

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

FEBRUARY 3, 2021 7:00 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on February 3, 2021 at 7:00 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, 2021 and on the Township website. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Thorpe, Mr. Wisniewski, Mr. Odenheimer, Mr. Ottey, Board Solicitor Robert Swartz, Board Engineers Mike Roberts and Jim Winckowski, Planner Barbara Fegley and Board Secretary Marion Karp
Absent: Mr. Henley, Mr. Ottey (arrived later in the meeting)

Solicitor Robert Swartz swore in the Board professionals.

The minutes of the January 6, 2021 meeting were approved as written.

Resolutions: for approval/memorialization

- a. 1-2021 Land Development Board 2021 Reorganization – was memorialized
- b. 2-2021 Appoint LDB Solicitor for 2021 – was memorialized
- c. 3-2021 Appoint LDB Engineer for 2021 – was memorialized
- d. 4-2021 PBP Realty, LLC, Block 201, Lots 7.05 & 7.06 – continued application for preliminary & final site plan approval (addition to warehouse) – was memorialized

Old Business:

PBP Realty, LLC, Block 201, Lots 7.05 & 7.06 (800 Highland Drive). The applicants had presented their application at the January meeting and were back with an amended plan. The applicant's attorney, Pat McAndrew, was again present. Three witnesses were sworn in- Bill Lamano, of Paris Corporation, Dan Margulies, architect and Mike Minnervini, engineer. Plans were revised to eliminate the tractor trailer storage spaces along the common driveway. They put in 34 regular car parking spaces here instead, along a widened driveway. It mirrors what their neighbor at 1200 Highland has and they think it will be low intensity in use. They want the flexibility however, for the new tenant.

They think this is a big improvement in the plan. They did submit plans to the Fire Official who responded with his comments. They also submitted plans to the County for approval.

Bill Lamano is the COO and the CFO of Paris; they are a paper converter and paper distributor. He again described the typical day at Paris including employees, number of tractor trailer trips per day, etc. Most paper waste is recycled. They operate two shifts per day.

Dan Margulies, architect spoke about the amended plans that he put up on the screen. They added 13 new loading docks on the rear (west side) of the building. He showed floor plans and elevations. The addition is slightly taller than the original building in order to meet market demand. The current standard is closer to 36 feet clear for these types of buildings; with the advent of fire suppression systems it has enabled this. The addition is all warehouse, office space will be re-allocated from the existing building. Each tenant would have approximately 90,000 square feet.

Nancy Burkley asked if any more handicapped spaces were added to the amended plan. Two more spaces have been added according to their engineer. They stated that they want to put these 34 spaces in now and not in the future.

Generally, the applicants are in agreement with the planner's and engineer's reports. Mike Roberts, LDB engineer, stated that they recommended pushing the parking over a bit to allow for more green space. The neighbor and the applicant really want a wider drive aisle instead of more green space but they do understand the point. Jim Winckowski arrived for the meeting and was sworn in by the Board solicitor. Jim had concerns that trailers might use these as parking spaces and it could become an enforcement issue. The drive aisle has an extra 4 or 5 feet as it is 30 feet in width. Jim doesn't understand the extra space, it adds extra impervious coverage and he doesn't understand the need for it. Jim stated that they would have to include it for stormwater management; although it doesn't violate the code and if they want to push forward with it, they can. Gene stated it could be enforced pretty easily; he didn't have concerns. Gary Borger asked if a condition could be put into a lease that no tractor trailers could be parked here; they certainly could do that. This condition would be put on the plan and also in the resolution. The new tenant would receive a copy of the resolution as well.

A sidewalk is to be installed between this parking and the edge of the building. The sidewalk will be four feet in width; typically, it should be six feet in width under an overhang. Parking bumpers would be installed so that cars won't overhang the sidewalk. Gene prefers a six-foot-wide sidewalk; a waiver is required to install a four-foot sidewalk. It was decided that they would install a six-foot-wide sidewalk instead with no parking bumpers.

Barbara Fegley asked how the building would be marketed; would it be targeted to a particular use. Pat McAndrew stated no tenant has been identified as of yet but it may be similar to Paris. The new tenant would have to address trash/recycling issues. The

applicants agree to all Barbara's comments contained in her report. The Board had asked the applicants to detail the trash compactor or enclosure location for the new tenant on the plans; they had not done this but agree to do this now.

