mayor Daniels – most of the comments he has received regarding this project have been positive. The alternative of what could happen here has scared people even more. Additional parking and the availability of gas all add value. The new restaurant adds ratables and will bring jobs into the Township. He thinks it is the right thing to do.

Gilbert Gehin Scott – didn't see much information on the fast food restaurant as far as aesthetics; Tim Prime stated that it would conform with the look of the Wawa. They will eliminate the façade sign on Woodlane Road; there will be a monument Wawa sign on Woodlane and one on Springside road and a monument restaurant sign on Springside. Jim recommended spacing them so they are balanced. There is one remaining variance for the façade sign for the restaurant.

Mr. Barger made a motion to approve the application; the motion was seconded by Mr.



Gehin Scott. All voted yes, with the exception of Mr. Lopez, who left the meeting at 10:40 PM. The motion carries and the application is approved.

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

### **Comments from the Board**

Ms. Berkley – is glad the Wawa is going to be upgraded; however she is concerned with the 24 hour gas station.

Mr. Mumbower – understands some residents are upset about the decision but thinks the Board reached the right decision.

Mayor Daniels – it is time for that corner to be upgraded; it would be far more problematic if it became a 6-12 store.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board