

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

September 6, 2023

MINUTES

The meeting is called to order at 7:08pm.

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on September 6, 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. Borger, Mr. Carr, Mr. Fagan, Mr. Grace, Mr. Guerrero, Mr. Thorpe
Absent: Mr. Odenheimer, Ms. Tolor
Professional Staff: Attorney Wade Dickey, Engineer Mike Roberts, Planner Chris Dochney, Secretary Jill C. Torpey

3. **Swear in Board Professionals**-Mr. Dickey swore in Mr. Roberts and Mr. Dochney

4. Approval of Meeting Minutes

August 2, 2023

A motion was made to approve the minutes

1st-Mr. Jones, 2nd-Mr. Henley

Roll Call-All were in favor except Mr. Borger and Mr. Holshue who abstained.

5. **Resolutions for approval and memorialization**:-None

6. Old Business:

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

Mr. Borger swears under oath that he listened to the first part of the meeting held in April 2023 so he eligible to vote.

Sam Dhaliwal is the attorney for the applicant.

Mr. Dhaliwal stated that testimony began in April of 2023 and this is a continuation of that meeting.

Mr. Dhaliwal stated that since the April 2023 meeting they have submitted an OPRA and were sent the relevant records. Preliminary site plan was received for a trucking terminal in 1979 and the final site plan came a couple months later. There was also a letter that Mr. Blair stated that this was considered a pre-existing non-conforming use. They are now seeking a d2 variance for the expansion of the preexisting non-conforming use of the trucking terminal.

Joe Mancini, professional planner is sworn in by Mr. Wade. After presenting his credentials, the board accepts Mr. Mancini as a qualified expert

Mr. Mancini stated that the site and the driveway is adequate. Prior testimony stated that this area was good place for the warehouse because of the highways nearby. It would be less efficient to put it somewhere else in town. The revised plans has better curb appeal, staff parking placement is better and it is not near any residential properties. There will be no architectural impact on the commercial neighborhood.

The application now complies with all codes except for one variance they are requesting. He believes the application meets the zoning standards of the town and is consistent with the Master Plan.

Mr. Mancini testified that they worked with the boards professionals on the outstanding issues and this is a straightforward, simple site plan.

Mr. Guerrero asked Mr. Mancini about the previous comments on the staff parking.

Mr Dochney stated that they are paving the area and there are no issues with the employee parking. ‘

Mr. Mancini stated that they have to make 5 more spaces, but it is not a deal breaker.

Mr. Thorpe asked Mr. Mancini about the previous testimony on the elevations for the building with concrete and grids for the windows.

Mr. Thorpe asked if the applicant would be willing to work with the board planner to make the building look less industrial and much prettier.

Mr. Fagan asked about the cars parked outside the gate.

Mr. Dickey swore in Surinder Singh, the owner of the property.

Mr. Singh stated that the cars won't be there. The employees do not want to park on gravel.

Mr. Guerrero asked Mr. Mancini if they agreed to wheel stops.

Mr. Mancini stated yes.

Mr. Thorpe asked if this just going to be AmeriLeasing and no other outside companies.

Mr. Singh stated that it would just be Ameri Leasing.

The application is open to the public at 7:42pm. With no one from the public wishing to speak the public portion is closed at 7:42pm.

Mr. Dhaliwal asked if there was enough voting members for the d2 variance.

A motion was made to approve the d2 variance as it is a pre-existing non-conforming use, variance for the truck storage/repair addition with the bulk requirements as asked for that are outside what is allowed, a design waiver to have no landscaping, the proposed intensity is not detrimental to the zone and is consistent with the Master Plan, and there is no substantial impact to the public good.

1st-Mr. Thorpe, 2nd-Mr. Guerrero

Roll Call-All were in favor.

7. New Business:

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

Michael Floyd is the attorney for the applicant. He stated that this application is for preliminary and final site plan with bulk variances. Three witnesses will testify. This is a by right application and the use is allowed. The future tenant will comply the flex building use in the code. The warehouse will be 35,406 square feet with 20% of that office space.

Bernie Wojtkowiak is sworn in by Mr. Dickey. Mr. Wojtkowiak is a professional planner and goes over his qualification and is accepted as an expert witness by the board.

Nathan Mosley and William Stevens are also sworn in by Mr. Dickey. They go over their qualifications and are accepted as expert witnesses by the board.

