

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

APRIL 3, 2019 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 3, 2019 at 7:02 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 4, 2019 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. Borger, Mr. Eckart, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Odenheimer, Mr. Wisniewski, Solicitor Robert Swartz, Engineer Jim Winckowski, Planner Barbara Fegley, Secretary Marion Karp  
Absent: Mr. Myers

Approval of meeting minutes 3/6/2019 - were approved as written

**Resolutions:** approval needed:

8-2019 979 Woodlane Road, LLC, Block 1104, Lot 3 (939 Woodlane Road) – continuance of preliminary & final major site plan, use variance & bulk variances (redevelopment of existing convenience store) – was memorialized.

9-2019 Lillian Forrest, Block 301.01, Lot 24 (182 South Hill Drive) – variance (conversion of garage into living space) – was memorialized

### **New Business:**

**MRP Industrial/Resolution #46-19, Amend Redevelopment Plan, Block 902, Lots 1, 2 & 3.** This is the site of the former Woodmont project, which was to be apartments. The Board had approved the redevelopment plan for the apartments but now needed to amend the plan since the redeveloper, Woodmont, had lost the property to foreclosure and could no longer complete the project; the plan needed to be amended to allow for a different use.

Dad Hudson gave a brief overview of his firm; they have developed one in six new warehouses in the state of NJ. The property is located to the rear of the Home Depot, bounded by the NJ Turnpike and Western Drive. The project is a 600,000 plus square foot warehouse with associated improvements. It would employ roughly 200 employees. There is a singular point of ingress/egress both for trucks and car traffic. The building could accommodate 2 tenants but in all likelihood would only house 1

tenant; there are no potential tenants identified at this point in time. He explained that the market was very active at this point. The building will be a load bearing concrete exterior wall type of construction and will also contain office space. The Board questioned whether only one entrance and exit was enough; the applicants thought it would suffice and would be providing a traffic study once it came to the time of site plan submission. In most instances this kind of operation would involve two shifts per day. Dave Barger expressed his opinion regarding the proposed warehouse on the site; he didn't think it was particularly suitable for this site. Mr. Freeman tends to agree with Mr. Barger; he thought that with the hospital coming, perhaps something might be built in the OR-2 zone.

The meeting was opened to the public for comment. Nancy Burkley commented regarding her feelings on the amended redevelopment plan; she was in opposition to having a warehouse there; she would rather see office buildings there. Jerry Mengel, Fernbrooke, asked exactly where the property was; he was worried that it was on Hancock Lane near the subdivision where he lived. Steve Boonstra, 209 Oxmead Road thinks this is the right site for the warehouse. It has access directly to Route 295 and the Turnpike and he thinks it is a good location as opposed to putting residential there. He thinks it fits the area.

Ms. Haas made a motion to approve directing the Township Planner to amend the redevelopment plan; the motion was seconded by Mr. Applegate. Ms. Haas, Mr. Applegate, Mr. Blair and Mr. Borger voted yes. Mr. Barger, Mr. Freeman and Mr. Guerrero voted no. Mr. Eckart and Mayor Wisniewski abstained.

**Michael Webb, Block 204, Lot 3.03 (71 Springside Road).** The site is located in the C Commercial zone in the shopping center where CVS and Pepperoni's Pizza are located. It shall be noted that Mayor Wisniewski and Mr. Eckart recused themselves due to this being a use variance. Mr. Webb was present on behalf of his application and sworn in by the Board solicitor. He is a new tenant and hopes to open a hobby store; the variance was deemed necessary by Gene Blair due to the occasional tournaments he holds at the store which is not a permitted use. The tournaments are held no more than once per month according to Mr. Webb; it is not a regular thing. He usually expects about 12 players at a time; these events take place later in the evening, from 6 PM to midnight. There are typically not spectators at these tournaments. The closest similar store is Ron's Comic store on Route 38. The proposed name is Running on Dice. It is not gambling in any sense although a prize is offered. Hours are noon to 10 PM unless a tournament is held, then they would close later. They would be closed Monday and perhaps on Tuesday as well. The primary use is the sale of the games. The games include conflict simulation, war simulation and card games with a magic or sorcery theme, all of them strategy games. Bottled drinks and snacks will be offered for sale as well as the different games. The majority of people are younger teens to young adults; however, he does sell to older groups as well. They are board games as opposed to electronic games. The tournaments are merely promotional; he earns money from the sales of games. This is his sole operation. He is going to occupy the

space that the former dry cleaner was in. Parking is more than adequate. There will be three employees, Mr. Webb, his wife and his son. Mr. Webb explained that his customers would use the surrounding restaurants when they were there for gaming, which is a benefit to those business owners.

Any signage installed would have to meet the Township code.

At this point, the meeting was opened to the public. No comments were made and the meeting was closed.

Mr. Guerrero made a motion to approve the variance; the motion was seconded by Ms. Haas. Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Freeman, Mr. Guerrero, Ms. Haas and Mr. Odenheimer voted yes.

Gene asked Mr. Webb how soon he wished to proceed; he indicated that he would like to proceed at risk as he wanted to move forward as soon as possible. The Board granted his at-risk authorization.

**979 Woodlane Road, LLC, Block 1104, Lot 3 (939 Woodlane Road).** Ken Pape, applicant's attorney, was present on behalf of the application. This property has come before the LDB three times in the last thirteen years. They are seeking preliminary and final site plan approval as well as a use variance and bulk variances. They met with the Board professionals and the neighbors and have since revised the plans. They met with the Gauntt family who have a garage that is partially on their property; they agreed to let the garage remain.

