

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MONTHLY MEETING

April 5, 2023

MINUTES

The regularly scheduled monthly meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on March 1, 2023 and started at 7:00 P.M. The meeting was called to order by Vice-Chairman David Guerrero who read the opening statement required by the Sunshine Law and announced that the meeting was advertised in the Burlington County Times on January 6, 2023, and on the Township website. All guests were welcomed by Vice-Chairman Guerrero.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mr. Fagan, Mr. Grace, Mr. Guerrero, Mr. Henley, Mr. Holshue, Mr. Odenheimer, and Mr. Thorpe
Absent: Mr. Borger, Mr. Carr, Mr. Jones, and Ms. Tolor
Professional Staff: Attorney Nicholas Sullivan, Engineer Michael Roberts, Planner Chris Dochney, and Secretary Jodie Termi

SWEARING IN OF PROFESSIONALS: Mr. Sullivan swore in Planner Chris Dochney and Engineer Michael Roberts

RESOLUTION(S):

08-2023 – Denying Rancocas Holdings - B:201 L:10 & 11, use variance application to permit parking/storage of vehicles was approved as memorialized by motion of Mr. Thrope, seconded by Mr. Grace; none opposed; Mr. Henley abstained.

09-2023 – Continuing Fly High Express – B:401 L:3 application for a use variance to permit a truck repair shop was approved by motion of Mr. Odenheimer, seconded by Mr. Holshue with none opposed; Messrs. Fagan and Henley abstained.

OLD BUSINESS: None

NEW BUSINESS:

Grace Life Evangelistic Ministries International – B:1206 L:4&5 – Use Variance Application for a Place of Worship.

Samuel Reale, Attorney (Mr. Reale) for the applicant, stated that two witnesses will testify, the landlord and owner of the property, Ryan Staniewicz (Mr. Staniewicz), and Pastor Matthews (Mr. Matthews), for the applicant.

Mr. Staniewicz testified – This building's main use is as an endodontic office. The church is seeking to rent the basement to hold services on weekends and evenings so both uses will not overlap. The most patients the endodontic office had in an eight-hour day was 10. The endodontist has three workers and, unless there is an emergency, they all should be gone before the church congregation arrives. Also, in the basement, the ARC of Burlington County has a small office which is used a couple times a week in the daytime hours and the most they would have are two vehicles at one time. There will be no improvements or renovations to the basement area; the church is going to use it as is. The lighting is operational

outside and is on timers. The pylon sign will be reused with the church name to be added to the sign. This sign is illuminated but currently has some bulbs that are not working but will be replaced. The current handicap ramp is not ADA compliant but will be modified to make it compliant. The parking area will be resealed and restriped.

Mr. Matthews testified – The church is newly established with 25-30 members, currently holding services in Mr. Matthews’s family room but has outgrown that space. This basement area is perfect for their needs. Wednesday there will be bible study starting at 7:00 p.m.; Friday there will be prayer meetings starting at 7:00 p.m.; and Saturday choir practice will start at 7:00 p.m.; Sunday services will be from 9:00 a.m. – 12:00 p.m. Counseling will be by appointment only at the church location or the member’s house. Members bring food donations in their own personal vehicles, and the church gathers food and drops it off to the community. The church will abide by the noise ordinance for any outside events. If the membership grows, the church will add extra services.

Mr. Reale summarized the application and briefly described the variances being sought and the site plan waiver, describing it as a straight-forward application. The most important positive criterion is that this is a place of worship; there are no negative criteria.

Mr. Guerrero – Concerned with the safety of the space and the maximum capacity.

Mr. Reale – He was given a maximum occupancy load of 50 people per John Augustino.

Mr. Thorpe – Concerned with the lack of buffering. Residents need to be protected from the lights of the vehicles in the parking lots. He was concerned with the noise and opposes outdoor events like concerts and block parties.

Mr. Odenheimer – Is not concerned with outside events as long as the church is compliant with the noise ordinance.

Mr. Staniewicz – Is willing to meet the professionals onsite and work together to address and fix any concerns the Board may have.

Public Comment:

Megan Tropp – 735 Smith Lane, Westampton, NJ – Asked who will be monitoring the church to make sure it is in compliance?

