

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

May 3, 2023

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on May 3, 2023, at 7:00 P.M. The meeting was called to order by Vice-Chair David Guerrero and the opening statement required by the Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 6, 2023, and on the Township website. All guests were welcomed.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mr. Fagan, Mr. Grace, Mr. Guerrero, Mr. Odenheimer, Mr. Thorpe
Absent: Mr. Borger, Mr. Carr, Mr. Holshue, Ms. Tolor
Professional Staff: Attorney Natalie Lobman, Engineer Michael Roberts, Planner Chris Dochney, Secretary Jill Torpey

3. Swear in Board Secretary – Jill Torpey

4. Swear in Board Professionals-

5. Ms. Lobman swore in Ms. Torpey, Mr. Roberts and Mr. Dochney.

6. Approval of Meeting Minutes

March 27, 2023

Motion to approve Mr. Thorpe, Mr. Jones. None opposed. Mr. Grace and Fagan abstained.

April 5, 2023

Motion to approve Mr. Thorpe, Mr. Odenheimer. None opposed. Mr. Fagan abstained.

Motion to approve Mr. Thorpe, Mr. Jones. None opposed. Mr. Grace and Fagan abstained.

7. Resolutions for approval and memorialization:-None

8. Old Business:

Fly High Express – B:401 L:3 Use Variance to permit a truck repair shop.

The applicant requested the application be carried to the June 7, 2023 meeting.

9. New Business:

10. Informal Applications:

Rancocas Holdings – Self Storage Block: 201 Lot: 10

Mr. Dochney stated that this is for an interpretation of the township code. There is no application. There is no site plan, variances or waiver requests. This use is not expressly prohibited in the B1 Zone but it is not expressly permitted in the zone either. He went over the uses that are allowed in the zone. It is also not listed anywhere else in the code and is a grey area, He thinks this was just an oversight by the governing body.

Sandford Schmidt is the attorney for the applicant. He stated that this is kind of like a warehouse. There would be light traffic and low activity.

Kevin Hetzel stated that this is like a light industrial use.

Mr. Grace asked Mr. Dochney his opinion.

Mr. Dochney stated this is a customary use in other towns. He stated it was not quite like a light industrial use but more like a commercial use but not a retail use.

Mr. Guerrero asked Mr. Dochney if this was a usual use and Mr. Dochney stated no.

Ms. Lobman stated that there is little case law on this. If it's not listed in the zoning ordinance then it is not a permitted use.

Mr. Dochney told the board they are just to decide if they feel this use is a permitted use in the B1 Zone. You are not to comment if you think this should be in another zone. That falls into the hands of the governing body. It is not within your authority to say what zone this use would fit into.

Mr. Guerrero asked if we feel it is not an allowed use do we kick it back to the governing body.

Ms. Lobman stated tonight the board is just deciding if this use fits into the B1 Zone.

Mr. Thorpe asked if it is not listed how much is it open to interpretation.

Ms. Lobman stated the board is only deciding if this fits into the B1 Zone use.

Mr. Dochney stated that this use was not touched upon during the recent changes to the Master Plan.

The board feels that this use was overlooked as a potential use in any zone in the township.

The Board feels that this use is not permitted as a use in the B1 Zone and the applicant would need to submit a formal application for a use variance.

A motion is made to determine the use does not fit into the B1 Zone.

Board Members	Yes	No	Abstain	
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Ryan Fagan	2 nd x			
James Grace	x			
David Guerrero	x			
Frank Jones	x			
Joseph Odenheimer	1 st x			
Robert Thorpe	x			

11.2022 Annual Report

Mr. Dochney stated that the Annual Report is a report of what kind of applications comes before the board and what variances, waivers and such are routinely granted. If the same type of applications come before the board, the governing body may need to look at the code more closely. And possibly amend. Mr. Dochney had outlined three area in his report that are commonly seen by the board.

The 1st is lighting. Right now the regulations for lighting in the code is for .5 foot candles and it was discussed of maybe suggesting to the governing body to amend the code to 1.0 foot candles.

The 2nd is there are 2 different standards for parking stalls. There is one standard for employee parking spaces and another standard for non-employee parking spaces.

The 3rd is a discrepancy in standards for buffering and screening.

There is an additional topic Mr. Dochney brought up but is not in his report, and it is self-storage facilities. Does the board want to include that in this report?

Mr. Guerrero stated that 1foot candles are better than the .5 foot candles. It is more achievable. Or he suggested .75 foot candles.

AS to the parking spaces with the 9 foot wide stalls you can fit in more parking spaces. Mr. Dochney stated 9x18is usually the normal except for grocery stores... this is for allowind the shopping carts to fit through. Mr. Dochney also stated that the board does not have to recommend the ordinance be updated, they can still look at it case by case.

Mr. Thorpe stated 10x20 should be preferred.

Mr. Fagan thinks it should stay as it should.

Mr. Thorpe stated that the 1 foot candle is more acceptable to the eye.

As to the buffer and screening, Mr. Dochney stated that it should be one or the other.

It is recommended to remove duplicate standards.

A motion is made to send the annual report to the governing body for changes to the zoning ordinances. The self-storage facility will be sent via a separate report.

Board Members	Yes	No	Abstain	
Ryan Fagan	1st x			
James Grace	x			
David Guerrero	x			
Frank Jones	x			
Joseph Odenheimer	x			
Robert Thorpe	X 2 nd			

12. Open Meeting to public Comment:

The meeting is open to the public at 8:05pm. With no one from the public wishing to speak, the public portion is

13. Comments from Board member, Solicitor, engineer, Planner, and Secretary:

Ms. Torpey stated she is looking forward to working with the board.

14. Adjourn:

A motion is made to adjourn the meeting at 8:08pm.

Board Members	Yes	No	Abstain	
Ryan Fagan	x			
James Grace	x			
David Guerrero	1 st -x			
Frank Jones	x			
Joseph Odenheimer	2 nd x			
Robert Thorpe	x			