Mr. Wojtkowiak goes over the surrounding uses of the area. He stated it is at the corner of Beverly-Rancocas Rd. and Springside Road. It is in the Rancocas Park Industrial area. Other than light industrial uses in the area, there are major highways nearby.

Mr. Wojtkowiak stated that it will be a 35,406 square foot building with a single driveway on Springside Rd. There will be car parking on two sides with 3 handicap spaces at the front entrance. There will be a loading area and ramp with a fence around it. There will be landscaping around the perimeter. The landscaping will be heavier along Valley Farm road. The applicant has revised their plans based on the professional review letters.

Mr. Wojtkowiak went over the truck circulation plan. Access will be off Springside Road, which is better for larger tractor trailers.

Mr. Mosley went over the traffic counts during the peak AM and the peak PM hours.

Mr. Guerrero asked about the entrances and exits being the best location and the truck traffic using the jug handle off of 295. He stated that there is no turn lane and he is concerned about traffic being blocked in both directions. Mr. Mosley stated that there would be a minimal wait.

Mr. Henley had concerns about the school buses and the work traffic that drives in this area. He stated residents already complain about it. He also states that it is aone ayeet and it is already a bit of an ss f you live in that area.

Mr. Mosley stated he took the additional residences to be built into account in his projections. He states that it is a small 35,000 square foot small warehouse. There will be 17 inbound vehicles making a left at the peak hour.

Mr. Henley stated to Mr. Mosley that any approval the board gives affects to community and the business changes. Everything is changed dramatically.

Mr. Mosley stated that the projections are consistent and are corroborated by the board engineer. The final approval is under the jurisdiction of Burlington County.

Mr. Roberts commented about the driveway being safe and Mr. Mosley stated that Springside is a county road.

Mr. Roberts stated that he would request a traffic management plan as a condition.

Mr. Mosley stated that they would do a post occupancy traffic study.

Mr. Grace asked why there was only one proposed access on the property if there are 2 other roads.

Mr. Wojtkowiak stated that this was the optimal location.

Mr. Guerrero stated that Main Street and Valley farm road have weight limits. Trucks are restricted by that.

Mr. Stevens talked about the requirement of the foot candles. For safety, they are asking for a variances on that. These seems typical in Rancocas Park.

Mr. Stevens stated that there is no substantial detriment to the public and the proposed is better than what is permitted. The application also will not negatively impact the zone at that the use is permitted.

The application is open to the public at 8:52pm.

It was announced that Mr. Thorpe has excused himself from hearing the application because he is the chair of the Historic Commission.

Mr. Floyd stated that the commission has no jurisdiction on the application.

Mr. Thorpe gave a brief review of the Commission's recommendations. He stated that this road is the gateway to Rancocas Village and the commission felt the design did not meet the criteria for historic appropriates. They think it is a modern building in historic zone. He pointed that there are similar projects on Springtide Road that fit in. He stated that if there are only 36 employees why are there 72 parking spaces provided. He disused the find going on the lights and the warmth of them.

Mr. Thorpe expressed gratitude the board recommended that this go before the commission.

Mr. Wojtkowiak stated the parking spaces are because it is a flex building and they are not sure yet what will be going in there.

Mr. Roberts stated that the Historic Commission does not have legal jurisdiction within the 500 foot buffer. Only the NJ MLUL does.

Mr. Grace asked if the board can take into effect the weight behind the comments the Historic Commission gave.

Mr. Roberts stated the Historic Commission's recommendations hold no weight and this is a by right application.

Mr. Wade stated that the code required the commission review the application but they have no jurisdiction and cannot hold anything up. There could be appeals in court if the application was held up because of the commission recommendations.

Mr. Roberts stated that this is good to have on the record by Mr. Thorpe.

Mr. Borger stated that this is not unusual to have the Historic Commission give a recommendation. They are trying to find compatibility and the board takes the district seriously.

David Fisher of 227Main St. is sworn in by Mr. Dickey.

Mr. Fisher commented on the tractor trailers making turns on the street, how they have hit the bridge and they speed down the street. He is frustrated because they already look at another Dolan warehouse. This is ridiculous and stop the building.

Kelly of 3 Valley Farm Rd. is sworn in by Mr. Dickey.

