

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

MARCH 3, 2021 REGULAR MEETING 7:00 P.M.

AGENDA

1. Call meeting to order.
2. Requirements of the Sunshine Law. This meeting was advertised in the Burlington County Times on January 4, 2021 and posted in the Municipal Building. This meeting is being held virtually via Zoom technology. For Zoom instructions, please go to the Township website: www.westamptonnj.gov, click on Government, then Land Development Board. Instructions to join the meeting are listed under "News and Announcements"
3. Pledge of Allegiance. Welcome to guests.
4. Roll Call: Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Henley, Mr. Thorpe, Mr. Wisniewski, Mr. Odenheimer, Mr. Ottey, Solicitor Robert Swartz, Engineer Jim Winckowski, Planner Barbara Fegley, Secretary Marion Karp
5. Swear in Board Professionals
6. Approval of Meeting Minutes: 2/3/2021
7. Resolutions: for approval/memorialization
 - a. 5-2021 PBP Realty, LLC, Block 201, Lots 7.05 & 7.06 (800 Highland Drive) – preliminary & final site plan approval, variance, design waivers (addition to existing warehouse)
 - b. 6-2021 PSE&G, Block 904, Lot 1 (2032 Route 541) – preliminary & final site plan approval, use & bulk variances, waivers (upgrades to existing metering station)
 - c. 7-2021 DR Horton, NJ/PA, block 204, Lot 2 (Springside Road & Valley Farm Road) – continued application for preliminary & final site plan approval, preliminary and final major subdivision approval (Laurel Run subdivision)
8. Old Business:
 - a. DR Horton NJ/PA, Block 204, Lot 2 (Springside Road & Valley Farm Road) – preliminary & final major site plan approval, preliminary & final major subdivision (223 townhouse units & 275 multi-family apartments)

9. New Business:

- a. Dolan Contractors, Inc., Block 203, Lots 8 & 9 (597 Rancocas Rd.) – site plan & variance (electronic changeable copy sign for Rancocas Business Park)

10. Informal Applications: None

11. Correspondence: None

12. Open meeting for public comment:

13. Comments from Board members, Solicitor, Engineer, Planner and Secretary:

14. Adjourn

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WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD
REGULAR MEETING FEBRUARY 3, 2021 7:00 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on February 3, 2021 at 7:00 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 4, 2021 and on the Township website. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Thorpe, Mr. Wisniewski, Mr. Odenheimer, Mr. Ottey, Board Solicitor Robert Swartz, Board Engineers Mike Roberts and Jim Winckowski, Planner Barbara Fegley and Board Secretary Marion Karp
Absent: Mr. Henley, Mr. Ottey (arrived later in the meeting)

Solicitor Robert Swartz swore in the Board professionals.

The minutes of the January 6, 2021 meeting were approved as written.

Resolutions: for approval/memorialization

- a. 1-2021 Land Development Board 2021 Reorganization – was memorialized
- b. 2-2021 Appoint LDB Solicitor for 2021 – was memorialized
- c. 3-2021 Appoint LDB Engineer for 2021 – was memorialized
- d. 4-2021 PBP Realty, LLC, Block 201, Lots 7.05 & 7.06 – continued application for preliminary & final site plan approval (addition to warehouse) – was memorialized

Old Business:

PBP Realty, LLC, Block 201, Lots 7.05 & 7.06 (800 Highland Drive). The applicants had presented their application at the January meeting and were back with an amended plan. The applicant's attorney, Pat McAndrew, was again present. Three witnesses were sworn in- Bill Lamano, of Paris Corporation, Dan Margulies, architect and Mike Minnervini, engineer. Plans were revised to eliminate the tractor trailer storage spaces along the common driveway. They put in 34 regular car parking spaces here instead, along a widened driveway. It mirrors what their neighbor at 1200 Highland has and they think it will be low intensity in use. They want the flexibility however, for the new tenant.

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They think this is a big improvement in the plan. They did submit plans to the Fire Official who responded with his comments. They also submitted plans to the County for approval.

Bill Lamano is the COO and the CFO of Paris; they are a paper converter and paper distributor. He again described the typical day at Paris including employees, number of tractor trailer trips per day, etc. Most paper waste is recycled. They operate two shifts per day.

Dan Margulies, architect spoke about the amended plans that he put up on the screen. They added 13 new loading docks on the rear (west side) of the building. He showed floor plans and elevations. The addition is slightly taller than the original building in order to meet market demand. The current standard is closer to 36 feet clear for these types of buildings; with the advent of fire suppression systems it has enabled this. The addition is all warehouse, office space will be re-allocated from the existing building. Each tenant would have approximately 90,000 square feet.

Nancy Burkley asked if any more handicapped spaces were added to the amended plan. Two more spaces have been added according to their engineer. They stated that they want to put these 34 spaces in now and not in the future.

Generally, the applicants are in agreement with the planner's and engineer's reports. Mike Roberts, LDB engineer, stated that they recommended pushing the parking over a bit to allow for more green space. The neighbor and the applicant really want a wider drive aisle instead of more green space but they do understand the point. Jim Winckowski arrived for the meeting and was sworn in by the Board solicitor. Jim had concerns that trailers might use these as parking spaces and it could become an enforcement issue. The drive aisle has an extra 4 or 5 feet as it is 30 feet in width. Jim doesn't understand the extra space, it adds extra impervious coverage and he doesn't understand the need for it. Jim stated that they would have to include it for stormwater management; although it doesn't violate the code and if they want to push forward with it, they can. Gene stated it could be enforced pretty easily; he didn't have concerns. Gary Borger asked if a condition could be put into a lease that no tractor trailers could be parked here; they certainly could do that. This condition would be put on the plan and also in the resolution. The new tenant would receive a copy of the resolution as well.

A sidewalk is to be installed between this parking and the edge of the building. The sidewalk will be four feet in width; typically, it should be six feet in width under an overhang. Parking bumpers would be installed so that cars won't overhang the sidewalk. Gene prefers a six-foot-wide sidewalk; a waiver is required to install a four-foot sidewalk. It was decided that they would install a six-foot-wide sidewalk instead with no parking bumpers.

Barbara Fegley asked how the building would be marketed; would it be targeted to a particular use. Pat McAndrew stated no tenant has been identified as of yet but it may be similar to Paris. The new tenant would have to address trash/recycling issues. The

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applicants agree to all Barbara's comments contained in her report. The Board had asked the applicants to detail the trash compactor or enclosure location for the new tenant on the plans; they had not done this but agree to do this now.

Bob Thorpe asked about the lighting plan; he asked about the Kelvin temperature. Mike Minnervini stated it was 4000K.

They are generally agreeable to the Fire Official's comments and will incorporate these into their revised plans submitted for resolution compliance.

The meeting was opened to the public for comment. Doug Heinhold, attorney, was here again on behalf of the neighboring property owner at 1200 Highland Drive. Jeff Richter, engineer was present and Jeff Glassberg, of property management was present; they were sworn in before the Board again. While they appreciate the revisions that were made regarding the truck parking on the side of the building with their shared driveway, they are concerned that the spaces might be used for truck parking out of convenience. They don't think these spaces are necessary since they have more than enough parking on the rest of the site. These spaces exceed ordinance requirements; they would like to see a landscaped section here instead. They made reference to septic issues they were experiencing and thought green space would help this.

Jeff Glassberg stated that the truck traffic into their site is quite heavy; the current tenant will be there for the next 7 years and this shared drive is their only ingress/egress point. They would like the area to remain green as it will provide better drainage. They operate Monday through Friday at 1200 Highland Drive and there are two tenants, which usually operate one shift, occasionally two. 191 spaces are proposed, 139 are required by ordinance. Mike Minnervini stated that they are only asking for 8 more parking spaces since parking is determined by square footage and not by the number of employees. Jim Winckowski asked why 1200 Highland could have the same parking spaces on this side of their building but Paris could not. Doug Heinhold stated that this was a good point.

Gene suggested polling the Board to see what direction they wanted to go in. Joe Odenheimer suggested adding landscaping here since they had the space. He thinks it is adding impervious coverage that isn't necessary and could encourage parking here for larger vehicles if left paved; Nancy Burkley agrees with him. He asked for clarification regarding the number of parking spaces; they are only 8 spaces over ordinance requirements with these additional 34 spaces, according to Mike Minnervini.

Pat McAndrew stated that it is frustrating to make these adjustments and still the neighbor isn't satisfied; he thinks the plan is well designed and is in good shape.

Bob Thorpe stated he is ok with the new plan.

The meeting was closed to the public for comments. Ms. Burkley made a motion to approve; the motion was seconded by Ms. Haas. Mr. Blair, Mr. Borger, Ms. Burkley, Mr.

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Guerrero, Ms. Haas, Mr. Thorpe, Mr. Wisniewski and Mr. Odenheimer voted yes. Mr. Freeman did not vote since he had not attended the meeting last month when the first part of the testimony had been given.

New Business:

PSE&G Co., Block 904, Lot 1(2032 Burlington-Mt. Holly Rd.) – preliminary & final site plan approval (replacement of existing equipment & new building construction). The application requires a use variance; therefore, John Wisniewski could not vote. Tom Letizia, applicant's attorney, was present on behalf of the application. The parcel is located in the C Commercial zone district between the Turnpike and a Valero gas station. It contains a meter and a Williams Transco gas main that traverses the site. This M & R (metering & regulating) station has been in operation here since the 1950s and serves both residential and commercial customers.

