

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

June 1, 2022

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on June 1, 2022 at 7:00 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by the Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 10, 2022, 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. Odenheimer, Mr. Thorpe
Absent: Mr. Henley, Mr. Ottey
Professional Staff: Attorney Nicholas Sullivan, Engineer Michael Roberts, Planner Chris Dochney, Secretary Jodie Termini

SWEAR IN PROFESSIONALS:

Mr. Sullivan swore in Planner Chris Dochney and Engineer Michael Roberts

MINUTES:

May 4, 2022 - Regular Meeting Minutes

Motion to approve Mr. Guerrero, Mr. Grace second. None opposed. Mr. Borger and Mr. Thorpe abstained.

RESOLUTION(S):

14-2022 – Kristina Dera, Block 1207, Lot 2, 1844 Route 541 – Minor Subdivision, Preliminary and Final Site Plan approval for Rita's Water Ice. Motion to approve Mr. Guerrero, Mr. Odenheimer second. None opposed. Mr. Borger abstained.

OLD BUSINESS:

Westampton Realty Urban Renewal, LLC, Block 805 Lot 1 – site plan review, major subdivision (redevelop/construct hotels, restaurant with drive-through)

Mr. Hulse stated – I know all the board members have received a package regarding the application, supporting documentation, the site plan elevations, etc., and you are all are roughly familiar with the proposal. Fortunately, the Township Solicitor Bob Wright was able to assist us in getting an extension of the approved plan and a minor amendment to the redevelopment agreement, adopted by the Township Committee last week, so that we could move forward with this. As you can see, this is a substantial project. It replaces what used to be the old Howard Johnson's exit five on the Turnpike and has been a site under some distress for some time until my client took over the property and began managing the, what's now there, the Red Roof Inn and subsequently demolished much of the old infrastructure and buildings that were on the property at the time with the hope for approval of doing a complete redevelopment which is what you have in front of you right now. Rishi Goragandhi is the principal of the applicant, the corporate entity. The technical name is the West Hampton Urban Renewal LLC, as required under the redevelopment law. We have Mark Malinowski, professional engineer of Stout and Caldwell; he'll essentially be presenting the application and explaining

the details of it to you. We have a representative from Shropshire, the Traffic Engineers. The engineer we were working with, Nathan Mosley, was not available tonight and Randal Barringer is filling in for him.

Although this is a big application, and I think a very significant improvement to a center point of the Township, and has been the subject of substantial review and work between our engineer, the township engineer, township planner, and the county engineers, particularly their Traffic Engineer, to work out what I'm going to refer to as all of the little normal kinks and bumps that you have with an application this large and what you have in front of you may, on what's presented on the site plan and the other attached documents which accompanied the application which will be placed in evidence by Mr. Malinowski, really shows what you're going to get, if you approve this application. There really shouldn't be any variation from what is being proposed and it's a significant proposal. Two substantial national brand name buildings, a pad site for a national brand name restaurant. There is another smaller pad site that we're looking to hopefully use for something like maybe a Starbucks or some other type of drive-through facility that would be beneficial to that intersection. We're looking for Preliminary and Major Final Site Plan Approval tonight. I have reviewed with my engineer and my client's traffic engineer the Board's engineer's report. This was originally signed by Jim Winkowski.

Mr. Borger stated that Michael Roberts is here on his behalf; and they are from the same firm.

Mr. Hulse stated - I've been through that report, and I've been through the updated version, which I'm sure you will have, which showed a substantial number of the matters that were originally isolated and discussed have been resolved. There were a few remaining issues to be worked out which I believe Mr. Malinowski has done them. I'm going to expect Mr. Malinowski will present his testimony, kind of following the outline of your engineer's report which keeps everything simple, because it was so comprehensive, and essentially I'm going to offer up my client, my witnesses to answer any questions the Board may have or its professionals. I want to try to keep it streamlined and simple because I think it really is. The Township Committee is in favor of it and they've adopted the Redevelopment Plan and they've extended several times. We've done a lot of work with the Township Committee in working out the details with their planner, so it really is a very, in my opinion, beneficial and worthwhile project for the Township. Having said all that, I'm going to ask Mr. Sullivan if he would swear in my witnesses Mr. Barringer, Mr. Malinowski, and Mr. Goragandhi.

Mr. Sullivan swore in the Professionals.

Mr. Hulse stated - Board Members: Normally in making a presentation I would give you a brief overview of the physical proposal but I'm going to limit that now because I'm sure Mr. Malinowski is going to do the same thing and I don't want to be duplicative of his testimony. What I do want to point out to you is that, as I mentioned before, the Township Committee last week adopted an amended redevelopment agreement, and part of that amendment, which really didn't go to the substance of the agreement as much as it did to one or two of the exhibits. I'm pointing this out to you now because we changed the application from the time since it was originally submitted maybe a year plus ago until now because of market conditions. We've entered an exhibit indicating a phasing program for construction and that phasing program is going to be requested as part of this approval process by the Land Development Board. Mr. Malinowski will speak in further detail of it and outline it on the site plan itself, but essentially what we're looking to do is in the first phase would be to develop the roadside improvements for the pad site for the national restaurant site and a smaller pad site for the drive-through site. That would be the in the first phase and all the related improvements that go along with that construction. The second phase is going to be the existing Red Roof Inn. which, as you all know, presently exists; the building itself is, in my opinion, in pretty good condition. Some of the site work needs to be dressed up and it's been kind of held up waiting to get this project underway. Any of the site improvements related to the actual operation of the Red Roof Inn will be Phase Two. The third phase will be the first of the two hotel units. The fourth phase will be the second of the two hotel units. Again, Mr. Malinowski will describe in more detail exactly the boundaries of that phasing. I believe that there will be some coordination between the Board's engineer and Mr. Malinowski to detail the exact limits of each of those phases, but I see that strictly a matter of coordination as opposed to anything else. But I wanted to mention the phasing because the phasing, from our perspective from the current economic conditions, I think is a

significant matter and I wanted to bring that to your attention because that is something that we want you to consider. So, having said that, I would like to ask Mr. Malinowski if he would take the floor and give the board a run-through from the engineering perspective and from and using essentially CME Associates' most recent report as sort of a checklist to go down for his testimony.

