

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD  
June 7, 2023 REGULAR MEETING 7:00 P.M.  
MINUTES

The regularly scheduled monthly meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on June 7, 2023 and started at 7:00 P.M. The meeting was called to order by Chairman Gary Borger 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 Chairman Borger.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Mr. Borger, Mr. Carr, Mr. Fagan, Mr. Grace, Mr. Guerrero, Mr. Henley, Mr. Holshue, Mr. Jones, Mr. Odenheimer, and Mr. Thorpe  
Absent: Ms. Tolor  
Professional Staff: Attorney Wade Dickey, Engineer Michael Roberts, Planner Chris Dochney, and Secretary Jill C. Torpey

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

**3. Approval of Meeting Minutes 5-3-2023**

A motion is made to approve the minutes

1<sup>st</sup>-Mr. Thorpe, 2<sup>nd</sup>-Mr. Odenheimer

Roll Call-All were in favor except Mr. Carr, Mr. Henley and Mr. Holshue who abstained.

**4. Old Business:**

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

**The Applicant has requested to be carried to the August 2, 2023, meeting.**

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

Sara Werner is the attorney for the applicant. They were before the board in November of 2022 and March of 2023 and they are hoping to finish the testimony tonight.

This is commercial lot that is vacant and they are seeking a use variance for a truck repair facility and a bulk variance for parking spaces. She stated that they are not seeking site plan; they have bifurcated their application. Ms. Werner has two witnesses tonight that also testified at the prior meetings. She stated that comments from the board's professionals that indicate site plan recommendations cannot be considered.

Norm Dottie of Russell Acoustics is sworn in from the previous meetings and is qualified as an expert. He did sound measurements at the site from straight out of the bay areas and at a 45 degree angle. He states that once you get 10 feet inside the bays, the noise gets quieter. He has 2 sets of measurements. The second set is at the same angle but 30 feet inside the bay. The further you get inside the bay the sound levels are less.

Mr. Borger stated that 85 decibels is similar to a moderate lawn mower.

Ms. Werner asked Mr. Dottie what 65 decibels would be equal to.

Mr. Dottie stated that it would be equal to two people having a normal conversation face to face.

Ms. Werner asked Mr. Dottie what areas would be affected by the noise.

Mr. Dottie stated that there is one residential neighborhood across the street that would be impacted. He states that the noise would still be under the State mandated limit of 65 decibels maximum. He stated that a truck driving down the street is 75-77 decibels. The sound levels will comply with the state limit. If there are any complaints, residents would contact the county for a noise complaint.

Mark Remsa is a Professional Planner and is still sworn in from the previous meetings. He qualified as an expert witness.

Mr. Remsa reviewed the additional material submitted.

Ms. Werner stated that this supplemental information supports the use variance and the bulk variance.

Mr. Remsa stated that motor vehicle service stations are similar to this except this business would just have larger vehicles. He also stated that this fits in with the general design of the ordinance and will be buffered and heavily screened. There will also be adequate fencing with extensive landscaping around the property on Woodlane Rd., the side, back and western side of the property and the property is also heavily wooded.

Mr. Remsa stated that there will be off street parking with 24 spaces 7 for automobiles and 13 for trucks. The applicant will comply with all bulk variances.

Inside the building it will be hard surfaced. The repairs will be done in the enclosed building in the two bays. It can take longer for parts to come in but the trucks will be behind screening and not seen by the public when waiting for parts. There will be no fuel pumps and no signage. The applicant will comply with all conditions if approved.

The property does not actually touch a residential area, the closest residential area is across the street. The bays are 90 degrees to the street and the noise coming out of them will comply with state law.

Mr. Remsa stated that this is a mixed use neighborhood with commercial properties, industrial, multi family, assisted living facilities and open field/woods. He believes this promotes the intent of the master plan. There will be no new roads and all noise levels will comply with states laws.

Ms. Warner stated that the parking variances remain but there will be low truck generation and not a high turnover of vehicles.

Gurpreet Sing is still under oath.

Mr. Borger asked Mr. Singh how long the trucks will be parked waiting for the parts to come in.

Mr. Singh stated it depends on how long it takes fir the parts to come in. This depends on the type of part and the supply chain. He stated that the repairs will be done by appointment and if someone drives in without an appointment they will make an appointment for them. Mr. Singh stated he wants a quick turnaround.

Mr. Dochney asked Mr. Singh how he picked this location.

Mr. Singh stated that he believes this is a heavily industrial area. He is trying not to be smack dab in the middle of a residential area. The property is close to 295 and there are warehouses around the area.

Mr. Dochney stated that the board needs to determine how this fits into the zone.

Mr. Borger asked to see the picture of the site.

Ms. Werner had the photo brought up and stated it is a vacant lot. It is wooded but also has a wetlands buffer that they are trying to preserve. The front right corner is limited because it is the wetlands buffer.

Mr. Borger asked about the trees to get the construction equipment in.

Ms. Werner stated that they will do what is permitted and agree to work with the board's professionals on that and saving the mature trees.

Mr. Guerro stated that this repair station would have bigger vehicles than you normally see at traditional service stations and the tools are bigger.