Mr. Letizia further testified that upgrades to improve reliability and safety are necessary. Variances include: a use variance to permit the expansion of a non-conforming use; along with bulk variances for insufficient lot size, insufficient lot depth, minimum side yard setback, minimum front yard setback, insufficient front yard buffer and insufficient landscaping. Some of the variances are for pre-existing conditions. Design waivers are also requested for providing other landscaping, as detailed in the planner's report.

PSE&G agrees to satisfy all conditions in both professional's letters with the exception of the comment regarding landscape buffering. Three witnesses will be called; Michael Shine, Brian McPeak and Christian Castronova were sworn in by the Board solicitor. Mr. Castronova, applicant's engineer, is an expert in gas pipeline construction. The site has been in operation since the 1950s; the gas is metered here and the pressure is reduced for use in PSE&G's system from the Williams Transco pipeline. The site is locked and not open to the public; it is remotely monitored. There are approximately 50 similar sites in the area. The proposed improvements are driven by an effort to improve reliability to their customers as well as to address growth. The current on-site equipment will be replaced and the monitoring system will be enhanced. There are two proposed buildings included in this project. A larger regulator building is proposed along with a separate building to house the monitoring equipment. The small data building will be relocated on site. The fence line will remain as is, access to the site will remain the same. The operation will not change in any way. Periodic visits are made by technicians; the site is unmanned. Noise levels at the site are not expected to change; since neighboring properties are the Turnpike and the gas station/truck stop they will not impact neighbors as far as noise.

Michael Shine, applicant's engineer, gave testimony on behalf of the application. He has worked with PSE&G on pipeline projects for over 20 years. He reviewed the site plan with the Board. The entire site is surrounded with a 7-foot-high chain link fence with a one-foot section of barbed wire at the top. The buildings will need setback variances since they cannot meet the 50-foot front yard setback requirement. Height of the buildings is about 14 feet, the new regulator building will be 18 feet in height, the

new data building height is 10 feet. Existing impervious coverage is 24.9%, proposed changes bring it up to 29.1% where the maximum permitted is 60%. No existing or formal parking spaces are included in this plan; vehicles are parked on the driveway or near the equipment that is being worked on. There are no existing water or sewer facilities on the site; none are proposed. No new site lighting is proposed, they don't want to draw unnecessary attention. They are asking for a variance from the 20-foot landscape buffer that is required; they don't plant vegetation in these yards. The site sits lower in elevation than Route 541 and is mostly obscured to passersby.

Brian McPeak, VP of PS&S, professional planner, testified regarding the use variance and the positive and negative criteria. He then again reviewed all of the bulk variances that are required for the application. He believes the project advances the purposes of planning and that the benefits outweigh the disadvantages. In his opinion all of the variances should be granted due to all of them being in the public interest, as well as the waiver being requested.

Gene Blair asked the applicants to submit plans to the Fire Official ASAP, they agree to do this.

Nancy Burkley had concerns about the generator being so near to Route 541; she was worried that a vehicle could lose control and crash through the fence. Gene pointed out the guardrail that exists along the site. There has never been a problem in the 50 years that the site has been in existence.

Jim Winckowski suggested replacing the existing fence with vinyl fence in order to provide better screening. The applicant suggested installing privacy slats; Jim thinks the fence is in bad shape and could use replacing, perhaps an 8-foot-high chain link with smaller mesh with privacy slats installed. They think they can accomplish this; they agree to do three sides. The side facing Route 541, the side facing the gas station and the short side along the Transco site. Jim thinks they should upgrade the fence; they are upgrading the entire site. Barbara Fegley agrees with this; they are asking for a waiver from the buffer requirement; it makes sense to upgrade and replace the fence. The Board took a five-minute recess to discuss; the applicants now agree to replace the fencing as the Board suggested. This will be a vinyl coated chain link fencing with smaller mesh to avoid climbing, they would provide a detail. They still want to provide the barbed wire at the top, it's a security best practice for sites such as these.

Bob Thorpe is happy they decided to replace the fence; he isn't happy that the data building is located so close to the road but this makes it better. He wants the existing vegetation along Route 541 to remain, he doesn't want any of it cut down. He had a question about the term "color corrected" lighting. He wanted to be assured that any new lighting would be 4000K or less; the applicants agree to this.

The meeting was opened to the public for comment. There was no comment and the meeting was closed.

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The first vote taken was for the use variance; Mr. Freeman made a motion to approve; the motion was seconded by Ms. Burkley. All voted yes.

The second vote taken concerned the site plan and bulk variance approvals. Ms. Burkley made a motion to approve; the motion was seconded by Mr. Guerrero. All voted yes.

DR Horton NJ/PA, Block 204, Lot 2 (Springside Road & Valley Farm Road) – preliminary & final major site plan approval, preliminary & final major subdivision (223 townhouse units & 275 multi-family apartments). Steven Nehmad, attorney representing DR Horton requested to be carried to the next available agenda since they would not be heard this evening since it was getting late. No new notice would be required. Gene Blair suggested that the applicant get together with the professional staff to work on the comments in their lengthy reports. Jim Winckowski asked that they contact the HPC to file an application. Robert Swartz made the announcement to all interested parties that the meeting would be carried until March 3, 2021.

Open Meeting for public comment

No comments were made.

Comments from the Board

Nancy Burkley – asked a question regarding voting eligibility.

Michele Haas – thanked Jim for pushing the fence issue.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board

RESOLUTION: 5-2021

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: PBP Realty, LLC

BOARD'S DECISION: GRANT Application for Preliminary and Final Site Plan Approval with a variance and design waivers

PROPERTY ADDRESS: 800 and 1000 Highland Drive – Block 201, Lots 7.05 and 7.06

ZONING DISTRICT: I - Industrial Zone

DATE OF HEARING: January 6, 2021 and February 3, 2021

WHEREAS, PBP Realty, LLC (“Applicant”) filed an application with the Westampton Land Development Board (“Board”) requesting preliminary and final site plan approval. The property is currently improved with a 128,959 square foot warehouse facility. The Applicant is proposing to construct a 60,475 square foot addition and associated site improvements including 34 additional car parking stalls and 13 loading docks. The plan also proposes additional site lighting and stormwater management facilities. Ingress and egress to the facility is provided by a 30' wide driveway located on the northerly side of the existing building and a 30' wide driveway shared with the adjacent facility located to its south. The property is located at 800 and 1000 Highland Drive, Westampton, New Jersey, designated as Block 201, Lots 7.05 and 7.06 on the Township Tax Map (“Subject Property”); and

WHEREAS, the Board had jurisdiction to hear this matter (the “Application”) under the New Jersey Municipal Land Use Law (“MLUL”), *N.J.S.A. 40:55D-1 et seq.*; and

WHEREAS, the Application was previously carried from the December 2, 2020 Board meeting to the January 6, 2021 Board meeting; and

WHEREAS, at the January 6, 2021 Board meeting, the Applicant was represented by Patrick F. McAndrew. The Board heard testimony from the Applicant’s witnesses and professionals as to the requested preliminary and final site plan relief; and

WHEREAS, at the January 6, 2021 Board meeting, the Board discussed the Application and the Board Professionals offered recommendations. The Application was opened to the public for comment, and any members of the public wishing to comment on the Application were given the opportunity to do so; and

WHEREAS, at the January 6, 2021 Board meeting, prior to the Board rendering a decision to grant or deny the Application, the Applicant requested the Application be continued to the next regularly-scheduled Board meeting so the Board can continue to its questions and the

Applicant can address comments and concerns raised by the Board, Board Professionals, and members of the public; and

WHEREAS, the Applicant again appeared before the Board at the February 3, 2021 Board meeting, where the Applicant was again represented by Patrick F. McAndrew, Esq. The Board heard further testimony from the Applicant's witnesses and professionals as to the purpose, location, and details of the requested preliminary and final site plan relief; and.

WHEREAS, at the February 3, 2021 Board meeting, the Board again discussed the Application and the Board Professionals offered recommendations. The Application was opened to the public for comment, and any members of the public wishing to comment on the Application were given the opportunity to do so; and

WHEREAS, after public hearings on January 6, 2021 and February 3, 2021, the following findings of fact were made:

1. The Subject Property is located in the I Industrial Zoning District.

2. The Applicant filed an application for preliminary and final site plan approval for the Subject Property. The site is located at 800 Highland Drive and is situated within the I (Industrial) zone. It comprises approximately 10.11 acres. The Subject Property is currently improved with a 128,959 square foot warehouse facility. The Applicant is proposing to construct a 60,475 square foot addition and associated site improvements including 35 additional car parking stalls and 13 loading docks. The plan also proposes additional site lighting and stormwater management facilities. Ingress and egress to the facility is provided by a driveway located on the northerly side of the existing building and a driveway shared with the adjacent facility located to its south.