Mark Malinowski states – I'm a Stout and Caldwell engineer. I'm a professional engineer and licensed in the State of New Jersey. I have testified before this Board in the past and it's been quite a few years since then. I have a Bachelor of Science, Civil Engineering, at West Virginia University. I've been a civil engineer for 35 years and I've testified for boards throughout the State of New Jersey. I'm also the board engineer for Mansfield Township in Burlington County.

Mr. Borger sated – Okay, Mr. Malinowski's qualifications entitle him to be an expert witness before this Board and to render professional opinions in the field of civil engineering.

Mr. Hulse stated – Mr. Malinowski, can you put up exhibit number one? I asked Mark to pre-number the exhibits that he's going to be using and we had already forwarded them to your board secretary so, you should have them in the Board's file, but I just want to make sure as we go along, for the record, that we offer them in evidence and have them accepted in the number sequence that we're presenting them.

Mr. Sullivan stated – We were given those exhibits ahead of time.

Mr. Malinowski stated - This is an aerial rendering where we highlighted the property with the yellow border. Of course, I'm sure you're all familiar with the site but it's 11.4-acre site. This is bordered by Burlington-Mount Holly Road, which is to the northeast, and then the Turnpike to the west of the property. We have the New Jersey Turnpike entrance and exit that runs along the southwest and southeast of the property. This site currently has two ingress and egress points off Burlington-Mt. Holly Road. As you can see, it is a developed site and it's currently home to the Red Roof Inn. The Red Roof Inn is a two-story hotel, and then there's a westerly wing that's a one-story portion. In total there's 80 rooms in the existing facility. As you can see there's a great amount of parking along the perimeter of the site. There's also a paved area which currently is used as truck parking lot. In the rear there's a substantial wooded area. And then there's relatively established tree lines to the west and east of the property. In addition, there were several structures that have been removed throughout the years; there were three two-story hotel strips within the perimeter of the parking drive around the facility. There was also a restaurant at the front of the Red Roof Inn that has been taken down. Then there was a little travel agency or building on the northwest corner of the property. So, this site is in the "C" Commercial Zone but it's also subject of the 2015 Mt. Holly Road Redevelopment Area and so the project itself is based on that Redevelopment Plan. What we will be proposing to do is a majority of site improvements or pretty much all the site improvements are going to be removed except the Red Roof Inn itself, but all this pavement around the perimeter and all will eventually be reconstructed and reconfigured to accommodate a new facility that is being proposed. Next up is exhibit A-2. This is a color rendering of the site plan that was submitted to you. It's the proposed landscaping in color for the presentation this evening. This layout is based on the 2015 Burlington-Mt. Holly Road Redevelopment Plan, and we pretty much kept the entire layout as part of that plan. So in the middle here is the existing Red Roof Inn and as we indicated our main goal is for that to remain the only alteration we have to the building itself is there was a canopy that extended out a little further along this drive along the easterly drive of the Red Roof Inn that is going to be pulled back and reconfigured to provide more of a travel lane to access some of the other proposed facilities. As Mr. Hulse indicated, with regards to phasing, the first phase with the construction of the two restaurants that are proposed in the front. The first restaurant will be in the northeast corner of the property. That's a 6,000-square foot restaurant that will have a 200-seat capacity. We're proposing to reconfigure all the pavement and parking area around that to accommodate that restaurant facility. We have a trash enclosure in the back also for that facility. On the southeastern corner of the property, we're proposing the drive through restaurant area and that's 1,520 square feet. The proposed parking for that facility and the drive through on the southeast side of that facility. We're also proposing some revisions or improvements to the entrances that we've been working with the County. This configuration currently serves to ingress

and egress drive. However, we had a discussion with the County, and we had a meeting with them and their professionals to go over this configuration. These drives don't meet their setback requirements and they are concerned with this southerly drive in its relationship to the left-turn lane on Burlington-Mt. Holly Road.

Mr. Hulse stated – Mr. Malinowski, before you leave this subject with the entrance and exits based on your conversations with the county traffic engineer, do you see any difficulty with working out the details of the access that they want to be there and the way they want it? Is that essentially going to be an in-and-out access on the northerly point of access and the southerly one will just be an entrance only? Is that your understanding what they want?

Mr. Malinowski stated - There's two potential possibilities. First, we will only have one ingress and egress point, and that may just be a little further south of the one that is currently shown here. Or the alternative would be one further up in this location on the northerly side. The reason for this is to accommodate vertical sight distances that are created by the overpass of the New Jersey Turnpike. We're working on that and getting some additional field information along the roadway to better establish vertical sight distances so that these driveways will be safe. If we do add the one in the northerly location, we may have an ingress on the southern end near the proposed drive-through facility. If this main entrance ends up being a little closer then we would just have the one ingress and egress.

Mr. Hulse stated – Other than what you are working out with the county regarding those entrances and exits along there, do you see any significant impact on the rest of the site that this board would be concerned with?

Mr. Malinowski stated – It's the same configuration. It's just the location of the drive itself. We would like to present it as a condition of approval if the Board grants an approval. We would work out the details with regards to the limits of each phase and how they interact with the existing conditions of the site that would remain until the following phases are completed.

Mr. Hulse stated - What you're really suggesting is, if we leave the preparation of the phasing plan as a condition of the approval, then you're going to meet with the Board's engineer and work out the details to their satisfaction. Is that correct?

