

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

RE- ORGANIZATION MEETING

JANUARY 8, 2020 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 January 8, 2020 at 7:00 P.M. The meeting was called to order by Secretary Marion Karp and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 4, 2019 and January 3, 2020 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance. New Board members Mr. Applegate, Mr. Blair, Mr. Eckart, Mr. Henley, Mr. Thorpe and Ms. Burkley were sworn in by Solicitor Robert Swartz.

**Roll Call:** Present: Mr. Applegate, Mr. Blair, Mr. Eckart, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Henley, Mr. Thorpe, Mr. Odenheimer, Ms. Burkley  
Absent: Mr. Borger

Motions are needed for the following 2020 appointments:

Mr. Blair made a motion to nominate Ron Applegate for Chairman; the motion was seconded by Ms. Haas. There were no other nominations. All voted yes, Mr. Applegate abstained.

Mr. Applegate made a motion to nominate Mr. Borger for Vice Chairman; the motion was seconded by Mr. Blair. There were no other nominations. All voted yes.

Mr. Blair made a motion to nominate Marion Karp for Secretary; the motion was seconded by Ms. Haas. There were no other nominations. All voted yes.

Mr. Blair made a motion to nominate Robert Swartz of Florio, Steinhardt, Fader and Capelli; the motion was seconded by Mr. Henley. There were no other nominations. All voted yes, Mr. Freeman abstained.

Mr. Blair made a motion to nominate Jim Winckowski of CME Engineers; the motion was seconded by Mr. Applegate. There were no other nominations. All voted yes, Mr. Freeman abstained.

The Solicitor swore in the Board professionals.

The minutes of the December 4, 2019 meeting were approved as written.

### **Resolutions:**

1-2020 Dolan Contractors, Inc., Block 203, Lot 7.03 – continued application for amended preliminary and final site plan approval, bulk variances – was memorialized

2-2020 MRP Industrial NE, LLC, Block 902, Lots 1, 2 & 3 – continued application for preliminary and final site plan approval – was memorialized

3-2020 Salt & Light Company, Inc., Block 1208, Lot 11 – continued application for amended site plan approval, use variance and bulk variances – was memorialized

### **Old Business:**

Dolan Contractors, Inc., Block 203, Lot 7.03 (86 Stemmers Lane) – continued application for amended preliminary and final site plan approval, bulk variances – **to be continued until 2/5/2020 meeting**. No further notice will be required to be given by the applicant.

MRP Industrial NE, LLC, Block 902, Lots 1, 2 & 3 (Western Drive & Hancock Lane) – preliminary and final site plan (construction of 634,000 sq. foot warehouse & associated improvements) – **to be continued until 2/5/2020 meeting**. No further notice will be required to be given by the applicant.

Salt & Light Company, Inc., Block 1208, Lot 11 (1841 Route 541) – amended site plan approval, use variance and bulk variances – continued from 12/4/2019 meeting.

The applicant's attorney, Pat McAndrew, was present on behalf of the application for a use variance and site plan approval. Only the use variance portion of the application would be presented and considered this evening. Kent Pipes, principal and Bill Nicholson, applicant's engineer were sworn in by the Board solicitor. It shall be noted that the Mayor and Deputy Mayor were not permitted to vote on the application since it involved a use variance.

Kent Pipes gave a brief description of his company, Salt and Light and a history of this project that had received prior approval from the LDB. The site is particularly suited to his clients and has worked out well for them during the last 6 years but the problem is he can't find funding for the commercial space which occupies 7000 square feet of the first floor of the building. It is easier for him to get funding if the building would not be a mixed use. They are moving towards single occupancy efficiency units and he had presented his conceptual plan to the Board back in August 2019. Each building to be constructed resembles a Cape Cod from the outside. Each has 4 units on the first floor and 2 units on the second floor. He explained that recovery residences that are clustered together with onsite supervision and services are effective in helping people stay sober and to become independent. He is looking to the Board for support. This is an ideal location for those who cannot or do not want to drive; there is shopping and there are employment opportunities close by as well as support services. He thinks that

Westampton is the ideal spot to launch a project such as this; it will be a key component in Burlington County.

Instead of 14 units of multi bedrooms which were approved back in 2011 they are proposing 30 single occupancy units which would house approximately the same number of people. Five of these buildings are proposed; they are affordable and will provide 30 units of rental housing which will give the Township 60 COAH credits. He hoped to secure close to 3 million dollars in funding and begin construction February 2021.

Mr. Freeman asked if each unit would have its own bathroom and kitchen; they would. Mr. Pipes explained that he expected each person would be there anywhere from 1 to 2 years; some longer, some shorter. No alcohol or drugs are permitted; if found, they would be asked to leave. Mr. Freeman also asked about the onsite support services. They are proposing to convert the garage on site into a service center. These clients would need ongoing support services such as supervision of their medication. They are hoping to amend the application to include an apartment on top of the garage to provide 24-hour support.