3. The Board considered the following submissions from the Applicant:

A. Paris Business Products Building Addition Preliminary/Final Site Plans prepared by Liberty Engineering, Inc dated 10/29/20, revised 12/16/2020, including:

- a. Cover sheet, Sheet 1 of 14.
- b. Existing Features Plan, Sheet 2 of 14.
- c. Site Plan, Sheet 3 of 14.
- d. Grading, Drainage & Utility Plan, Sheet 4 of 14.
- e. Landscape plan, Sheet 5 of 14.
- f. Lighting Plan, Sheet 6 of 14
- g. Soil Erosion and Sediment Control Plan, Sheet 7 of 14.
- h. General Notes, Sheet 8 of 14.
- i. Soil Erosion and Sediment Control Notes, Sheet 9 of 14.
- j. Soil Erosion and Sediment Control Details, Sheet 10 of 14.
- k. Construction Details, Sheets 11 and 12 of 14.
 - l. Stormwater Profiles, Sheet 13 of 14.
 - m. Truck Turning Exhibit, Sheet 14 of 14.
 - n. Post Drainage Plan, Sheet POST

- o. Pre Drainage Plan, Sheet PRE.
- p. SWM Maintenance Plan, Sheet 1 of 1
- B. Elevations and Floor Plan prepared by Marguiles Hoelzli Architecture, unsigned and updated December 11, 2020.
- C. Drainage Calculations and Post-Construction Stormwater Management Report dated October 27, 2020, prepared by Liberty Engineering, Inc.
- D. Westampton Township Application for Preliminary and Final Major Site Plan Review dated 10/13/20.
- E. Submission letter prepared by Patrick F. McAndrew, Esq. dated October 29, 2020.

4. The Board considered the following review letters submitted by the Board professionals:

- A. Letters prepared by the Board Engineer, James Winckowski, PE, CME, dated December 22, 2020 and January 29, 2021; and
- B. Letters prepared by the Board Planner, Barbara Fegley, AICP, PP, dated December 30, 2020 January 29, 2021.

5. At the January 6, 2021 hearing, The Applicant's attorney, Patrick McAndrew, Esquire introduce the Application and explained the Applicant's requested relief. Mr. McAndrew presented the Applicant's witnesses, Mike Minnervini, the Applicant's engineer and Louis Battagliese, partner of real estate service firm and broker of record and both were sworn in by the Board solicitor.

6. At the January 6, 2021 hearing, Mr. McAndrew provided a brief overview providing that the Subject Property is located on Highland Drive, the second building from the end; the existing warehouse is 129,000 square feet in size and the addition size is 60,000 square feet; there will be no new office space but office space will be reallocated; the Applicant does not have a tenant yet for the addition and they are requesting 32 more parking spaces and 13 loading docks will be added to the rear of the site; there will be 10 trailer storage spaces as well which are depicted on the plan.

7. At the January 6, 2021 hearing:

A. Louis Battagliese placed his credentials on the record and then testified that he was involved in the original PBP building as well as the construction of the Dunkin Donuts warehouse; the Applicant has had preliminary discussions as far as a tenant but nothing is set yet; it is possible that the new tenant could have as much as 90,000 square feet; Paris would occupy the balance of the space. Mr. Barragliese further testified that Paris operations has fairly light traffic as compared to some of the larger distribution buildings; the area is fairly low intensity.

B. Jan Miller was sworn in by the Board solicitor; she is an engineer with Liberty Engineering; she is the design engineer for this project but is not a New Jersey licensed engineer, and as such cannot opine on the Application. As such, Mr. Minnervini, after placing his credentials on the record, testified that the plans had been revised since last month as requested; the neighbor had concerns about the trailer parking spots; the Applicant is agreeable to most of the Board engineer and Board planner's comments as contained in

their reports. Mr. Minnerveri further testified with an overview of the site plan, stating that there are 10 proposed trailer storage spaces along the west side of the building which are angled; the driveway is shared with the neighboring building so an easement is required. James Winckowski, the Board engineer, asked how a trailer could be maneuvered into these spaces as he did not think this would be easy. Mr. Battagliese testified that this was a fairly easy maneuver to accomplish. Mr. Winckowski asked if this was in the circulation plan. The Applicant testified that the plan had not been reviewed with the Township Fire Marshal yet but would have to be and that one parking space will have to be removed to access the fire hydrant.

C. The Applicant testified that two waivers are being requested; they are asking for a waiver for an existing condition that does not permit more than 20 parking spaces in a row without a landscaped island and the second is a waiver of a 25-foot side yard buffer to the neighboring property; there is no other location for trailer storage on the site; thus, the waiver is necessary; and there is no buffer provided at all since it is a shared driveway and the property line runs down the center.

D. The Board Planner, Tim Kaluhiokalani, stated that a 50-foot planted buffer is required in the front yard; there is a 25-foot buffer that is provided so a waiver is necessary; ADA parking is provided near the access to the building; the lighting plan will be supplied when it is completely finished. The Applicant testified that they have been addressing the professional's first reports and modifying their plans and stated they were trying to match the existing lights but those are from 2004; they would have to upgrade. Ms. Miller testified that she believes the lighting on the building has already been upgraded, perhaps only a year ago. Mr. Winckowski stated it should match as closely as possible considering that the lighting was recently upgraded: the wattages and temperatures should match as closely as possible.

E. After testimony was presented by the Applicant's representatives and professionals and comments by the Board professionals, the matter was opened to the public for comment.

i. Douglas Heinhold, Esquire, attorney for the adjacent property owner at 1200 Highland Avenue, was present. Mr. Heinhold had Jeffrey Richter, Dave Ricci and Jeffrey Glassberg with him. All three were sworn in by the Board Solicitor. Mr. Heinhold explained that there is a shared drive between the properties and an access easement that both must abide by and the primary concern is the impact on them by the addition; they have safety concerns and also do not think the 25-foot buffer variance should be granted; they want the truck parking interface to be removed and want them to be held to the 50-foot buffer and it makes it even more problematic not knowing who the tenant will be.

ii. Mr. Richter testified that this drive is their client's only access to their site; they do not want to have to wait to enter their site while trucks back into these spaces; this could create a problem with vehicles trying to negotiate around this; it is a disadvantage to them since they do not know who the tenant will be and they have to assume the worst.

iii. Mr. Winckowski stated that he has concerns with the circulation issue and access issue. Mr. Blair agreed and stated that this can also impede emergency response. David Ricci testified that all of their truck traffic comes in and out of this drive aisle; they do not have circular access.

iv. Mr. Heinhold stated there is no basis for the granting of the variance allowing for truck parking in the driveway location and the negative impact outweighs any positive impact.

v. Mr. Guerrero suggested a reduction in size of the addition in order to accommodate the truck storage area.

8. At the February 3, 2021 hearing:

A. The Applicant's attorney, Patrick McAndrew, Esquire, was again present at the February 3, 2021 hearing. Mr. McAndrew had three witnesses with him, Bill Lamano, of Paris Corporation, Dan Margulies, architect and Mike Minnervini, engineer; all were sworn in by the Board solicitor.

B. Mr. McAndrew testified that plans were revised to eliminate the tractor trailer storage spaces along the common driveway; the Applicant added in 34 regular car parking spaces in place of the tractor trailer storage spots, which he stated mirrors what their neighbor at 1200 Highland has and they think it will be low intensity in use; the Applicant wants flexibility however, for the new tenant; and they think this is a big improvement in the plan. Mr. McAndrew also stated that they did submit plans to the Fire Official who responded with his comments and they have also submitted plans to the County for approval.

C. Mr. Lamano is the COO and the CFO of the Applicant. He testified that they are a paper converter and paper distributor. Mr. Lamano then described the typical day at Paris including employees, number of tractor trailer trips per day, etc; that most paper waste is recycled; and they operate two shifts per day.

D. After placing his credentials on the record, Dan Margulies, the Applicant's architect, testified as to the amended plans that he placed on the screen; they added 13 new loading docks on the rear (west side) of the building; he showed floor plans and elevations; the addition is slightly taller than the original building in order to meet market demand; the current standard is closer to 36 feet clear for these types of buildings; with the advent of fire suppression systems it has enabled this; the addition is all warehouse, office space will be re-allocated from the existing building; and each tenant would have approximately 90,000 square feet.

E. Nancy Burkley asked if any more handicapped spaces were added to the amended plan. The Applicant's engineer testified that two more spaces have been added and further that they want to put these 34 spaces in now and not in the future.

F. The Applicant testified that they are generally in agreement with the Board planner's and engineer's reports. Mike Roberts, the Board engineer, stated that they recommended pushing the parking over a bit to allow for more green space. The Applicant testified that they really want a wider drive aisle instead of more green space but they do understand the point.

G. James Winckowski, the Board engineer, arrived for the meeting and was sworn in by the Board solicitor. Mr. Winckowski had concerns that trailers might use the parking spaces and it could become an enforcement issue. The drive aisle has an extra 4 or 5 feet as it is 30 feet in width. Mr. Winckowski does not understand the extra space as it adds extra impervious coverage and he does not understand the need for it. Mr. Winckowski stated that the Applicant would have to include it for stormwater management; although it does not violate the code and if they want to push forward with it, they can. Gene Blair stated it could be enforced pretty easily; he did not have concerns. Gary Borger asked if a condition could be added into a lease that no tractor trailers could be parked here and the Applicant testified that they certainly could do that. This condition would be added to the plan and also in the resolution. The Applicant agreed that tenants would receive a copy of the resolution as well.

H. The Board and Applicant discussed a sidewalk to be installed between this parking and the edge of the building. The sidewalk will be four feet in width; typically, it should be six feet in width under an overhang. The Board and Applicant also discussed the need for parking bumpers. Mr. Blair prefers a six-foot-wide sidewalk; a waiver is required to install a four-foot sidewalk. It was decided, and the Applicant agreed that they would install a six-foot-wide sidewalk instead with no parking bumpers.