Mr. Malinowski stated – Yes, that is correct. The next phase is further improvements, the parking lots and sidewalk areas and all existing Red Roof Inn. Reconstructing the parking along the easterly side, and some additional parking along the westerly side, improving the sidewalks that run along this facility. We will be cleaning all that up including the landscaping and all the infrastructure facilities such as stormwater drainage, things of that nature. Most likely, when we start accomplishing that, currently the drainage from this site, a portion of the site does drain to Burlington-Mt. Holly Road and there's storm sewer system and then the remainder of site drains to the rear or the southern end of the site in which case we control the runoff to the rear of the site and reduce that rate in a proposed stormwater control facility with an infiltration detention basin that maintains the current drainage patterns on the site. In regards to the runoff, it would go to the county facilities, and we maintain the current conditions there and we also improved, we have also manufactured treatment devices that improves the water quality of the storm water drainage to their system, so we have made those improvements there as recommended by the engineer. That concludes the second phase. The third phase we were doing one section of the new hotel in the back. The hotel in the back is a dual hotel, which you can see there is an easterly wing and the westerly wing. The easterly wing is the Hampton Inn and that's a 4-story hotel with 83 rooms. This portion will run parallel to the New Jersey Turnpike ramp. Then there's the easterly wing which is the Home2 Suites; that's a 4-story hotel with 90 rooms. The combination of both these hotels is 173 hotel rooms. The third phase after the improvements for the existing Red Roof Inn would be the Hampton Inn phase which is parallel to the exit ramp and then the fourth phase would be the Home2 Suites portion of the hotel. We will accommodate all the infrastructure around it. During the third phase all this will be constructed, and we will just have the pad site and we might have some curbing that might be left out. Those kinds of details will be worked out with the engineer and the fire official to make sure there's proper access around the facility during the construction period.

Mr. Hulse asked Mr. Malinowski - What do you have for exhibit A-3?

Mr. Malinowski stated – A-3 was a color rendering of the elevation of the proposed site hotel. This was submitted as part of the application; it showed the front view of the Hampton Inn and elevation 4. Elevation 3 is the Home2 Suites and that's the rear of the property. They are both four-story hotels. The Hampton Inn sign is on the front of elevation 3 and Home2 Suite sign is on the front of elevation 4 and both hotels are in the rear of the property.

Mr. Hulse asked Mr. Malinowski – Are they going to have a common entrance?

Mr. Malinowski stated - Yes, that's correct. The common entrance is right through the middle of the V, so to speak. This is a one-story portion but that's the entranceway in and then in splits into the two wings.

Mr. Hulse asked Mr. Malinowski - The middle of the entranceway will be dealt with as part of the phasing plan line to show how it's going to work between phases three and four?

Mr. Malinowski stated – Yes, that is correct. That will be something that we work out with the architect when we get to that point. Exhibit A-4 is the remaining elevation that was submitted as part of the application. Elevation 1 is now looking toward the Home2 Suites front portion of the wing. Elevation 2 is the back portion of the Hampton Inn building, the motel suites portion of the site plan. Exhibit A-5 isn't exactly what's being proposed, but it does give you a good idea of what the hotel would look like. In addition to those facilities there's parking and lighting. One of the waivers we're asking for was that your current ordinance indicates like an average low, relatively low light level 0.5-foot candles is a maximum average. The average on our site is around 1.1 foot candles which is twice as bright and, in your engineer's review, they would like to see that increased to 2-foot candles as the maximum average throughout the site, the paved parking areas, and the sidewalk areas and things of that nature. We will be working with him to use 2-foot candles as much as possible. We have some landscaped islands throughout the parking which are not in the current parking lot. Right now, there are strips of asphalt, and we will be breaking that up. This will help reducing and controlling some of the stormwater runoff to the county facility and the rear of the site. There are some signage variances that we're asking for according to the redevelopment plan. For the hotel we're permitted a side sign for two of the hotels. In this case, we're proposing three signs for each wing. We would have a sign on the front of each wing, we would have a sign on the sides of the wings and then a sign on the rear of each of the wings. We are requesting a variance to provide those signs and they are reflected on the elevations that were presented earlier.

Mr. Hulse asked Mr. Malinowski – The variance that you just described was discussing the number of signs for the hotels; in terms of the size of the sign for the façade, are those signs in compliance with township requirements?

Mr. Malinowski stated - The redevelopment plan states that maximum square footage of a façade sign is 200 square feet and, yes, it will comply with the size.

Mr. Hulse asked Mr. Malinowski – It's just the number of signs we are talking about?

Mr. Malinowski stated – Yes, that is correct.

Mr. Hulse asked Mr. Malinowski – Is this because of the peculiar shape of the lot with travel areas, roadways, and driveways around for identification purposes?

Mr. Malinowski stated – Yes, that is correct.

Mr. Hulse asked Mr. Malinowski - Is this the message that these types of hotels typically have for unusual sites like this?

Mr. Malinowski stated – Yes; you want to identify the signs on the travel ways. This really helps anybody that is trying to find the hotel and give away a sort of beacon where they are going and where their destination is. So, it doesn't matter from which direction they are coming from, they will see the hotel signs.

Mr. Hulse asked Mr. Malinowski - In terms of the landscaping, I see on exhibit A-2, all the landscaping the islands and the green area I'm assuming it's some sort of grass?

Mr. Malinowski stated – Yes, that is correct with the exception just to the south of the proposed drainage basin as we showed on Exhibit A-1 this is a wooded area beyond the limits of the proposed basin. This going to remain all wooded area. There are also existing trees along the perimeter, and they will remain, and they are within the right-of-way of the Turnpike.

Mr. Hulse asked Mr. Malinowski - In terms of the landscaping on site, are you going to work out, as a condition of any approval the Board gives, the details for the landscaping with the Board Landscape Engineer?

Mr. Malinowski stated – We have been working with the planner on that and we have addressed several comments that were made during the review process with the professionals.

Mr. Hulse asked Mr. Malinowski - The bottom line is the applicant is prepared to accommodate whatever the Board's Planner wants in terms of detail, types of planning, etc.?