Mr. Applegate asked why the deed restrictions were never put into place as they were supposed years ago. Mr. Pipes explained that they are now ready to do this with the five units.

Ms. Burkley asked who owns the daycare building; Salt and Light owns it and leases it to the daycare center. She asked how close the daycare center would be to the new apartments; he stated approximately 150 yards.

The units will be 270-300 square feet inside; state minimums are 150 square feet. Solicitor Swartz asked if those not having opioid addictions would be allowed to live there; he isn't sure if these units will qualify as affordable housing. Mr. Pipes stated they would pursue this with the state if necessary; he wanted them dedicated to recovering addicts. They would be deed restricted for 30 years.

At least 50% would be restricted as very low-income units. Planner Barbara Fegley explained that we may not get 60 credits but instead 30 or 45.

Mr. Blair asked if they would be paying taxes; Mr. Pipes explained that the buildings would be tax exempt. Taxes are being paid for the portion of the property that is being leased to the daycare center.

There are 3 different use variances involved; one is for exceeding the FAR (D3); one is for a nonpermitted use (D1) and the third is for the conversion of the garage (D2).

Mr. Blair stated that he thought the project was admirable; all of Mr. Pipes' projects seem to be a win-win and he thinks it is a good thing for the Township.

Mr. Guerrero asked the Planner about the granting of a setback variance back in 2011; it was for 30 feet where 50 feet is permitted. This would no longer be valid since the old building was not going to be built; this is a new plan. Nothing has been completed from this old approval except for the 5 units on the second floor.

Michael Bowery was sworn in before the Board; he is an addiction counselor employed at Hampton Hospital. He is also a Westampton resident. He has over 25 years experience as an addiction counselor. He testified regarding the need for recovery housing in Westampton. He explained that recovery takes longer than 28 days; it takes as long as two years. They just need the opportunity to get these people some help.

Bill Nicholson, applicant's engineer testified on behalf of the application. He thinks the site is especially suitable for the use and won't have any negative impact on the master plan or on zoning. This plan allows for more efficient use of the land which is another positive impact.

Mr. Odenheimer asked about the garage and the subdivision that would take place which would place it on the lot with the daycare center. Mr. Pipes explained that this would enable separate financing on the properties.

Ms. Burkley has concerns that this is too close to the child care center and if this would pose a detriment. Mr. Pipes stated that there haven't been any issues with the five units that are in operation at this time. These aren't criminals, they are people with addiction problems. The five units are currently rented to low income persons whom are not committed to sobriety like the residents of this new project would be. Anyone with a record would be precluded from applying and living there due to the proximity to the school; this is state law.

Mr. Thorpe was on the Township Committee back in 2013; he voted affirmatively for this; he believes in it. He asked if it was legal to condition this approval on allowing Westampton residents first choice to get in; Solicitor Swartz answered that the answer was no due to the deed restrictions that would have to come into place.

The meeting was opened to the public for comment.

Louis Lopez, Mt. Holly – asked if the location was close to the Burger King. He thinks Mr. Pipes is doing a great job and he would like to see more places like this for recovery; it is a great location with many services around.

There being no further comment; the meeting was closed.

Mr. McAndrew summarized that the use would be less intense since it now involved no commercial uses and would hold nearly the same amount of persons; 30 vs. 28. He again reiterated the great need for this type of project in the area.

It will be a condition of approval that the five units get deed restricted. The new units would have to be deed restricted as well. Approval would also be conditioned upon obtaining site plan approval and for obtaining COAH approval/credits.

Three separate votes were taken for the different variances. The first was for the D1 use variance: motion to approve made by Mr. Freeman; seconded by Mr. Blair. All voted yes (Borger absent; Eckart and Henley recused).

The second vote taken was for the D4 FAR variance: motion to approve made by Mr. Blair; seconded by Mr. Freeman. All voted yes (Borger absent; Eckart and Henley recused).

The third vote was for the D2 variance (garage): motion to approve made by Ms. Haas; seconded by Mr. Blair. All voted yes (Borger absent; Eckart and Henley recused).

### **New Business:**

a. Brian Janson, Block 602, Lot 1 (118 Hillside Road) – minor subdivision – **to be continued until 2/5/2020 meeting**. No further notice will be required to be given by the applicant.

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

Louis Lopez – asked about solar panels. Mr. Blair explained they are permitted on roofs but not on the ground.

### **Comments from the Board**

Mr. Blair – welcomed the new board members.

Planner Barbara Fegley – is happy to be back this year.

Solicitor Robert Swartz – thanks for the reappointment; he looks forward to serving the Board

Engineer Mike Roberts – thanks for the reappointment

Mr. Applegate – thanked the Board; he appreciates the opportunity to chair the Board and looks forward to a good year.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board