Bob Thorpe asked about the lighting plan; he asked about the Kelvin temperature. Mike Minnervini stated it was 4000K.

They are generally agreeable to the Fire Official's comments and will incorporate these into their revised plans submitted for resolution compliance.

The meeting was opened to the public for comment. Doug Heinhold, attorney, was here again on behalf of the neighboring property owner at 1200 Highland Drive. Jeff Richter, engineer was present and Jeff Glassberg, of property management was present; they were sworn in before the Board again. While they appreciate the revisions that were made regarding the truck parking on the side of the building with their shared driveway, they are concerned that the spaces might be used for truck parking out of convenience. They don't think these spaces are necessary since they have more than enough parking on the rest of the site. These spaces exceed ordinance requirements; they would like to see a landscaped section here instead. They made reference to septic issues they were experiencing and thought green space would help this.

Jeff Glassberg stated that the truck traffic into their site is quite heavy; the current tenant will be there for the next 7 years and this shared drive is their only ingress/egress point. They would like the area to remain green as it will provide better drainage. They operate Monday through Friday at 1200 Highland Drive and there are two tenants, which usually operate one shift, occasionally two. 191 spaces are proposed, 139 are required by ordinance. Mike Minnervini stated that they are only asking for 8 more parking spaces since parking is determined by square footage and not by the number of employees. Jim Winckowski asked why 1200 Highland could have the same parking spaces on this side of their building but Paris could not. Doug Heinhold stated that this was a good point.

Gene suggested polling the Board to see what direction they wanted to go in. Joe Odenheimer suggested adding landscaping here since they had the space. He thinks it is adding impervious coverage that isn't necessary and could encourage parking here for larger vehicles if left paved. He asked for clarification regarding the number of parking spaces; they are only 8 spaces over ordinance requirements with these additional 34 spaces, according to Mike Minnervini.

Pat McAndrew stated that it is frustrating to make these adjustments and still the neighbor isn't satisfied; he thinks the plan is well designed and is in good shape.

Bob Thorpe stated he is ok with the new plan.

The meeting was closed to the public for comments. Ms. Burkley made a motion to approve; the motion was seconded by Ms. Haas. Mr. Blair, Mr. Borger, Ms. Burkley, Mr.

Guerrero, Ms. Haas, Mr. Thorpe, Mr. Wisniewski and Mr. Odenheimer voted yes. Mr. Freeman did not vote since he had not attended the meeting last month when the first part of the testimony had been given.

New Business:

PSE&G Co., Block 904, Lot 1(2032 Burlington-Mt. Holly Rd.) – preliminary & final site plan approval (replacement of existing equipment & new building construction). The application requires a use variance; therefore, John Wisniewski could not vote. Tom Letizia, applicant's attorney, was present on behalf of the application. The parcel is located in the C Commercial zone district between the Turnpike and a Valero gas station. It contains a meter and a Williams Transco gas main that traverses the site. This M & R (metering & regulating) station has been in operation here since the 1950s and serves both residential and commercial customers.

Mr. Letizia further testified that upgrades to improve reliability and safety are necessary. Variances include: a use variance to permit the expansion of a non-conforming use; along with bulk variances for insufficient lot size, insufficient lot depth, minimum side yard setback, minimum front yard setback, insufficient front yard buffer and insufficient landscaping. Some of the variances are for pre-existing conditions. Design waivers are also requested for providing other landscaping, as detailed in the planner's report.

PSE&G agrees to satisfy all conditions in both professional's letters with the exception of the comment regarding landscape buffering. Three witnesses will be called; Michael Shine, Brian McPeak and Christian Castronova were sworn in by the Board solicitor. Mr. Castronova, applicant's engineer, is an expert in gas pipeline construction. The site has been in operation since the 1950s; the gas is metered here and the pressure is reduced for use in PSE&G's system from the Williams Transco pipeline. The site is locked and not open to the public; it is remotely monitored. There are approximately 50 similar sites in the area. The proposed improvements are driven by an effort to improve reliability to their customers as well as to address growth. The current on-site equipment will be replaced and the monitoring system will be enhanced. There are two proposed buildings included in this project. A larger regulator building is proposed along with a separate building to house the monitoring equipment. The small data building will be relocated on site. The fence line will remain as is, access to the site will remain the same. The operation will not change in any way. Periodic visits are made by technicians; the site is unmanned. Noise levels at the site are not expected to change; since neighboring properties are the Turnpike and the gas station/truck stop they will not impact neighbors as far as noise.