Mr. Malinowski stated – Yes, that is correct. There is one of the comments that the Board's Planner indicated, and we don't have a problem in landscaping around the foundation and the existing signs. We have two existing signs along the frontage of the property that is to remain and will be reused and the Board's Planner indicated the landscaping around that. We don't have a problem with that; however, those signs are within the County right-of-way and if the County is allowing them to remain but typically the County does not like landscaping within their right-of-way. So, we will propose the landscaping to the County and if it's accepted, then we will provide the landscaping.

Mr. Hulse asked Mr. Malinowski - The bottom line is, on that issue, is the applicant will coordinate with the Board's Planner and the County Planning Board and reach whatever accommodations each of them want?

Mr. Malinowski stated – Yes, that is correct.

Mr. Hulse stated asked the Board - How does the Board like to proceed with the actual review of your engineer's review letters. Would you prefer to allow your engineer to go through his own report and testify for you and we could comment after or would you like Mr. Malinowski to go through it now.

Mr. Borger stated - Typically what we do is have the expert engineer for the applicant testify about his responses to the board's engineer review letter.

Mr. Malinowski stated - We'll do it that way.

Mr. Hulse asked Mr. Malinowski - Do you have board engineer letter dated March 31, 2022?

Mr. Malinowski stated – Yes, I do.

Mr. Malinowski stated – We will call this letter A-7.

Mr. Malinowski stated - In preparation to this meeting, I did have the opportunity to speak to Mr. Winkowski and Mr. Roberts. We went over their review letters and the remaining comments we really have no problems it's just working it out with the engineer. Again, the only one that might be a little difficult but close to is raising the lighting to the two foot candles. Other than that, we really don't have a problem or any issues with addressing the comments in his letter. We can address that as a condition of the Board, if they grant this application.

Mr. Hulse asked Mr. Malinowski - What you're saying for the Board's understanding and mine any outstanding items on the engineer's review letter that are commented on we will address and satisfy the Board's engineering requirements as a condition of approval; is that correct?

Mr. Malinowski stated – Yes, that is correct.

Mr. Malinowski asked Mr. Malinowski - There are a couple items in that report that deal with traffic that Shropshire is going to be testifying about, is that correct?

Mr. Malinowski stated - I believe they would like a review of the traffic report that was prepared for this project.

Mr. Borger asked the Board if anyone had questions regarding Mr. Malinowski's testimony.

Mr. Borger asked Mr. Malinowski – To try to redirect the surface water back toward the rear of the property where the retention basin is, you'll then be installing underground pipes, is that right?

Mr. Malinowski stated – Yes, that is correct. The storm sewer systems, inlets, collection inlets throughout the site will have underground piping and will discharge into the proposed infiltration basin system.

Mr. Borger asked Mr. Malinowski - What is the relative elevation of the property, high to low?

Mr. Malinowski stated – The hotel on the back is finished at 74, pretty much your elevation 73 and 72 around the perimeter of the hotel and then it does drop off several feet and the top of the basin is around elevation 65 so maybe 72 to 71 feet of elevation. 71 at the southern portion of the drive and parking area then it drops down several feet to elevation 65 at the top of the basin and the bottom is elevation 61 and that discharge leads to an existing elevation of 60 in that western corner of the property.

Mr. Hulse asked Mr. Malinowski – The basin to the rear of the property, to the western side, is that a detention basin or a retention basin?

Mr. Malinowski stated – We refer to this as an infiltration detention basin. What we do is infiltrate and adjust the water quality requirements of the State's stormwater regulations. Infiltrate the water quality storm and then the largest storms to 210 and the frequency storms are controlled and regulated in the detention portion.

Mr. Hulse asked Mr. Malinowski - During the years, should we expect to see standing water there?

Mr. Malinowski stated – No. It's required to drain within 72 hours of the peak of a storm.

Mr. Hulse asked Mr. Malinowski - The depth of that basin is what?

Mr. Malinowski stated - Generally overall it's 4' deep.

Mr. Hulse asked Mr. Malinowski - The sides are sloped to the point where the vegetation can be mowed?

Mr. Malinowski stated – Yes, that is correct.

Mr. Hulse asked Mr. Malinowski - Are we going to put a fence around it?

Mr. Malinowski stated – No, we are not proposing a fence.

Mr. Borger asked if any of the Board members had any questions.

Mr. Guerrero asked Mr. Malinowski - How much surface improvements as well as the storm water improvements are we going to see as part of Phase One?

Mr. Malinowski stated - Phase One would be the construction of the restaurant areas in the front. I will have to look at what the parking requirements are, but all the parking will be in the front for the proposed 6,000 sq. ft. restaurant. We may have to do some additional parking out back to accommodate all the parking requirements. In the front we would have to prepare the improvements perimeter of the proposed drive-through restaurant facility. That would require also modifying the front of the drop-off area of the Red Roof Inn. When you start tearing up and reconstructing areas, then we must see in more detail how to blend in with the existing infrastructure and still accommodate what's needed for these facilities in the front. As far as stormwater runoff, as we showed in Exhibit A-1, we showed a substantial amount of asphalt pavement and we'll be breaking that up and creating some green space. It will be controlled and not to exceed the existing runoff conditions and it will also incorporate all the storm sewer systems that are necessary and modifications within these areas. Also, the manufacturing treatment device which provides the water quality to the county systems. All of this will be part of Phase One.

Mr. Borger asked - Do you have any idea of a rough timeline as you go through the phasing?