I. Barbara Fegley, the Board planner, asked how the building would be marketed; would it be targeted to a particular use. Mr. McAndrew stated no tenant has been identified as of yet but it may be similar to Paris. It was discussed that the new tenant would have to address trash/recycling issues. The Applicant agreed to all of the Board planner's comments contained in her latest report. The Board previously asked the Applicant to detail the trash compactor or enclosure location for the new tenant on the plans; they had not done this but agreed to do this now.

J. Robert Thorpe asked about the lighting plan; he asked about the Kelvin temperature and Mr. Minnervini testified that it was not greater than 4000K.

K. The Applicant testified that they are generally agreeable to the Fire Official's comments and will incorporate these into their revised plans submitted for resolution compliance.

L. After testimony was presented by the Applicant's representatives and professionals and comments by the Board professionals, the matter was opened to the public for comment.

i. Douglas Heinhold, Esquire, attorney for the neighboring property owner at 1200 Highland Drive was again present. Mr. Heinhold had the following witnesses with him: Jeff Richter, engineer was present and Jeff Glassberg, of property management was present. Again, the witnesses were sworn in by the Board solicitor.

ii. Mr. Heinhold stated that while his client appreciates the revisions that were made regarding the tractor trailer parking on the side of the building with their shared driveway, they are concerned that the spaces might be used for truck parking out of convenience; they do not think these spaces are necessary since they have more than enough parking on the rest of the site; these spaces exceed ordinance requirements; they would like to see a landscaped section here instead; and they made reference to septic issues they were experiencing and thought green space would help this.

iii. Mr. Glassberg testified that the truck traffic into their site is quite heavy; the current tenant will be there for the next 7 years and this shared drive is their only ingress/egress point; they would like the area to remain green as it will provide better drainage; they operate Monday through Friday at 1200 Highland Drive and there are two tenants, which usually operate one shift, occasionally two. Mr. Glassberg further testified that 191 spaces are proposed, 139 are required by ordinance. Mr. Minnervini testified that the Applicant is only asking for 8 more parking spaces since parking is determined by square footage and not by the number of employees. Mr. Winckowski asked why 1200 Highland could have the same parking spaces on this side of their building but the Applicant could not and Mr. Heinhold replied that this was a good point.

iv. Mr. McAndrew stated that it is frustrating to make these adjustments and still the neighbor is not satisfied; he thinks the plan is well designed and is in good shape. Mr. Thorpe stated that he is also find with the new plan.

9. With regard to the request for bulk variance relief, through the testimony presented, the Board finds that the Applicant has established that the Application:

a. relates to a specific piece of property, namely the Subject Property;

b. that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements, namely by: promoting the public health, safety, and general welfare by the reduced side yard buffer (§196-8B(1) and §250-18(2)) between non-residential uses, where 25' is required and the Applicant proposes 15' in the driveway and from the required 10' to no buffer area at all along the southern line of the property and reduced rear buffer (§196-8B(1) and §250-18(3)) between residential and non-residential zones at the Subject Property as pre-existing conditions of the Subject Property;

c. that the variance can be granted without substantial detriment to the public good because the proposed the variance does not significantly affect other properties and there are no nearby residential uses impacted;

d. that the benefits of the deviations would therefore substantially outweigh any detriment and that the variances will not substantially impair the intent and purpose of the zone plan and ordinance.

10. After considering the testimony and evidence submitted, the comments and recommendations of the Board professionals, and members of the public, the Board finds that the Application for Preliminary and Final Site Plan Approval with bulk variance and design waiver relief to permit the construction of a 60,475 square foot addition and associated site improvements including 34 additional car parking stalls and 13 loading docks at the Subject Property conforms to the Revised Statutes of New Jersey, the Zoning Chapter, the Land Subdivision Chapter and other applicable requirements of the Township as set forth in Chapter 196 of the Township's Development Regulations. The Preliminary and Final Site Plan promotes the development of an aesthetically acceptable and well-ordered community, and serves the interest of the public health, safety, and general welfare of the Township residents by providing additional security and safety at the Subject Property.

NOW, THEREFORE BE IT RESOLVED, by the Land Development Board of the Township of Westampton that the Applicant's Application requesting Preliminary and Final Site Plan Approval with bulk variance and design waiver relief to permit the construction of a 60,475 square foot addition and associated site improvements including 34 additional car parking stalls and 13 loading docks at the Subject Property upon motion duly made by Ms. Burkley and seconded by Ms. Haas, was and is hereby **GRANTED**, subject to the testimony and representation set forth on the record by the Applicant, and any conditions set forth herein.

IT IS FURTHER RESOLVED, the above relief is subject to the following conditions:

1. The Applicant shall work with the Board Professionals to provide an outline of a new trash enclosure/compactor on the Plan; and
2. The Applicant shall work with the Board Professionals and provide striping showing a fire lane on the Plan relating to the parking area adjacent to the neighboring property as discussed with the Board and the Board Professionals and further show on the plan that there shall be no tractor trailer parking or storage on that side of the Subject Property; and
3. The Applicant shall work with the Board Professionals and add a 6' sidewalk with curb to the Plan

IT IS FURTHER RESOLVED, the above relief is subject to the following standard conditions:

1. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice;
2. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein.
3. The Applicant shall indemnify and hold the Township harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to N.J.S.A. 40:55D-12(c), and publication of the notice of public hearing in this matter in accordance with the law;

4. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed;
5. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required;
6. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer and Planner;
7. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the N.J. Municipal Land Use Law;
8. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution;
9. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein;
10. The Applicant shall comply with all of the representations and stipulations as contained in the application and as represented through testimony in support of the application; and
11. The Applicant shall comply with all comments and recommendations set forth in the Board Engineer's December 22, 2020 and January 29, 2021 Review Letters and the Board Planner's December 30, 2020 and January 29, 2021 Review Letters.

ROLL CALL VOTE

	<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Recusal</u>
Blair	x			
Borger	x			
Thorpe	x			
Haas	x			
Odenheimer	x			
Guerrero	x			
Burkley	x			
Wisniewski	x			

WESTAMPTON LAND DEVELOPMENT BOARD

BY:

Gary Borger, Chairman

ATTEST:

Marion Karp, RMC, CMR, Board Secretary

DATE MEMORIALIZED: _____

RESOLUTION: 6- 2021

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: Public Service Electric and Gas Company

BOARD'S DECISION: Granted Preliminary and Final Major Site Plan Approval; Use and Bulk Variances; Waivers

PROPERTY ADDRESS: 2032 Burlington-Mt Holly Road – Block 904, Lot 1

ZONING DISTRICT: C Commercial Zone

DATE OF HEARING: February 3, 2021

WHEREAS, Public Service Electric and Gas Company (“Applicant”) filed an application with the Westampton Land Development Board (“Board”) requesting preliminary and final major site plan approval with use and bulk variances to upgrade an existing metering and regulation Station. The subject tract has primary frontage on Burlington-Mount Holly Road (CR 541) and secondary frontage on the New Jersey Turnpike. Access to the property is provided via a 20' wide driveway easement across an adjacent gas station identified as Block 904, Lot 2. The property is 0.702 acres in size and is improved with four (4), 1-story buildings. The Applicant is proposing to upgrade the antiquated station in order to increase capacity necessary to support the expanding size of Applicant’s distribution system. The upgrades include demolition and removal of an existing regulator and remote terminal unit building and replacement with a new 47' x 24' regulator building. A backup generator, a vertical dry scrubber and blow off tank and ethylene glycol equipment and tank will also be demolished and replaced. A new 20.67' x 10' gas chromatograph building will be constructed and an existing driveway will be resurfaced. The property is in the C Commercial Zone and is located at 2032 Burlington-Mt Holly Road, Westampton, New Jersey, designated as Block 904, Lot 1 on the Township Tax Map (“Subject Property”); and

WHEREAS, the Board had jurisdiction to hear this matter (the “Application”) under the New Jersey Municipal Land Use Law (“MLUL”), *N.J.S.A. 40:55D-1 et seq.*; and

WHEREAS, the Application came before the Board at the regularly-scheduled public meeting held on February 3, 2021. The Applicant was represented by Thomas Letizia, Esquire. The Board heard testimony from the Applicant’s witnesses and professionals as to the nature, purpose, location, and description of the requested use variance; proposed preliminary and final major site plan; and requested bulk variances and waiver relief; and

WHEREAS, the Board discussed the Application and the Board Professionals offered recommendations. The Application was opened to the public for comment, and any members of the public wishing to comment on the Application were given the opportunity to do so; and

WHEREAS, based on all the evidence submitted to the Board and testimony presented at the February 3, 2021 public hearing, the Board renders the following factual findings and conclusions of law in addition to any contained in the preceding paragraphs:

1. The Applicant, Public Service Electric and Gas Company, proposes to upgrade an existing metering and regulation station. The subject tract has primary frontage on Burlington-Mount Holly Road (CR 541) and secondary frontage on the New Jersey Turnpike. Access to the property is provided via a 20' wide driveway easement across an adjacent gas station identified as Block 904, Lot 2. The property is 0.702 acres in size and is improved with four (4), 1-story buildings. The Applicant is proposing to upgrade the antiquated station in order to increase capacity necessary to support the expanding size of Applicant's distribution system. The upgrades include demolition and removal of an existing regulator and remote terminal unit building and replacement with a new 47' x 24' regulator building. A backup generator, a vertical dry scrubber and blow off tank and ethylene glycol equipment and tank will also be demolished and replaced. A new 20.67' x 10' gas chromatograph building will be constructed and an existing driveway will be resurfaced. The Subject Property is commonly known 2032 Burlington-Mt Holly Road, Westampton, New Jersey, and lies in the C Commercial Zone.