Michael Shine, applicant's engineer, gave testimony on behalf of the application. He has worked with PSE&G on pipeline projects for over 20 years. He reviewed the site plan with the Board. The entire site is surrounded with a 7-foot-high chain link fence with a one-foot section of barbed wire at the top. The buildings will need setback variances since they cannot meet the 50-foot front yard setback requirement. Height of the buildings is about 14 feet, the new regulator building will be 18 feet in height, the

new data building height is 10 feet. Existing impervious coverage is 24.9%, proposed changes bring it up to 29.1% where the maximum permitted is 60%. No existing or formal parking spaces are included in this plan; vehicles are parked on the driveway or near the equipment that is being worked on. There are no existing water or sewer facilities on the site; none are proposed. No new site lighting is proposed, they don't want to draw unnecessary attention. They are asking for a variance from the 20-foot landscape buffer that is required; they don't plant vegetation in these yards. The site sits lower in elevation than Route 541 and is mostly obscured to passersby.

Brian McPeak, VP of PS&S, professional planner, testified regarding the use variance and the positive and negative criteria. He then again reviewed all of the bulk variances that are required for the application. He believes the project advances the purposes of planning and that the benefits outweigh the disadvantages. In his opinion all of the variances should be granted due to all of them being in the public interest, as well as the waiver being requested.

Gene Blair asked the applicants to submit plans to the Fire Official ASAP, they agree to do this.

Nancy Burkley had concerns about the generator being so near to Route 541; she was worried that a vehicle could lose control and crash through the fence. Gene pointed out the guardrail that exists along the site. There has never been a problem in the 50 years that the site has been in existence.

Jim Winckowski suggested replacing the existing fence with vinyl fence in order to provide better screening. The applicant suggested installing privacy slats; Jim thinks the fence is in bad shape and could use replacing, perhaps an 8-foot-high chain link with smaller mesh with privacy slats installed. They think they can accomplish this; they agree to do three sides. The side facing Route 541, the side facing the gas station and the short side along the Transco site. Jim thinks they should upgrade the fence; they are upgrading the entire site. Barbara Fegley agrees with this; they are asking for a waiver from the buffer requirement; it makes sense to upgrade and replace the fence. The Board took a five-minute recess to allow the applicants to have a private discussion; the applicants now agree to replace the fencing as the Board suggested. This will be a vinyl coated chain link fencing with smaller mesh to avoid climbing, they would provide a detail. They still want to provide the barbed wire at the top, it's a security best practice for sites such as these.

Bob Thorpe is happy they decided to replace the fence; he isn't happy that the data building is located so close to the road but this makes it better. He wants the existing vegetation along Route 541 to remain, he doesn't want any of it cut down. He had a question about the term "color corrected" lighting. He wanted to be assured that any new lighting would be 4000K or less; the applicants agree to this.

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

The first vote taken was for the use variance; Mr. Freeman made a motion to approve; the motion was seconded by Ms. Burkley. All voted yes.

The second vote taken concerned the site plan and bulk variance approvals. Ms. Burkley made a motion to approve; the motion was seconded by Mr. Guerrero. All voted yes.

DR Horton NJ/PA, Block 204, Lot 2 (Springside Road & Valley Farm Road) – preliminary & final major site plan approval, preliminary & final major subdivision (223 townhouse units & 275 multi-family apartments). Steven Nehmad, attorney representing DR Horton requested to be carried to the next available agenda since they would not be heard this evening since it was getting late. No new notice would be required. Gene Blair suggested that the applicant get together with the professional staff to work on the comments in their lengthy reports. Jim Winckowski asked that they contact the HPC to file an application. Robert Swartz made the announcement to all interested parties that the meeting would be carried until March 3, 2021.

Open Meeting for public comment

No comments were made.

Comments from the Board

Nancy Burkley – asked a question regarding voting eligibility.

Michele Haas – thanked Jim for pushing the fence issue.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board