Mr. Hulse stated – Resolution 82-22 that the Township approved was forward and it should have two exhibits with it. Exhibit B and Exhibit C were amendments to the redevelopment agreement. Exhibit B was the project description on the original, approved plan. It outlined what we're planning to do. The only change is at the end which explained with the existing issue which we talked about in the beginning. Exhibit C is the actual project schedule. This is the project schedule. It's broken down in the redevelopment agreement that within 360 days after the effective date which is the date the agreement will be signed. This should be sometime in June of this year. Within 360 days the developer must get all the governmental approvals which is county, local, state etc. The third area of construction, the developers within 360 days after the effective date, the developer will close on all required financing. We are looking in the area of \$40,000,000.00. The next area is commencement of construction. Construction stage phase one will begin within 720 days of the effective date. Phase one will be completed within 360 days after commencement of construction. Phase two, the existing hotel site that will be completed within 180 days after completion of phase one. Phase three, the first hotel is the Hampton, that must be completed within 720 days of the completion of phase two. Then phase four, which is the Home2 Suite Hotel within 720 days of completion of phase three. The whole project must be buttoned up within several 2,720 days of the effective date. Those are outside limits. We certainly don't want to reach any of those.

Mr. Borger stated – As I calculated, that would be about seven and a half years.

Mr. Hulse stated – Yes. It's a big project. Can we go back to Exhibit A-1? Should we be looking at if not combining or coordinating the phasing between the pad restaurant and the improvements directly in front of the hotel?

Mr. Goragandhi stated - I would bring in all the utilities, curb cuts and put them in for the whole site, including the hotels in the future you bring everything in at the same time for all the site because you are digging up the pavement to run all the pipes through. In fact, this is all in Phase One and then you are finishing all the utilities and pipes through you're going to do have to repave it and when you do that it only has to be done once. Build the restaurants right away and make sure the front entrance closer access to the Turnpike is going to be in full order and there will be no guest service issues and safety hazards.

Mr. Hulse stated - I would like to sit down with Mr. Malinowski, board Engineer, and Mr. Goragandhi as the general contractor regarding the phasing to come up with a plan to best effectuate the phasing. What you describe makes sense.

I don't think we can work it all out here now, but I want to leave it with Board as a condition that we will satisfy and work with the Board's engineers to come up with the most appropriate and efficient phasing program that promotes the whole look of the project and make it an efficient completion as to the pad sites and the existing hotel even if we don't get to build the two new hotels for a couple years.

Mr. Borger stated - Yeah, that makes sense. Will the Red Roof Inn be impacted by the construction of the Two pads?

Mr. Goragandhi stated - I do not believe so because but the pads might be a slight impairment; may not be able to run at full capacity but, because I own that whole site myself and I built it into the costs, we get a lot of trucking business and, when we change, that will go away and the clientele will get better. Right now, the clientele is on the lower tier, and we are going to try to elevate the clientele to a higher tier. That would fix it, especially since the Hampton Inn across the street is no longer there, there's a huge need for the Hampton Inn to come back because nobody has a decent hotel that they can stop by in Westampton.

Mr. Borger stated - Thank you. Any other questions for Messrs. Malinowski or Goragandhi?

Mr. Borger asked Mr. Roberts – What is your response to Mr. Hulse's suggestion?

Mr. Roberts stated – I would probably install all of the utilities that are going to end up in the county roadway. From there you can work on finishing Phase One. Phase Two would be within that whole area and then Phases Three and Four would have the utilities for the remainder of the site. The basin would be constructed at that point prior to the start of that phase or a part of a Phase Three process. You might get the water and sanitary sewer lines in as part of Phase One, as Goragandhi suggested. So, from that standpoint, I think we're on the same page in terms of how the phasing would work. We would be more than happy to sit down and go through any of the specifics. There are a couple grade elevation changes in the front of the site that would have to be massaged into the current site conditions. When installing the fence, use something a little bit more aesthetically pleasing than a construction chain link fence would be appropriate because it's going to be an extended time frame. Those are the kinds of details we can work out if the Board is fine with that. In terms of the signage on the building, is that going to be illuminated or just aesthetic?

Mr. Goragandhi stated – Yes, they will be illuminated.

Mr. Hulse asked Mr. Goragandhi – Will that be internal lighting?

Mr. Goragandhi stated – Yes.

Mr. Hulse asked Mr. Goragandhi - Is that a branding issue with both Home2 Suite and Hampton Inn.

Mr. Goragandhi stated – Yes. It is all the same and it has to be prototyped and we have to buy them from their vendor because it's proprietary and not negotiable.

Mr. Barranger then was called as a witness and Mr. Borger asked Mr. Barranger to state his education and background to the Board.

Mr. Barranger stated – I'm from Shropshire and Associates. I have a Bachelor degree in civil engineering, University of Delaware. A little over 23 years of traffic engineering experience. I have testified in front of numerous zoning, planning

boards, and land use boards throughout New Jersey. I sat on two boards a traffic engineer. I am a licensed professional engineer in New Jersey since 2008.

Mr. Borger stated - You clearly are qualified as an expert in the field of traffic engineering and can render opinions in that area of expertise.

Mr. Barranger stated - Prior to this, and in terms of the **defending winners** report, what it looks like, to start on page five.

Mr. Hulse stated – Can you go to the Township Engineer’s report? The issues start on page 5 and explain to the Board any traffic issues that you see with the site and how you expect it to work and address any comments in the Board’s engineering report that you think may still need to be commented on.