2. Pursuant to Chapter 250, Article VI, Section 250-16A of the Township Zoning Ordinance, the Applicant's proposed metering and regulation station is not a permitted use, accessory use, or conditional use within the C Zone. A *N.J.S.A. 40:55D-70d(1)* use variance is therefore required to permit the proposed use of the Subject Property as a metering and regulation station.

3. The Application also requires the grant of *N.J.S.A. 40:55D-70c* bulk variances in connection with the preliminary and final major site plan approval to permit the following non-conformities in the C Zone:

- a. Ordinance §250 Attachment 2 requires a minimum front yard setback of 50' whereas a proposed backup generator will be setback 11.95', the proposed data and gas chromatograph building will be set back 15.80', and the proposed Regulator Building will be set back 47.35'. Bulk variances will be required.
- b. Ordinance §250-16F(1) requires a front yard buffer of 20 feet whereas the applicant is proposing to construct a new data and gas chromatograph building and a new back-up generator 15.80' and 11.9' respectively from the Burlington-Mount Holly Road right of way. Bulk variances will be required.
- c. Ordinance §250-16F(2) requires screen plantings to be installed to a depth of 20 feet along property lines where a nonresidential use abuts another nonresidential use yard whereas no screen plantings are proposed. A Bulk variance will be required.

4. The Board considered the following submissions from the Applicant:

- A. Site Plans prepared by NV5, Inc. dated 11/18/20 including:
 - a. Cover Sheet, Sheet 1 of 10.
 - b. Key Map, Sheet 2 of 10.

- c. Site Layout and Dimensioning Plan, Sheet 3 of 10.
 - d. Demolition Plan - Civil, Sheet 4 of 10.
 - e. Drainage and Grading Plan, Sheet 5 of 10.
 - f. Utility Plan, Sheet 6 of 10.
 - g. Soil Erosion & Sediment Control Plan, Sheet 7 of 10
 - h. Soil Erosion & Sediment Control Notes and Details, Sheet 8 of 10.
 - i. Typical Steel regulator Building, Sheet 9 of 10.
 - j. Typical Data Building, Sheet 10 of 10.
- B. Existing Conditions Plan prepared by PSEG Services Corporation dated 11/24/20.
 - C. Site Plan prepared by PSEG Services Corporation and NV5, Inc. dated 11/24/20.
 - D. Stormwater Management Compliance Memo prepared by Michel Shine, PE dated November 18, 2020.
 - E. Submission letter prepared by Claudia Rocca, PMP, PWS of PSE&G dated December 4, 2020.
 - F. Township of Westampton Site Plan Application dated 12/01/20.
 - G. Westampton Township Land Development Application for Variance or Appeal dated 12/03/20.
 - H. Transmittal from PS&S dated 12/5/2020.
5. The Board considered the following review letters submitted by the Board professionals:
- a. A letter prepared by the Board Engineer, James Winckowski, PE, CME, dated December 22, 2020; and
 - b. A letter prepared by the Board Planner, Barbara Fegley, AICP, PP, dated January 29, 2021.
6. The Applicant submitted the following exhibits during the February 3, 2021 hearing: Exhibit A-1 – Aerial View of Site; Exhibit A-2 – Existing Conditions Plan; Exhibit A-3 – Site Plan; Exhibit A-4 – Regulator Building; Exhibit A-5 – Data Building; Exhibit A-6 – Visual Google Photo Mount Holly Road South Bound; and Exhibit A-7 – Visual Google Photo Mount Holly North Bound.
7. Michael Shine, Applicant’s civil engineer, Christian Castronova, employee of Applicant and Applicant’s mechanical engineer; and Brian McPeak, Applicant’s planner, were all sworn in by the Board solicitor
8. Mr. Letizia presented and introduced the Application to the Board and explained the requested relief. Mr. Letizia stated that the parcel is located in the C Commercial Zoning District and lies between the New Jersey Turnpike and a Valero gas station; it contains a meter and a Williams Transco gas main that traverses the site; and this M & R (metering & regulating) station has been in operation on the Subject Property since the 1950s and serves both residential and commercial customers.
9. Mr. Letizia further testified that upgrades to improve reliability and safety are necessary; variances include: a use variance to permit the expansion of a non-conforming use; along with

bulk variances for insufficient lot size, insufficient lot depth, minimum side yard setback, minimum front yard setback, insufficient front yard buffer and insufficient landscaping; and some of the variances are for pre-existing conditions; and design waivers are also requested for landscaping as detailed in the Board Planner's report.

10. Mr. Letizia stated that the Applicant agrees to satisfy all conditions in both professional's letters with the exception of the comment regarding landscape buffering.

11. After placing his credentials on the record, the Applicant's gas engineer, Mr. Castronova, an expert in gas pipeline construction, testified that the site has been in operation since the 1950s; the gas is metered here and the pressure is reduced for use in Applicant's system from the Williams Transco pipeline; the site is locked and not open to the public; it is remotely monitored; there are approximately 50 similar sites in the area; the proposed improvements are driven by an effort to improve reliability to Applicant's customers as well as to address growth; the current on-site equipment will be replaced and the monitoring system will be enhanced. Mr. Castronova further testified that there are two proposed buildings included in this project; a larger regulator building is proposed along with a separate building to house the monitoring equipment; the small data building will be relocated on site; the fence line will remain as is and access to the site will remain the same; further, the operation will not change in any way; periodic visits are made by technicians but the site is unmanned; noise levels at the site are not expected to change; and since neighboring properties are the Turnpike and the gas station/truck stop there will not be any significant impact to neighbors as far as noise.

12. After placing his credentials on the record, Michael Shine, Applicant's engineer, gave testimony on behalf of the Application. Mr. Shine testified that he has worked with the Applicant on pipeline projects for over 20 years; he reviewed the site plan with the Board and testified that the entire site is surrounded with a 7-foot-high chain link fence with a one-foot section of barbed wire at the top; the buildings will need setback variances since they cannot meet the 50-foot front yard setback requirement; the height of the buildings is about 14 feet, the new regulator building will be 18 feet in height, the new data building height is 10 feet; existing impervious coverage is 24.9%, proposed changes bring it up to 29.1% where the maximum permitted is 60%; no existing or formal parking spaces are included in this plan; vehicles are parked on the driveway or near the equipment that is being worked on; there are no existing water or sewer facilities on the site and none are proposed; no new site lighting is proposed as the Applicant does not want to draw unnecessary attention. Mr. Shine further testified that the Applicant is asking for a variance from the 20-foot landscape buffer that is required and they do not plant vegetation in these yards; and the site sits lower in elevation than Route 541 and is mostly obscured to passersby.

13. After placing his credentials on the record, Brian McPeak, VP of PS&S, the Applicant's professional planner, testified regarding the use variance and the positive and negative criteria. Mr. McPeak then again reviewed all of the bulk variances that are required for the application. Mr. McPeak testified that he believes the project advances the purposes of planning and that the benefits outweigh the disadvantages; in his opinion all of the variances should be granted due to all of them being in the public interest, as well as the waiver being requested.

14. Gene Blair asked the Applicant to submit plans to the Fire Official ASAP, and the Applicant agreed to do this.

15. Nancy Burkley had concerns about the generator being so close to Route 541 in that she was worried that a vehicle could lose control and crash through the fence. Mr. Blair pointed out the guardrail that exists along the site and stated that there has never been a problem in the 50 years that the site has been in existence.

16. James Winckowski, the Board Engineer, suggested replacing the existing fence with vinyl fence in order to provide better screening. The Applicant suggested installing privacy slats; Mr. Winckowski thinks the fence is in bad shape and could use replacing, perhaps an 8-foot-high chain link with smaller mesh with privacy slats installed. The Applicant testified that they believe they can accomplish this request; the Applicant agreed to install on three sides consisting of the side facing Route 541, the side facing the gas station and the short side along the Transco site. Mr. Winckowski stated that the Applicant should upgrade the fence as they are upgrading the entire site. Barbara Fegley, the Board Planner, agreed with Mr. Winckowski stating that the Applicant is asking for a waiver from the buffer requirement and as such it makes sense to upgrade and replace the fence.

17. At the request of the Applicant, the Board took a five-minute recess to discuss. The Applicant testified that they agree to replace the fencing as the Board suggested, to include a vinyl coated chain link fencing with smaller mesh to avoid climbing and they would provide a detail. The Applicant further testified that they still want to provide the barbed wire at the top as it is a security best practice for sites such as these.

18. Bob Thorpe stated that he is happy the Applicant decided to replace the fence but is not happy that the data building is located so close to the road, but this makes it better. Mr. Thorpe stated that he wants the existing vegetation along Route 541 to remain, he does not want any of it cut down. Mr. Thorpe had a question about the term "color corrected" lighting. He wanted to be assured that any new lighting would be 4000K or less and the Applicant agreed.

19. After testimony presented by the Applicant's witnesses and professionals, the matter was opened to the public for comment, and no member of the public commented on the Application.