Stuart Challoner, engineer, Felix Bruselovsky, owner and president, Alison Coffin, professional planner, Jay Troutman, traffic engineer and Michael Testa, architect were all sworn in by the Board solicitor.

7-11 is going to be taking over the new site. The property currently features a small convenience store and Conoco gas station with a single canopy style pumping station. The site will be totally reconstructed. The only thing that will remain are the underground tanks which are fairly new. There will be two access points to the property where there are four today; two will be removed. The property is bounded by residential properties to the north and west. New landscaping is to be installed, the mature evergreen screen on the site will remain. There will be 11 parking spaces in the front of the building, 9 feet in width, which require a waiver. The applicants are agreeing to relocate their proposed fence around the side of the Gauntt's existing garage. The design of the convenience store is a flat roofed building pitched to the rear, which will tie into an underground filtration system with a bubbler system and will discharge out onto Jacksonville Road and not onto the adjoining properties. It is a larger building but they are eliminating two access aisles and adding more green space. Light fixtures will be 15 feet in height, LED and are screened so as not to spill light onto the adjoining properties. There is a substantial evergreen screen to the east; the fence and these trees will remain. They are adding new landscaping in the front of the site, both along

Woodlane Road and Jacksonville Road. Along the northern border, the existing fence and plants will be removed, new ones will be installed. The fence will be 6 feet in height, taupe in color and solid.

An irrigation system is to be installed for the landscaping. An 8-foot-wide sidewalk will be installed at the front of the convenience store. All new 5-foot-wide sidewalks will be provided along both road frontages. There will be one access point on Woodlane Road and one on Jacksonville Road. Box trucks will have an area to unload in front of the trash enclosure, small trucks can use the parking spaces when unloading. There is a double pylon sign currently on the site, it will have a new face put on. Pricing for the fuel will be digitized, prices only. There is a no further action letter that exists for the site. They agree to comply with the letter issued by the Westampton Township Fire Official.

The wall of the store will be about 5 feet from the Gauntt's carport; the applicant granted him a license agreement, which is revocable, to encroach on their property. The relocation of the carport will require a building permit and also will require a variance application before the Board for insufficient setback. Gene Blair wanted to make sure that Mr. Pape was aware of this; he indicated to the Board that he would inform Mr. Gauntt that this was needed.

There would be 3 employees; there is room for 8 cars underneath the fueling canopy. The adequacy of the parking was discussed; 12 spaces are required as per the ordinance. There are two spaces near the air pump, however these really can't be counted as satisfying parking requirements. 7-11 has their own delivery system and trucks and they schedule deliveries during off hours. There will be a propane swap cage on the site. Lighting would be adjusted to the recommended 4000 Kelvin; however, Dave Barger recommended 3000 Kelvin lights and the applicant agreed to this.

The number of fuel pumps hasn't increased, their location has been made more convenient by how they are located on the new site configuration. Trash removal hours are typically not before 7 AM; they also will have a rubber sound deadening system installed on the dumpsters to reduce noise.

Mr. Troutman, traffic engineer, testified on behalf of the application. The two existing driveways closest to the intersection will be removed which will help organize traffic movements within the site and increase circulation. There are a total of 21 on site spaces for vehicles, including the fueling area and air pump sites. As a general rule about 1/3 of the customers are gas only customers, 1/3 are store only customers and the remaining 1/3 use both the gas and the store. He believes the changes make the site more efficient and safer.

A trip generation comparison was done; they anticipate an increase of about a car a minute; peak hour is a 51-trip increase in the morning and 62 trips during the evening rush hour. The DOT will issue a letter of no interest unless the trip rate is above 100.

Level of service for the driveways are “C” or better. The site is already generating traffic and should not bring about a large increase. It’s a more intense use; the question is whether this is acceptable. The convenience store will increase in size by about 900 square feet. There will be no diesel fuel dispensed on this site. A variance is required to allow for 9 by 18 feet parking spaces where 10 by 20-foot spaces are required. They are using hairpin striping which will help.

Michael Testa, architect, gave testimony on behalf of the application. He reviewed floor plans and elevations with the Board. It will have a block base with brick veneer; a metal canopy which overhangs the front doors, as well as a decorative cornice with a parapet around all four sides. The building is steel framed with a dropped ceiling. This building will not have the wide bright green and red bands around the top of the building as usual for a 7-11, it is not part of the plan of this particular building.

A variance is necessary for two extra wall signs, 24 by 36 inches in size (6 square feet) each. They are windows in which placards are placed. The 7-11 façade sign measures 140 square feet in size. There is an existing pylon sign on the site which will be refaced.

Alison Coffin, professional planner, gave testimony on behalf of the application by summarizing all of the proposed changes and then the variances that are being requested, many of which are pre-existing. In her opinion, the changes present no substantial detriment to the zoning plan and many of the changes are beneficial.

The applicants agree to comply with all conditions contained in the professional’s reports.

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

Mr. Guerrero made a motion to approve the use variance but to eliminate the two small signs. No one seconded the motion.

Mr. Barger made a motion to approve the use variance; seconded by Ms. Haas. Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Freeman, Ms. Haas and Mr. Odenheimer voted yes. Mr. Guerrero voted no.

Mr. Barger then made a motion to approve the site plan along with bulk variances, Mr. Freeman seconded the motion. All voted yes.

### **Open Meeting for public comment**

Nancy Burkley – thinks the vote we took isn’t correct as far as Robert’s Rules; she was questioning the vote taken on the redevelopment plan. She didn’t think that the voted passed based on the 4-3 vote with two abstentions. Solicitor Swartz would look into it further.

**Correspondence:**

None

**Comments from the Board**

No comments were made.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board