Mr. Barranger stated - As part of this project that we analyzed the two primary nearby intersections. They are the signalized intersections of the Burlington-Mount Holly Road (County Road 541) and Country Road 541 and Hancock Lane. County Road 541 and Irick Road, we also looked at the northbound jug handle from Route 541 to Hancock Lane and the northbound jug handle from Route 541 to Western Drive which leads to Irick Road. We did traffic counts at those four locations to analyze the traffic impact in existing and future conditions. First thing we did was estimate the number of traffic that will be generated by this development. We are looking at this as a whole, not a part of the phasing so all the development at once. Based on the Institute of Transportation Engineering publication of generation we can estimate the traffic based on the hotels, a sit-down restaurant, and the drive-through restaurant. Based on that information for the A.M. peak period and the P.M. peak period or weekdays as well as the Saturday peak hours we estimate about 145 new trips for A.M. peak hours and 207 new trips for P.M. peak hours and approximately 280 new trips during the Saturday peak hours. That discounts pass-by trips which are only relevant to that drive-through restaurant. The pass-by trips is simply someone who is on the road and stops in and then goes on to their primary destination. The next thing we did was distribute new trips to the adjacent roadway network and that was distributed based on the existing traffic flows alongside the site frontage as well as a five-mile basic population density model. A lot of this traffic is coming from the Turnpike and when we distribute the traffic to these intersections, I previously name the two primary signals, Route 541 and the two jug handles. There's little to no changes in the operational levels of service at those intersections, primarily due to the large amount of roadway capacity you have. There are multiple turn lanes and jug handles that eliminate left turn at the intersections. There is a dual left turn lane at Route 541 to turn onto Hancock and due to that large roadway capacity, we don't anticipate any substantial changes in the level of service for existing-to-a-proposed scenario. As previously testified to, the access points here, the driveways, are under Burlington County jurisdiction, and we have met with the county and got their review comments on this. There may be, as Mr. Malinowski identified, for maybe some changes to the access to the driveways as they are shown on this exhibit. The county is concerned with exiting the site and trying to get into that adjacent dual left-turn lane. That movement might be eliminated, and all the exiting movements would be further to the north. People would leave the site and have more opportunity to get to that left-turn lane. The county also commented on the adjacent traffic signal along Route 541 and Hancock; we have to make pedestrian accommodation improvements. There's nothing substantial. We do not anticipate any substantial changes in the operational levels of service. Does anyone have any questions?

Mr. Borger asked Mr. Barranger - Your estimates of traffic due to the improvements proposed to this site are based on the total improvement of the site?

Mr. Barranger stated – Yes, that's correct. That would be both restaurants, the sit-down restaurant and the drive-through we estimated as a coffee donut shop. That means it's a high volume as the well as the new hotels. The existing hotel was captioned under our traffic counts, so we got all that traffic included.

Mr. Borger stated - I assume the flow resulting from the drive-through restaurant is going to be quick in and quick out.

Mr. Barranger stated - I know one of the concerns that I see all the time with those type of facilities is stacking distance. As you can see on this site plan, there's a substantial stacking distance for this facility. So, it is a quick in and out and I believe there's ample stacking distance for that type of facility.

Mr. Borger stated – I'm looking at Exhibit A-2 and, if I'm looking at that correctly, where the drive-through restaurant is the vehicles would be pulling in front of the site and traveling around the rear of the building?

Mr. Barranger stated – Yes, that is my understanding. One of the concerns that the county had was the egress movement directly in front of that facility. That may get eliminated based on county review and that's solely because of the large dual left-turn lane there are people trying to cut across traffic there. The county has reviewed these plans and we're currently ongoing coordination.

Mr. Borger asked - Anybody else on the board have questions for Mr. Barranger?

Mr. Roberts asked Mr. Barranger - Do the trip generations calculations include growth? We're looking at phasing that is going to be pushing the project completion to 2027-2029. I just wanted to make sure those numbers included that time and any increased projections in traffic?

Mr. Barranger stated - Yes. We have a growth rate provided by New Jersey Department of Transportation of 1% per year and we did it for two years.

Mr. Roberts stated – We will defer to the county for their review of those numbers; thank you.

Mr. Borger asked if anyone had any comments or questions? No one answered.

Mr. Thorpe stated – The applicant talked about the drainage area and the sides not on Burlington-Mount Holly Road. Those areas have a tremendous number of trees right now and I would like to have some sort of stipulation that they keep as many trees as possible, particularly in the drainage area. Regarding the lighting in the parking lot, I'm in the one-foot candle area and between two foot candles is fine. The applicant has proposed 3,000-degree Kelvin and I agree with that. I would like to make sure that we maintain that the fixtures will be 3,000-degree Kelvin and not higher than that because that is the perfect color temperature for this type of situation. On the engineer's report, it states the 100' ladder truck encroaches onto the curb in multiple areas and the applicant's engineer should address. For a project like this, if a something happens that ladder truck is coming. I want to make sure that issue has been dealt with and that if that has to be changed, we are able to make those changes. When we talk about the project itself, if we decide that we like this ingress and egress, and what we are being presented with now is not what we will end up happening, so, it's hard to approve the project without knowing what is going to happen. I feel there should be some stipulation in there that if we approve this dependent on the county and making sure that we meet everything the county is asking for. The travel lane or car port for the drive-through and the corner of the Red Roof Inn being taken back is a great idea. It was mentioned but we don't have drawings that show it, so we are going to be approving drawings that don't show that.

Mr. Borger asked Mr. Malinowski – How about the 100' ladder truck?

Mr. Malinowski stated – Some of those encroachments are bumper overhangs. It's the vehicle itself it's driving over the curbs. The ladder truck's wheel base is relatively short compared to the overall length of the ladder truck and actually they're designed that way in order to accommodate tight maneuvering. Those ladder trucks, in my opinion, handle very well negotiating around sites. The bumpers might sweep over the top of the curb, but the wheel is so well recessed from the bumper itself that it is just the bumper going over the curb and the wheels are still within the travel way. We can see if any other improvements need to be made but the fire apparatus can negotiate the site.

Mr. Hulse asked Mr. Barranger – Do you agree with Mr. Malinowski's comments?

Mr. Barranger stated – Yes. It was very well summarized and as the site laid out, it will facilitate that type of truck movement.

Mr. Borger stated – We will need final approval from the Fire Chief.

Mr. Malinowski stated - We did receive a review letter from him, and I don't see any issues with his comments.

Mr. Borger asked if anyone had any questions?

Mr. Hulse stated - I just have a couple of things that I would like to point out. Mr. Malinowski, you mentioned the site plans that we submitted with the application, is that the 15 sheets?