20. With regard to the requested use variance for permitting the upgrading of the proposed existing metering and regulation station in the C Commercial Zone, through the substantial, credible evidence submitted and voluminous testimony provided by the Applicant's professionals, the Board's professionals, and members of the public, the Board finds and concludes that:

- a. the Applicant has established "special reasons" to satisfy the positive criteria for the grant of an *N.J.S.A. 40:55D-70d(1)* use variance by demonstrating that Subject Property is particularly suitable to upgrade the existing metering and regulations station because it is an existing use on the Subject Property and because of its primary frontage on Burlington-Mount Holly Road (CR 541) and secondary frontage on the New Jersey Turnpike, behind bushes and fencing and behind a gas station, keeping it out of site from residents and passing traffic; and further, because there is a need for the public utility in

the community surrounding the Subject Property. The proposed use also advances multiple purposes of the MLUL set forth in *N.J.S.A. 40:55D-2*; specifically, the use allows for the appropriate and efficient use of the Subject Property and development of Township land; *N.J.S.A. 40:55D-2a*; there is sufficient space for a variety of diverse beneficial uses, including an economically beneficial commercial use and community use beneficial to the public good and general welfare. *N.J.S.A. 40:55D-2g*. See *Kramer v. Bd. of Adjustment*, 45 *N.J.* 268, 296 (1965) (“special reasons exist whenever a variance proposes to secure any of the statutory zoning goals”).

- b. the Applicant has also established the negative criteria necessary for the grant of an *N.J.S.A. 40:55D-70d(1)* use variance; that is, the use variance can be granted “without substantial detriment to the public good” and the use “will not substantially impair the intent and the purpose of the zone plan and zoning ordinance” because of the many compromises and other changes made by the Applicant to meet the Township’s Zoning Ordinance requirements and concerns of the Board and members of the public and further given the current use of the Subject Property.
- c. the Applicant has satisfied the enhanced standard of proof required for the grant of an *N.J.S.A. 40:55D-70d(1)* use variance through extensive and clear expert testimony from the Applicant’s Engineer, Gas Engineer and Professional Planner demonstrating that the requested use is not inconsistent with the intent and purpose of the Township’s Master Plan and Zoning Ordinance because the Subject Property can adequately house the proposed use and other commercial uses in the immediate vicinity. *Medici v. BPR Co.*, 107 *N.J.* 1, 4 (1987).

21. In connection with the Applicant’s grant of *N.J.S.A. 40:55D-70d(1)* use variance relief, the Board further finds and concludes that the Applicant is entitled to the requested *N.J.S.A. 40:55D-70c* bulk variances and design waivers, which are subsumed by the grant of use variance relief, are reasonable under the circumstances, advance the purposes of the MLUL, and the benefits of the deviations substantially outweigh any detriment to the public good. *Price v. Himeji, LLC*, 214 *N.J.* 263, 301 (2013); *Garofalo v. Burlington Tp.*, 212 *N.J. Super.* 458 (Law Div. 1985).

22. With regard to the requested preliminary and final major site plan approval, through the evidence submitted and testimony presented by the Applicant’s witnesses, professionals, the Board’s professionals, and members of the public, the Board finds and concludes that the proposed major site plan complies with all site plan and other standards, specifications, and requirements established by the Township’s zoning ordinance not addressed by variances and waivers as detailed herein, and that the Subject Property is suitable for the proposed development given the size of the Subject Property, the existing use of the Subject Property and permitted uses in the C Commercial Zone. See, e.g., *Levin v. Livingston Twp.*, 35 *N.J.* 500, 510–11 (1961); *Pizzo Mantin Group v. Randolph Twp.*, 261 *N.J. Super.* 659 (App. Div. 1993), *aff’d. as modified*, 137 *N.J.* 216 (1994).

NOW, THEREFORE, BE IT RESOLVED, by the Land Development Board of the Township of Westampton that the within Application seeking use variance relief for the approximately 0.702-acre sized property located at 2032 Burlington-Mt Holly Road, designated

as Block 904, Lot 1 on the Township Tax Map, was and is hereby **GRANTED**, subject to the testimony and representations set forth on the record by the Applicant, and any conditions set forth on the record and those specified herein by a motion made by Mr. Freeman and second by Ms. Burkley.

ROLL CALL VOTE

	<u>Ayes</u>	<u>Nayes</u>	<u>Abstentions</u>	<u>Recusal</u>
Blair	x			
Borger	x			
Burkley	x			
Freeman	x			
Guerrero	x			
Haas	x			
Thorpe	x			
Odenheimer	x			
Ottey	x			

IT IS FURTHER RESOLVED, by the Land Development Board of the Township of Westampton that the within Application seeking preliminary and final major site plan approval with bulk variance and waiver relief for the approximately 0.702-acre sized property located at 2032 Burlington-Mt Holly Road, designated as Block 904, Lot 1 on the Township Tax Map, was and is hereby **GRANTED**, subject to the testimony and representations set forth on the record by the Applicant, and any conditions set forth on the record and those specified herein by a motion made by Ms. Burkley and seconded by Mr. Guerrero.

ROLL CALL VOTE

	<u>Ayes</u>	<u>Nayes</u>	<u>Abstentions</u>	<u>Recusal</u>
Blair	x			
Borger	x			
Burkley	x			
Freeman	x			
Guerrero	x			
Haas	x			
Thorpe	x			
Odenheimer	x			
Ottey	x			

IT IS FURTHER RESOLVED, the above relief is subject to the following conditions:

- a. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Board Engineer's Review Letters.
- b. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Board Planner's Review Letters.

- c. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Fire Marshal's Report.
- d. The Applicant shall construct the new fencing as discussed with the Board.
- e. Any new lighting shall be installed at 4000K or less.

IT IS FURTHER RESOLVED, the above relief is subject to the following standard conditions:

- a. That the Application, all exhibits, testimony, map, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for approval. In the event that it is determined by the Board, on non-arbitrary, non-capricious and reasonable grounds, that the Application, exhibits, testimony, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied upon by the Board as they bear on facts which were essential in the granting of the relief sought by the Applicant, the Board may review its approval and rehear the Application, if circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice;
- b. Upon discovery by the Board of clear and convincing evidence of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the facts at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems appropriate at that time, consistent with the MLUL and case law, including but not limited to a reconsideration of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate. In addition, at any time within 45 days after the adoption of this resolution, a party of interest may appeal to the Superior Court for an order vacating or modifying any term or condition as set forth herein;
- c. The Applicant shall indemnify and hold the Township harmless from any Claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to *N.J.S.A. 40:55D-12(c)*, and publication of the notice of public hearing in this matter in accordance with the law;
- d. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed;

- e. The Applicant must obtain approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required;
- f. The Applicant is further required to submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Solicitor, Engineer and Planner;
- g. The Applicant must pay the costs of all professional review and other fees required to act on the Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the N.J. Municipal Land Use Law;
- h. The Applicant assumes all risks should the Applicant fail to obtain any other construction or other municipal permits required with respect to the relief as granted herein during the statutory appeal period associated with the language of this resolution;
- i. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein;
- j. The Applicant shall comply with all of the representations and stipulations as contained in the application and as represented through testimony in support of the application.

WESTAMPTON LAND DEVELOPMENT BOARD

BY:

Gary Borger, Chairman

ATTEST:

Marion Karp, RMC, CMR, Board Secretary

DATE MEMORIALIZED: _____

RESOLUTION: 7-2021

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: DR Horton NJ/PA

BOARD'S DECISION: Continued Application for Preliminary and Final Site Plan Approval and Preliminary and Final Subdivision Approval

PROPERTY ADDRESS: Springside Road and Valley Farm Road - Block 204, Lot 2

ZONING DISTRICT: R-9 Residential District

DATE OF HEARING: February 3, 2021

WHEREAS, DR Horton NJ/PA ("Applicant") filed an application with the Westampton Land Development Board ("Board") requesting preliminary and final site plan approval and preliminary and final subdivision approval. The Applicant is proposing to subdivide an existing 73.56 acre parcel for development of 223 fee simple townhomes in 39 separate buildings and 275 apartment units contained in eleven (11) multistory buildings. The apartment buildings will be contained within proposed lot 2.02 with an area comprising 30.76 acres. Proposed improvements contained within the apartment parcel include a clubhouse comprising approximately 2,887 square feet and a pool, a maintenance building and parking areas. The townhouses will be contained within proposed lot 2.01 which will comprise 42.19 acres. Proposed improvements contained within the townhouse parcel include a 6' wide asphalt walkway encircling a grass, open field area. Recreation and playground amenities are proposed on the interior side of the walkway, on the eastern side of the open area. Both the apartment and townhouse components will be improved with landscaping, site lighting and stormwater management. The majority of the site fronts along the southbound lane of Springside Road (CR 635). A 0.62 acre portion of the tract will be dedicated to Burlington County for road widening purposes. The southerly most portion of the tract fronts on Valley Farm Road. Access to the overall tract will be provided from Springside Road via two (2) new full movement driveways. The property is located at Springside Road and Valley Farm Road, Westampton, New Jersey, designated as Block 204, Lot 2 on the Township Tax Map ("Subject Property"). The R-9 Ordinance was adopted specifically for Block 204, Lot 2 to permit market rate townhouses and apartment units and 75 affordable apartment (multifamily) units to satisfy a portion of the township's affordable housing obligation; and

WHEREAS, the Board had jurisdiction to hear this matter (the "Application") under the New Jersey Municipal Land Use Law ("MLUL"), *N.J.S.A. 40:55D-1 et seq.*; and

WHEREAS, during the February 3, 2021 Board meeting, the Applicant, through its attorney, Stephen R. Nehmad, requested the Application be carried to the March 3, 2021 meeting as it was becoming obvious to Mr. Nehmad and the Applicant that they would not be heard during the February 3, 2021 meeting; and

WHEREAS, the Board solicitor announced the Applicant's request at the February 3, 2021 meeting to advise any members of the public present for the Application that the Application would be heard at the next meeting; and

WHEREAS, in light of the solicitor's announcement to the public at the February 3, 2021 public meeting, the Board determined that the Applicant would not be required to notice and advertise the Application again for the March 3, 2021 meeting.