Mr. Sullivan summarized the Use Variance and Site Plan Waiver application.

Mr. Odenheimer made a motion to approve the use variance application; **Mr. Grace** seconded.

Board Members	Yes	No	Abstain	
Mr. Fagan	X			
Mr. Grace	X			
Mr. Guerrero	X			
Mr. Holshue	X			
Mr. Odenheimer	X			
Mr. Thorpe	X			

Mr. Odenheimer made a motion to approve the variance for multiple uses on one site; Mr. Grace seconded.

Board Members	Yes	No	Abstain	
Mr. Fagan	X			
Mr. Grace	X			
Mr. Guerrero	X			
Mr. Holshue	X			
Mr. Odenheimer	X			
Mr. Thorpe	X			

Mr. Odenheimer made a motion to approve the site plan waiver; Mr. Grace seconded.

Board Members	Yes	No	Abstain	
Mr. Fagan	X			
Mr. Grace	X			
Mr. Guerrero	X			
Mr. Holshue	X			
Mr. Odenheimer	X			
Mr. Thorpe	X			

Ameri Leasing Inc. – B:1001 L:4.01 – Use Variance, Site Plan Review

Sam Dhaliwal (Mr. Dhaliwal), attorney for the applicant. The applicant is requesting a D1 variance to allow use of the property as a truck repair shop with bulk or C variances from setback requirements and from the landscape buffer and various design waivers as needed. He will present three witnesses: Gursimer Gill (Mr. Gill), owner of the applicant; and Joseph Mancini (Mr. Mancini), planner; and Nick Kosowski, architect.

Mr. Sullivan swore in the above-named professionals.

Mr. Gill – We are seeking to build an addition to the currently owned truck terminal that we bought in 2020. The main function is transportation and logistics, transportation of dry goods only; nothing to be stored outside. Since acquiring the property, we have planted new landscaping and installed security gates and security cameras. Service bays will be added to provide general maintenance on the company trucks only. Business hours are from 7:00 a.m. – 6:00 p.m. Five to six employees on site. The site has adequate lights and signage; the gates are open during business hours and closed when everyone finishes for the day. In his opinion, the site is safe and secure. There is enough room for multiple trucks to park so there will be none parked along the street. There is a leaning pole about which PSE&G has been notified and which PSE&G will fix. This site is located near I-295 and the NJ Turnpike. There are no residents in the immediate area. There will be no increase in the traffic. The goal is general maintenance on company trucks only, for example, brakes, tires, and oil changes to make the trucks safer for the drivers. All work will be compliant with all state and local laws.

Mr. Mancini – Planner with Tristate Engineering – Presented his experience and credential and was deemed an expert in professional planning. He shared his screen and presented the following exhibits:

- A1 – Existing Site Plan
- A2 – Current aerial photo
- A3(1) – Aerial photo from 1996
- A3(2)– Aerial photo from 2003
- A3(3) – Aerial photo from 2010

A3(4) – Aerial photo from 2015
A3(5) – Aerial photo from 2016
A3(6) – Aerial photo from 2021

Mr. Mancini opined that the positive criteria have been met. The property has been used as a trucking facility for over 30 years, although the township could not provide any documents regarding prior use. Therefore, the applicant is treating this as a new application.

Mr. Roberts (board engineer) – Based on the distance between the existing edge of gravel and the new proposed building edge, there isn't enough space for parking and a drive aisle. He asked if there is another location where the applicant can allow for parked cars. He also asked if the truck turning templates within the site confirm there is enough space for both the vehicles and the trucks to maneuver around each other.

Mr. Mancini – He agreed to do that and opined that there is sufficient room on the site to be able to designate a car parking area and place concrete bumpers to lineate that area.

Mr. Roberts – There is mention of an oil separator; is that going to be internal or external? Can you identify that on the plans as well as the existing sanitary lines so I can get an idea of the extensive work needed to install that?

Mr. Mancini – Yes. I can't answer that tonight but if we get approval, we will add that to the plans.

Mr. Odenheimer – How many parking spaces are required?

Mr. Mancini – The engineer calculated 24 spaces. I did an alternate calculation based on the Industrial Zone requirements and calculated 9 spaces. Either number would be fine because there is ample space on the property.