Mr. Malinowski stated – Yes, that is correct.

Mr. Hulse stated – Can we mark them into evidence. A-7 was the Board's updated report and make the site plans A-8 and the Fire Chief's report as A-9.

Mr. Hulse stated – Going back to Mr. Thorpe's comments regarding the trees back by the retention basin. It's my understanding that our engineer is going to coordinate with the Board's engineer and/or Board's planner and will keep as many trees as possible.

Mr. Malinowski stated – On Exhibit A-2, the basin has an odd shape and it's smaller at the southeast and gets bigger towards the northwest corner and that is because there is a substantial amount of vegetation southeast, so we tried to design the basin to save the vegetation.

Mr. Dochney asked – Are you seeking preliminary and final approval for the entirety of the site, or you are just talking about construction phasing? Typically, when I have seen phased plans, they are only seeking final approval for Phase One and come back for final approval once you are ready to move onto Phase 2, 3, or 4.

Mr. Hulse stated – Yes, we are asking for the Preliminary and Final approvals.

Mr. Dochney stated - Regarding the timing, it's my understanding of the laws, a site plan approval is valid for three years. If Phase Four isn't going to be starting for five years, would that require you to come back to the Board for an extension? What would be the trigger to start Phase Two, or is it a market thing regarding funds.

Mr. Hulse stated – Under the redevelopment plan, the committee has delegated to the Land Development Board

the function of the final site plan approval on their behalf. It seems to me that if any of these questions that you are raising come to pass, they would require a revisit to the Board. Having said that, part of the objective of having my engineer sit with the Board's engineer is to work out any potential kinks in the plan. I believe the approval period for a final approval for the site plan is three years. I don't believe that requires that every phase must begin within the three years if the approval of the overall site plan must begin within the three years. When this project begins within the three-year period, I believe the applicant has satisfied the timing requirement. However, if that become problematic under the Municipal Land Use Law, there are a minimum of three if not five extension approvals that the applicant can apply for.

Mr. Borger stated – The Planning Board may extend a period of protection for extensions of one year, not to exceed three extensions.

Mr. Dochney stated - What I'm getting at here, if you are seeking final approval for the entirety of the site, as you are showing it right now, we may be complicating things tonight by breaking it down for approval. The phasing and the redevelopment agreement between your client and Township Committee as the redevelopment agency and I don't know that the Land Use Board needs to be a part of how you are phasing this. Generally speaking, anytime a project is approved that involves more than one improvement, then it's really up to the developer's discretion how they go about constructing it.

Mr. Borger stated – If we grant final approval, we are done. If we grant preliminary approval, then the clock is ticking and that doesn't help the applicant. There could be issues with signage requirements by a national brand restaurant that could conflict with our zoning code in terms of number of signs, size of signs, and illumination.

Mr. Dochney stated – If final approval was granted for both of the restaurants, then whatever tenant comes in, then they will have to be required to operate with the footprint and circulation shown on these plans. If they wanted to deviate from that, then they would have to come back to the Board for an amended approval.

Mr. Hulse stated - I would agree with that.

Mr. Sullivan stated – I agree with Mr. Dochney's suggestion. Either you can approve it now and they would have to comply with how it is presented tonight and if the future tenants need to come back, then that is what they must do.

Mr. Hulse stated – Mr. Borger, that it's my understanding, that the applicant wants to move forward to get the final approval tonight, and we understand that things happen in the future that may require for the applicant to come back before you in the future.

Mr. Borger asks if anyone has any questions?

Mr. Dochney stated – The last comment I have is about landscaping. You said you were going to comply with all our comments relating to landscaping on the March 29th letter. You would work with Sherry Spiro; she is our licensed tree expert and does most of our landscaping comments. You will work with her on the proposed landscaping.

Mr. Hulse stated – Yes.

Mr. Dochney stated – For the record, and I think Sherry would agree with this if she was here, we have no objection of withdrawing our comment about landscaping at the base of the signs if it is Burlington County’s decision that they don’t want landscaping in their right-of-way.

Mr. Guerrero stated – As long as they start the construction, even though the hotels are to follow later, they are not restricted by any three-year time frame on the whole plan.

Mr. Borger stated – If we give them a final approval, it’s done. If we give them a preliminary approval, then the clock is running.

Mr. Guerrero stated – As long as they start within the three years then they are OK even though the next phase may not be within what they were saying what their phases would be. They were talking about having a two-year time frame for a couple of their phases.

Mr. Borger asked Mr. Sullivan – Is there a deadline in the Land Use Law regarding when they must commence construction or complete construction?

Mr. Sullivan stated – Since this is a redevelopment application the Township Committee has already ruled on that so this does not apply. The Committee did already approve this and there is no limitation on the approval for when it’s completed. They can’t delay in the commencement of the project.

Mr. Guerrero asked – After Phase One is completed, could they take a four-year break in between phases?

Mr. Hulse stated – The redevelopment plan that was approved by the Township has limitations and deadline that we would have to abide by. The redevelopment plan and the agreement based upon that plan are essentially the controlling documents. The Township Committee has referred to the Land Development Board the authority to do the site plan review, but I believe that’s limited to the engineering, planning, and landscaping engineers.

Mr. Sullivan stated – Ideally the construction would be complete but here it’s obvious that it’s not possible because the supplies are limited due to Covid and what we have going on in that area. It’s not that the approval would expire, it just means that the Township adopts a new site plan or zoning requirement it would otherwise be applicable to this site then the developer with the approved plans is protected from those ordinance changes.

Mr. Guerrero stated – I agree that the schedule is a controlling document, but I wanted clarification that for some reason you don’t have on the schedule what the next steps would be.

Mr. Hulse stated – The redevelopment agreement is a comprehensive document and any deviation or variation from that needs to go back to the Township Committee for another amendment.

Mr. Guerrero asked Mr. Hulse – Would that be the only step, or would the Land Development Board be involved in that as well?