NOW, THEREFORE, BE IT RESOLVED, by the Land Development Board of the Township of Westampton, that the Applicant's request for preliminary and final site plan approval and preliminary and final subdivision approval on the Subject Property in the R-9 Residential District was and is hereby **CONTINUED**, subject to the testimony and representations set forth on the record by the Applicant, and any conditions set forth herein.

WESTAMPTON LAND DEVELOPMENT BOARD

BY:

Gary Borger, Chairman

ATTEST:

Marion Karp, RMC, CMR, Board Secretary

DATE MEMORIALIZED: _____



Township Of Westampton

SITE PLAN REVIEW APPLICATION
SUBDIVISION APPLICATION
MINOR MAJOR
PRELIMINARY FINAL CONSOLIDATED

DATE FILED _____
(for office use only)

BLOCK 204 LOT 2
73.57 ACRES SITE AT SPRINGSIDE ROAD AND VALLEY FARM ROAD

1. GENERAL INFORMATION

A. Applicant Name ROBERT C. FECOSO - DR HORTON NJ/PA

Address 2040 BRIGGS ROAD SUITE A, MOUNT LAUREL, NJ 08054

Telephone Number 609-314-9105

B. The Applicant is a:

Corporation*
Partnership*
Individual
Other (specify)

*If the applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership.

C. The relationship of the applicant to the property in question is:

Purchaser under contract
Owner
Lessee
Other (specify)

Attorney Stephen R. Nehmad - Nehmad Perillo Davis & Goldstein, PC

Address 4030 Ocean Heights Avenue, Egg Harbor, NJ 08234

Telephone Number 609-927-1177

D. Engineer/Surveyor: HAMMER LAND ENGINEERING
Address 1707 ATLANTIC AVENUE, MANASQUAN, NJ 08736
Telephone Number 732-899-0898

2. INFORMATION REGARDING THE PROPERTY

- A. Street address of the property SPRINGSIDE ROAD
- B. The location of the property is approximately 0 feet from the intersection of SPRINGSIDE ROAD and VALLEY FARM ROAD
- C. Existing use of the property FARM
Proposed use of property RESIDENTIAL-TOWNHOME AND MULTI FAMILY APARTMENT
- D. Zone in which property is located R-9
- E. Acreage of property 73.57
- F. Is the property located on a County road? Yes X No ; State road? Yes No X; or within 200 feet of a municipal boundary? Yes X No

SITE PLAN APPLICATIONS ONLY (ANSWER ITEMS G, H & I):

- G. The type of proposal is: New Structure X Expanded area Improved Parking Area X Alteration to Structure Expansion to Structure Change of Use Sign
- H. Name of business or activity (if any) RESIDENTIAL
- I. Are there deed restrictions that apply or are contemplated?
(if yes, please attach a copy to application)

SUBDIVISION APPLICATIONS ONLY (ANSWER ITEMS J, K, L & M):

- J. Number of lots proposed 225
- K. Was the property subject to a prior subdivision? Yes No X
(if so, list dates of prior subdivisions and attach resolutions)
- L. Number of lots created on tract prior to this application N/A

M. Are there any existing or proposed deed restrictions, easements, rights-of way or other dedication? Yes X No (if yes, attach a copy)

N. List all proposed on-site utility and off-tract improvements:

ON-SITE UTILITIES INCLUDE WATER SERVICE, SANITARY SEWER SERVICE,
STORM SEWERS. OFF-TRACT IMPROVEMENTS INCLUDE WIDENING OF
SPRINGSIDE ROAD WHICH WILL BE IN ACCORDANCE WITH BURLINGTON
COUNTY PLANNING BOARD REQUIREMENTS.

O. List maps and other exhibits accompanying this application:

PRELIMINARY AND FINAL MAJOR SUBDIVISION PLANS, PRELIMINARY AND FINAL MAJOR
SUBDIVISION PLAT, TRAFFIC REPORT, GEOTECHNICAL REPORT,
BOUNDARY AND TOPOGRAPHIC SURVEY, STORMWATER MANAGEMENT REPORT,
OPERATIONS AND MAINTENANCE MANUAL, ABBREVIATED ENVIRONMENTAL IMPACT STATEMENT

3. INFORMATION REGARDING THE APPLICATION

A. Describe any proposed "C" or bulk variances requested, their location (Block & Lot) and the sections of the Zoning Ordinance from which relief is requested. Attach 1 copy of variance notification documents.

N/A

4. CHECK LIST AND WAIVER REQUESTS

A. Please refer to the Ordinance for the specific submission requirements, which are listed in Chapters 196, 215 and 250 (Site Plan Review, Subdivision of Land and Zoning) from the Code of the Township of Westampton.*

B. Please list which sections of the Ordinance applicant requests a waiver from and the reasons therefore.

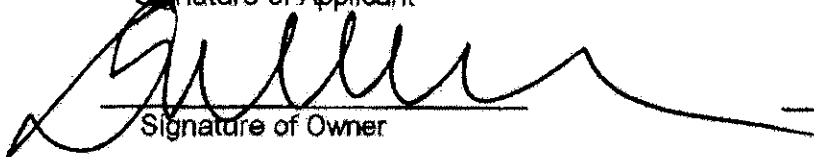
N/A

5. AUTHORIZATION AND VERIFICATION

I certify the statements and information contained in this application are true.


Signature of Applicant

12/14/20
Date


Signature of Owner

Date

*Copies of the Township Ordinance are available for purchase at the Westampton Township Municipal Building. The entire ordinance is also available on the Internet at the Township website: <http://www.westampton.com>



JOHN H. ALLGAIR, PE, PP, LS (1983-2001)
DAVID J. SAMUEL, PE, PP, CME
JOHN J. STEFANI, PE, LS, PP, CME
JAY B. CORNELL, PE, PP, CME
MICHAEL J. McCLELLAND, PE, PP, CME
GREGORY R. VALES, PE, PP, CME

TIM W. GILLEN, PE, PP, CME (1991-2019)
BRUCE M. KOCH, PE, PP, CME
LOUIS J. PLOSKONKA, PE, CME
TREVOR J. TAYLOR, PE, PP, CME
BEHRAM TURAN, PE, LSRP
LAURA J. NEUMANN, PE, PP
DOUGLAS ROHMEYER, PE, CFM, CME
ROBERT J. RUSSO, PE, PP, CME
JOHN J. HESS, PE, PP, CME

January 30, 2021

Westampton Township Land Development Board
710 Rancocas Road
Westampton, NJ 08060

Attn: Marion Karp
Administrative Officer

**Re: Robert C. Fecso – DR Horton NJ/PA
Preliminary and Final Major Site Plan and Subdivision
Engineering Review #1
Block 204, Lot 2
Springside Road
Zone: R-9 (Residential)
Westampton Township, Burlington County, NJ
CME File: CWAL0204.01**

Dear Chairman and Board Members:

In accordance with your authorization, our office has performed a review of the following with regard of the above referenced Site Plan application:

- Plans entitled, "Preliminary & Final Major Subdivision and Major Site Plan for Laurel Run, Block 204, Lot 2, Tax Map Sheet 72, Township of Westampton, Burlington County, New Jersey," consisting of thirty-eight (38) sheets, prepared by Hammer Land Engineering, dated December 7, 2020;
- Plans labeled "Final Plat – Major Subdivision "Laurel Run" for Tax Block 204 – Tax Lot 2," consisting of three (3) sheets, prepared by Professional Design Services, L.L.C., dated June 6, 2020;
- Plans labeled "Boundary & Topographic Survey for Tax Block 204 – Tax Lot 2," consisting of three (3) sheets, prepared by Professional Design Services, L.L.C., dated June 8, 2020;
- Traffic Engineering Assessment, prepared by Shropshire Associates, LLC., dated December 4, 2020;
- Architectural Plans consisting of sixty-nine (69) sheets, prepared by Wade Architecture, dated February 10, 2021;
- A Stormwater Management Report, prepared by Hammer Land Engineering, dated December 7, 2020;

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Marion Karp, Board Secretary
Westampton Township Land Development Board
Re: Robert C. Fecso – Dr. Horton NJ/PA – Engineering Review #1
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- A Water System Engineers Report, prepared by Hammer Land Engineering, dated December 7, 2020;
- Operation and Maintenance Manual, Laurel Run Report, prepared by Hammer Land Engineering, dated December 7, 2020;
- Test Pit Locations Report, prepared by Underwood Engineering Company, dated August 3, 2020;
- Preliminary Subsurface Investigation Report, prepared by Melick-Tully & Associates, dated March 24, 2020;
- Ecological Resources Evaluation and Impact Assessment Report, prepared by Eastern States Environmental Associates Inc., dated November 25, 2020;
- Completed application forms.