She commented that they are front and center to look at the warehouse. Property owners have rights to do things on their property but there are so many things to take into consideration. She reminded the board of the Townships Vision Goals. Traffic is the biggest nightmare.

Gilbert is sworn I by Mr. Dickey.

Mr. Gilbert commented that Valley Farm rd. is no longer a county road. He thought this space was preserved.

Dan McGonagall of 200 Bridge St. is sworn in by Mr. Dickey.

Mr. McDoniguile echoes the other residents. He asks to board to take to recommendation of the HPC seriously.

Michele Tarter of 206 Main St. is sworn in by Mr. Wade.

She lives across the street from the Quaker Meeting House. She commented that the trucks do damage to the structure of her building, there is air pollution and the traffic delays are not minimal.

Mr. Borger stated they approve applications based on the criteria today. They cannot deny an application because they don't want warehouses. This particular zone allows warehouses. If the applicant complies with the zoning laws, they cannot deny the application. They can have discussions with the applicant to minimize the burden on the village. The owner has the right to make maximum profit.

Beth of 210 Bridge St was sworn in by Mr. Dickey.

Ms. Beth commented that she wanted to add her voice. She understands the applicant has to comply with the zone to build and that they cannot prevent blight. She liked the review Mr. Thorpe gave and she understands that the HPC has no legal authority.

Terrance Brown of 9 Pine Tree Dr is sworn in by Mr. Dickey.

Mr. Brown commented on the back log of traffic. He suggested that the number of accidents there be looked at. That will be impacted by additional vehicles.

Rebecca McGrath of 226 Main St is sworn in by Mr. Dickey.

Ms. McGrath comment on the amount of cars during the peak and non-peak hours. She commented on why this has to be on Springside Rd. This area is surrounded by residential areas. This will clearly impact the neighborhood. She commented that she would be able to wave to the office workers.

Mr. Borger commented that this area is in the 295/Route 130 corridor. He stated that commerce does change and there are studies done.

Ms. Tarter inquired about how to get the zoning changed or is this a done deal.

Mr. Doughney stated that the Township was rezoned in March or April. It is not done often because it is expensive and takes time.

Bryan O'neal of 15 May Fair Circle is sworn in by Mr. Dickey.

Mr. O'Neal commented that he has been attending these board meetings for a couple of years now. He stated the board did a great job last year. He commented on why it takes the Township Committee so long to approve the changes.

Mr. Dochney stated that a technical appendix was approved. It is a multi-month process. There are not any intentional delays.

Trina Wakley of 200 Main St. is sworn in by Mr. Dickey.

Ms. Wakley commented that she moved here 2 years ago, the oldest house here was built in the 1730's. The area has a unique charm. She agrees with the neighbor, but also believes that it is inevitable. She commented she wished Dolan would consider a more historical look for the building.

With no one else from the public wishing to speak, the public portion is closed at 9:53pm.

Mr. Floyd stated thank you to the board and commented that he did receive the HPC memo. He stated that this application took a lot of time and effort and can amended the application for the HPC comments.

Mr. Guerrero commented that they would like to see the changes before they vote.

Mr. Floyd commented that the applicant will submit update plans as quickly as possible for the October 2023 meeting,

Mr. Borger stated the entire application will not be open to the public again. The public will only be able to comment on the new materials submitted. There is no need to re-notice.

The application is continued to the October 4, 2023 meeting.

8. Correspondence:-None

9. Informal Applications:

10. Open Meeting to public Comment:

The meeting is open to the public.

David Fisher comments on the trucks driving down Main Street for deliveries.

Mr. Dochney stated that they are not allowed because of the weight limits and there are signs.

Mr. Fisher stated that Chief Ent used to enforce that before retiring and that it is destroying the historic houses.

With no one else from the public wishing to speak, the public portion is closed at 10:12pm.

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

Mr. Dickey gave the update on Woodlane Logistics litigation. There was an order/decision in August. The court denied the applicants appeal and confirmed the board's vote. HE stated that it was sent back to the board to elaborate on the decision in the resolution.

Mr. Guerrero asked about the lighting change in the code.

Mr. Dochney stated that he submitted a letter from the board to the Township Committee.

Mr. Thorpe stated that Mr. Borger did a great job and he gives fair, clear decisions.

12. Adjourn:

A motion was made to adjourn the meeting.

1st-Mr. Grace, 2nd-Mr. Guerrero.

Roll Call-All were in favor.