Mr. Hulse stated – It would initially be in front of the Township Committee to either approve, continue, or amend the redevelopment agreement and ,if it involved site plan review, then that would come before the Land Development Board. Ultimately the Committee has final control.

Mr. Sullivan stated – I would like to add when it comes to the redevelopment agreement, although I haven't reviewed it and I will defer to Mr. Hulse on that, the developer and the Township are bound by the terms of that agreement, so any deviations are usually done through amendments or changes.

Mr. Hulse stated – The redevelopment agreement is the substitute of the Municipal Land Use Law in this case and to give the governing body the flexibility to get things done.

Mr. Borger stated – The meeting is now open to the public.

No one responded.

Mr. Borger closed the meeting to the public.

Mr. Hulse stated - I think the board understands what the proposal is in detail and our professionals worked together to resolve issues before this hearing. I would like to ask the Board for their consideration and granting the preliminary and final site plan approval. The variance that is requested and the variance waivers that are requested in our application.

Mr. Borger asked Mr. Sullivan to give a summary.

Mr. Sullivan stated – Here we have a consolidated application for Preliminary and Final Site Plan Review application. Which is of the major type for Block 805, Lot 1 which the address is 2115 Route 541, Westampton, NJ 08060. The owner is seeking to redevelop the property including the creation of two hotels, a restaurant, and a drive-through establishment as well as improvements to an existing use of the property. The property is surrounded by Burlington Mount Holly Road and the New Jersey Turnpike ramp five. This will include new structure, expanded area, new parking area and there are a few considerations with this. Mr. Hulse has requested a meeting between the engineers to go over the fine details and additionally this would be contingent upon county approval for the ingress and egress into the property off of Burlington-Mount Holly Road and with that this is presented to you for your approval. There will also be a contingent on a variance for the signs. One with Hampton Inn needing to have multiple signs on the building on the sides of both wings, on the back of both wings. They may need a variance for the restaurant and drive-through for signs once the tenants are acknowledged.

Mr. Borger asked – Then it's not before us now?

Mr. Sullivan stated – Correct; that is not before you tonight.

Mr. Thorpe stated – I want to read from the planner, a maximum of one façade sign is permitted for each hotel where three façade signs are proposed for one of the new hotels and two for the other new hotel. This would be the variance and I don't see any other variances.

Mr. Malinowski stated – I think it's three signs for each hotel.

Mr. Thorpe asked Mr. Malinowski – Can you flip through the elevations again? I'm pretty sure Home2 Suites had two on it.

Mr. Goragandhi stated - It's one for each side of the building

Mr. Thorpe stated – The variance is asking for three per hotel.

Motion to approve the application for Preliminary and Final Site Plan Approval with the said variance. Motion to approve Mr. Grace, Mr. Fagan second. None opposed. None abstained.

Mr. Roberts stated – They also need a waiver for lighting. They will work with Mr. Malinowski to get that corrected.

NEW BUSINESS: None

CORRESPONDENCE:

Letter of resignation from Marion Karp dated May 18, 2022.

OPEN MEETING FOR PUBLIC COMMENT: None

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

Mr. Guerrero stated – I want to thank Marion Karp. She's spent a lot of years as our Board secretary and the last 15 years of knowing her as the secretary I've learned quite a bit about land development, and she will be missed. I also want to comment on a past mayor and Board member and for those that knew him, Nelson Grovatt, and he will be missed. He is a long-time resident of Westampton and a farmer as well that lives nearby me and I would see him quite often farming his property **and he would stop by and we would have some chats and anyone that knows him knows he was a true gentleman and I will miss him.**

Mr. Thorpe stated – I feel we should be getting documents and exhibits well in advance of the meetings, so we are prepared.

Mr. Borger stated – I agree, and if they are not submitted well in advance of the hearing, then the Board may have to postpone the application to another date. Can you, Jodie, add it in the email or cover letter that you send to the applicants letting them know that if we don't receive their documents or exhibits in a timely manner, then they may be postponed.

Mr. Guerrero asked Mr. Dochney – Where do we stand on the Master Plan sub-committee?

Mr. Dochney stated – I hope to be finding out soon myself. A couple weeks ago I had a conversation with the Township Solicitor and his understanding is that the Mayor and Committee might want to appoint a more formal sub-committee and I let him know that both you and Mr. Thorpe had already volunteered to be on that committee. I should be hearing soon about an actual formal designation of sub-committee members and, once I receive them, I will reach out to everyone to start meeting.

Mr. Guerrero asked Mr. Dochney – While we are talking about the Township Solicitor, did we make any headway or determination about the Car Shop issue?

Mr. Dochney stated – I'm not sure. I will talk to the Solicitor tomorrow and I'll find out. The last thing he told me was he agreed that the extra signage was never approved and there was misleading information on their sign permit application and so the new Zoning Officer is supposed to be issuing them a summons at some point in the near future. They will be given a Zoning Violation and must come back before this board and request a variance for the additional signage or remove the signs.

Mr. Guerrero stated – Since we have new members here, they may not know what we are talking about. If you have been down Route 541 you know that Car Sense has changed their name to Car Shop and, in doing so, they have changed their signage. I'm not sure if anyone has noticed, but two of their signs are big billboard signs which were not there when they were Car Sense. I was curious about it because they never came in front of the Land Development Board to have that approved. They submitted a package for a permit and they were approved, but it might have been misleading because they added additional signs onto their buildings as well as change their primary sign.

Mr. Dochney stated – Their signage permit that they got approval for a couple of years ago indicated that they were only replacing the existing signs and changing the name from Car Sense to Car Shop and that might be why it was signed by Mr. Blair, but then the signs that they put up were not just replacements but two new signs as well.

ADJOURN

Motion to adjourn Mr. Guerrero, Mr. Thorpe second. None opposed.

Respectfully Submitted,
Jodie Termi, Board Secretary