Ms. Werner stated that the loudest tool is an impact wrench and would not be used every day all day.

Mr. Singh stated he would not be doing oil changes, tire changes or engine work.

Mr. Remsa stated that is not as intensive as an auto repair shop that has higher traffic volume.

Mr. Guererro stated that truck engines are louder than car engines.

Ms. Werner stated that there are 2 bays proposed and all the repairs will be done inside. She also stated that if they do work that is expressly prohibited by condition of approval, they can be issued a violation.

At 8:05pm the application is open to the public.

Terrance Brown of 9 Pine Tree Drive is sworn in by Mr. Dickey. He stated that there is a community across the street and another on the corner by Dunkin Donuts. They will both hear the sounds. He finds it hard to believe that they would only use one pneumatic tool at one time; that doesn't make sense. He also stated that the residents farther away will hear less of the noise and the ones closer will hear more of the noise.

Brian O'Neill of 15 Mayfair Circle is sworn in by Mr. Dickey. He asked if it would be trucks and trailers.

Mr. Singh stated it would primarily be trucks; they are not trying to do trailers.

With no one else from the public wishing to speak, the public portion is closed at 8:25pm.

Mr. Singh stated that the hours would be 8am to 8pm.

Ms. Werner stated that this application is just for a use variance as they have bifurcated their application. A concept plan was submitted of what will be proposed and it is not an engineer plan.

Mr. Dickey stated the motion would be to allow the use variance where the use is not permitted and for bulk variances for parking and a d1 use variance for special reasons.

Mr. Guererro stated he unsure of the noise even if it is below the state threshold and believes it would be heard by the neighbors.

Mr. Borger stated that measure at the closest property line or closest neighbor will be above the state level.

Mr. Odenheimer stated that he has a concern about the noise. The applicant will with the sound impact.

A motion is made to approve the application.

1<sup>st</sup>-Mr. Odenheimer, 2<sup>nd</sup>-Mr. Jones

Roll Call

Ayes-Mr. Borger, Mr. Grace, Mr. Jones, Mr. Odenheimer

Nays-Mr. Fagan, Mr. Guerrero, Mr. Thorpe

Abstain-Mr. Holshue

Motion denied.

5. New Business:

Dolan Contractors, Inc. B:203.08 L:1.01 – Construction of a warehouse

**The Applicant has requested to be carried to the July 5, 2023, meeting.**

Transwestern Development Company, LLC. – Block 906.07, Lot 5 – Application for Preliminary and Final Site Plan and Minor Subdivision Approval

**The Applicant has requested to be carried to the July 5, 2023, meeting.**

6. Informal Applications: None

7. Correspondence: None

2022 Annual Report

Report on Self Storage Facilities

Mr. Dochney stated that self-storage facilities where not addressed in the code at all. The code does not say what zones these should go in.

Mr Guererro stated maybe it could be a conditional use in the commercial zone.

Mr. Thorpe agreed with this.

A recommendation could be in the commercial B1 Zone as a conditional use in the commercial or industrial zone.

Mr. Fagan agreed with this.

Mr. Dochney will amend the recommendation to the committee.

Mr. Dochney asked about the B1 Zone as well.

The board feels that on Rte 541 by the turnpike and 295 is not bad based on the zone laid out in town. It is a low parking generation.

Mr Guererro stated he felt it should be a conditional use across the board and he felt the B1 Zone should be left out.

Mr. Dochney stated that he will recommend that self-storage should be a conditional use throughout the Industrial zone(s)

8. Open Meeting to public Comment:

The meeting is open to the public at 9:01pm.

Kelly Gill asked how many continuances are allowed and are they allowed to only give 30 minutes notice?

Mr. Borger stated that they cannot prohibit short notice cancellations.

Mr. Dickey stated that there is always an announcement made at the beginning of the meeting.

Terrance Brown asked about a conditional use on a warehouse. He stated he wants more conditions on warehouses.

Mr. Dochney stated that there are different conditions for fulfillment centers and distribution centers.

A motion is made to recommend to the committee the comments on the self-storage facilities.

1<sup>st</sup>-Mr. Guerrero, 2<sup>nd</sup>-Mr. Grace

Roll Call-All were in favor.

Samantha Berry stated that she appreciates the board members who did not approve the application tonight. The tools are very loud. For the Dolan application they would like to see more residential properties and less warehouses. She feels that zoom is a good forum, there are older residents in Rancocas Woods.

Brian O'neal stated that zoom is the way to go.

Kelly and Gil would like the board not to hear Dolan at the July 5, 2023 meeting as members of the public may be on vacation and not attend.

Ms. Torpey stated that the board cannot dictate to an applicant what meetings their application can be heard at because of public interest.

With no else from the public wishing to speak, the public portion is closed at 9:33pm.

9. Comments from Board member, Solicitor, engineer, Planner, and Secretary: None

10. Adjourn:

A motion is made to adjourn the meeting.

1<sup>st</sup>-Mr. Guerrero, 2<sup>nd</sup>-Mr. Jones

Roll Call-All were in favor.