Mr. Dochney (board planner) – 27 spaces are required. He agrees there is ample space on the property.

Mr. Mancini – Summarized what the applicant is requesting: 1) A D-1 variance to allow the use as a the truck terminal. 2) Bulk variance sought for the front yard setback and, to the extent the Board deems necessary, reduction in the landscape buffer plus some design waivers. The Board has the ability to grant this type of use variance and he opines the positive criteria for the use variance have been meant. This site appears to have been used for some sort of truck traffic for at least 30 years or more. The building construction itself with multiple loading docks on every side suggests the building was intended for a trucking distribution type of use. To reuse the building as one of the permitted uses in the OR1 Zone would most likely require substantial changes to the building and the site. He feels the building predates the current zoning ordinance or received a use variance although the Township has nothing on file for this block and lot regarding this use.

Mr. Odenheimer – Has a question regarding the County review letter. Is front yard setback measured to the DTS property line?

Mr. Mancini – I can tell you that we agreed to comply with all the requested modifications and conditions of approval for the County. The DTS prefers and consists with the 56' that is there. The proposed setback is measured to the ultimate right-of-way which is Burrs Road.

Nick Kosowski - Architect with Fumo & Associates, Inc – Presented his experience and credentials and was deemed an expert in the field of architecture. I believe what Mr. Mancini has stated we are going to add a repair shop for the vehicles that are transporting the goods. 35' x 60' square foot addition which will include restroom, utility sink, and two bays which will allow the trucks to go in one way and out the other with four overhead doors with egress. We have trench drains that will be able to accept any kind of washing of the facility or even the trucks, connected to an oil interceptor outside the building. The water gets dumped in the trench drains and gets separated by the outside oil interceptor to be sized by a mechanical plumbing engineer. The oil interceptor has drains and tanks that will separate the oil and trapped contaminants before the water gets into the sewer or waterways. The building itself is approximately 3,600 square feet with an addition of approximately 2,100 square feet. Maximum building height is 22' at the peak of the roof. The exterior of the building is vertical corrugated metal for the siding; the roof will coordinate with the existing structure.

Mr. Grace – You indicate there is going to be an oil interceptor which is going to capture contaminants; where is the oil and other contaminants that will be collected and where will that be disposed of? Does the system get monitored or tested periodically to ensure that it's doing what it is supposed to be doing?

Mr. Mancini – It goes into a tank and gets picked up depending on how much accumulates. I can't answer that question as an architect; that would be a question for the plumbing engineer.

Mr. Odenheimer – The front elevations is relatively plain; this is just a comment. Is there anything that can be done to make the side facing the street more attractive, maybe by adding some windows along the top?

Mr. Thorpe – This is the front of the building toward the street; it's a big, open, flat slab and is not aesthetically pleasing. There's no reason that this can't have windows put on it.

Mr. Dhaliwal – The applicant agrees to add windows to the building.

Mr. Guerrero – What is the anticipated use for the rest of the building? How many trucks do you own?

Mr. Singh – Right now we fix damaged pallets of goods for Walmart, Costco, and other distribution centers. Fedex and UPS also bring in goods. We combine them and put them on one trailer and then deliver. 95% of our trucks are over-the-road haulers out of New Jersey. Basically, it's short-term storage for organization and then delivery of the goods. We currently own 30 – 35 trucks.

Mr. Dochney – The Board will have to treat this as a new use because the town can't provide any documents showing it was an approved use prior to this application.

Mr. Dahliwal – asked that the application be continued to May 3, 2023 at 7:00 pm. The Board agreed.

INFORMAL APPLICATIONS: None

CORRESPONDENCE: None

PUBLIC COMMENT:

Samantha Berry – 1410 Arbory Court, Westampton, NJ – Asks if the Board could announce at the beginning of a meeting when an application was being moved to a different date.

COMMENTS FROM BOARD MEMBERS, SOLICITOR, ENGINEER, PLANNER AND SECRETARY:

Mr. Dochney – The Township adopted the amendments to the zoning ordinance reviewed at the last meeting.

ADJOURNMENT: Motion to adjourn by Mr. Thorpe, seconded by Mr. Guerrero. None opposed.

Respectfully Submitted,
Jodie Termi, Board Secretary