The subject 73.57-acre tract is located on the western side of Springside Road (County Route (CR) 635) and Valley Farm Road. The site has 2085.60 feet of frontage along Springside Road and 680.49 feet of frontage along Valley Farm Road. The property is situated in an R-9 (Residential) Zone per Ordinance No. 10-2020 which changed the subject tract from an OR-2 (Office-Research 2) Zone. The R-9 Zone allows for a combination of attached townhouses and rental apartments with 15 percent of the units set aside for very low-, low-, and/or moderate-income family households. Occupying the existing farm tract is a house, four (4) barns, and an asphalt driveway; all of which are to be removed. Freshwater wetlands and associated wetland buffers are located at the northern and southern perimeter of the property including a regulated stream and riparian buffer along the southern boundary.

The Applicant, Robert C. Fecso – Dr. Horton NJPA, is requesting Preliminary and Final Major Site Plan and Subdivision approval to develop the site with 223 townhomes, 275 apartments, which includes 75 affordable units, a 1-story clubhouse, and a maintenance building. In addition, 689 parking spaces are proposed along with associated driveways and two ingress/egress access points provide right- and left-turn movements along Springside Road (County Route (CR) 635) which is proposed to be widened along the sites frontage. Additional improvements such as walkways, retaining walls, landscaping, trash enclosures and utilities are proposed as well. Two (2) wet ponds and an infiltration basin are proposed for stormwater management. A gas, water, and sanitary connection is proposed within the CR 635 right-of-way at the northeastern corner of the site and a water connection is proposed within the CR 635 right-of-way at the southern site entrance. An electric and telephone connection is proposed approximately 125 feet north of the southern ingress/egress.



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The Applicant is also proposing to subdivide the tract into two sperate parcels, Proposed Lot 2.01 and 2.02 which will contain town townhome and multifamily apartment sections of the project, respectively. Proposed Lot 2.01 will be further subdivided to provide a fee-simple lot for each townhome unit. In addition to the above, 0.62 acres of the original tract will be dedicated to the County of Burlington for road widening purposes. Access and utility easements are proposed over the common driveways and parking areas. Conservation and Drainage Easements are proposed over the environmentally regulated areas.

We offer the following comments for the Board's consideration:

a) The Bulk Requirements are listed below:

Standard	Permitted	Proposed
Overall Tract Requirements		
Minimum Lot Area	70 Acres	73.56 Acres
Minimum Lot Width	2,000 Feet	2,744 Feet
Minimum Lot Frontage	2,000 Feet	2,807.23 Feet
Minimum Lot Depth	800 Feet	940.7 Feet
Maximum Building Coverage	15%	9.9%
Maximum Impervious Coverage	40%	30.3%
Minimum Tot Lot and Passive Recreational Area	2 Acres	2 Acres
Maximum Building Height	3 Stories	3 Stories
Maximum Building Height	40 Feet	39 Feet
Maximum Fence Height Within the Buffer	6 Feet	N/A
Fee Simple Lot Bulk Requirements		
Minimum Lot Area	1,600 Square Feet	1,740 Feet



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Minimum Lot Width	20 Feet	20 Feet
Minimum Lot Frontage	20 Feet	20 Feet
Minimum Lot Depth	80 Feet	87 Feet
Maximum Building Coverage	60%	51.7%
Maximum Impervious Coverage	85%	75.4%
Fee Simple Lot – Principal Building Requirements		
Minimum Front Yard Setback	18 Feet	20 Feet
Minimum Rear Yard Setback	10 Feet, excluding patios and decks	20 Feet
Minimum Side Yard Setback	0 Feet	20 Feet
Maximum Building Height	3 Stories	3 Stories
Maximum Building Height	40 Feet	<40 Feet
Accessory Buildings and Structures		
Maximum Building Height	1 Story	1 Story
Maximum Building Height for One Story Building (i.e., clubhouse)	30 Feet	21 Feet
Minimum Building Distance Requirements		
Side Wall to Side Wall	30 Feet	30 Feet
Side Wall to Front or Rear Wall	30 Feet	40 Feet
Front Wall to Rear Wall	80 Feet	90 Feet
Front Wall to Front Wall	80 Feet	90 Feet



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Rear Wall to Rear Wall	40 Feet	46.3 Feet
Principal Building to Access/Internal Driveway Curbline	10 Feet	15.0 Feet
Principal Building to Parking Area Curbline	10 Feet	15.0 Feet
Accessory Building to Access/Internal Driveway Curbline	0 Feet	0 Feet
Fencing		
Maximum Fence Height	6 Feet	6 Feet
Sidewalks		
Minimum Sidewalk Width	4 Feet	4 Feet
Minimum Sidewalk Width Abutting Parking	6 Feet	6 Feet

b) The Applicant has not requested any variances or waivers.

c) The following design waiver may be required:

- i) Per Ordinance no. 10-2020, the minimum average foot candles for walkways and parking area is 0.5, whereas no lighting is provided for the asphalt walkway. The Applicant should consider decorative bollard lighting along the walkway.

2) Site Plan/Subdivision

- a) The Site Plan should provide a breakdown of the affordable units and bedroom distribution within each apartment building.
- b) The Applicant should clarify ownership and maintenance responsibilities for the project post construction and specifically identify same on the Site Plan and Plat of Lots. The Stormwater O&M Manual identifies DR Horton NJ/PA as the responsible party for the stormwater management system. The Applicant should clarify. A deed shall be filed with



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the County establishing ownership responsibilities for the stormwater management system.

- c) The Applicant should clarify whether fences will be permitted around the rear yards of the townhome units.
- d) The Applicant should clarify how maintenance of the common elements of the townhome units will occur such as roofing and façade repairs. Will landscaping maintenance be that of an association or individual lot owner?
- e) The Applicant should ensure the front corner of Lot 1.267 of Building 35 is outside the sidewalk.
- f) Stationing should be provided to the driveway centerlines.
- g) A trash and recycling receptacle should be provided at each location only a trash receptacle is proposed.
- h) The project site appears to be within 500 feet of the Rancocas Village Historic District. Accordingly, comment on this application by the Historic Preservation Commission should be considered by the Land Development Board.

3) Architectural Plans

- a) Architectural renderings of the apartment buildings and the clubhouse shall be provided.
- b) The architectural plans for the townhome units include 5 model types whereas the number of the attached units in the various buildings range from 5 to 7 units. The Applicant should confirm there will be only 5 style options and if each can be an end unit. Further, there appears to be an option for an alternate side front entry. This is not depicted on the Site Plan. It is unclear whether the optional side front entry will encroach into the required front setback.
- c) The architectural plans for the townhomes identify optional windows for the rear facades and sides of the end units. The Applicant should clarify. Building windows should be required to some degree along the sides and rear of the Townhome buildings for aesthetics.



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- d) **The proposed garages are approximately 10 feet wide and 20 feet deep. A typical parking space is 9'x18'. There appears very limited additional space for storage of trash receptacles, recreational items, maintenance items, etc. A Deed restriction should be established to prevent the garages from being converted to living space. Our office has a concern that the lack of storage space will result in the garages be utilized for storage only, resulting in a lack of sufficient parking for the development. This is a very common problem for developments of this nature. The Applicant should address.**
- e) The Site Plan depicts the end units for the Townhomes to have 16-foot-wide driveways, which is too narrow for a side by side two car driveway. The Applicant should clarify the intent.
- f) The Applicant should clarify whether the driveways for the two adjacent interior units of the Townhomes will be divided or be single driveway and apron.
- g) The Applicant should clarify whether fences will be permitted around the rear yards of the townhome units. Will private sheds be permitted?
- h) The Applicant should clarify how maintenance of the common elements of the townhome units will occur such as roofing and façade repairs. Will landscaping maintenance be that of the association or individual lot owner?
- i) Dimensions for the optional elevated decks should be identified clearly on the site plan.
- j) The Applicant's Engineer should depict where the HVAC equipment will be located.
- k) It does not appear that gutters are depicted on the architectural plans. The Site Plan depicts roof leader collection system for the Townhome units. Since fee simple lots are provided for each townhome unit, how cross access and maintenance of the collection piping will be achieved should be clarified.
- 4) Parking & Circulation
- a) A circulation plan has been provided for a standard firetruck. Same should be provided to the Fire Marshall to ensure that the appropriate design vehicle was utilized and if any fire lanes are required.



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- b) The Applicant should ensure the amount of spaces provided for the site. The Site Plan depicts 689 spaces while the Zoning Schedule states 664 spaces. Overall, it appears 1,079 parking spaces are required and 1,135 are provided (inclusive of 2 off-street parking spaces for the townhomes).
- c) The Applicant's Engineer is proposing 9' x 18' spaces which is acceptable per New Jersey Residential Site Improvement Standards (RSIS).
- d) The Applicant should address how garbage collection will occur for dead-end courts E, F and G.
- e) The access roads within with the Townhome section are of insufficient width to allow parking on either both sides of the road where the cartway is 24 feet or one-side of the road where the cartway is 28 feet. Where parking is technically permitted on one-side of the road where the cartway is 28 feet, the number of driveways and 90 degree parking stalls makes parallel parking on one-side of the street unfeasible. Accordingly, it appears the Applicant is proposing solid yellow fire lane striping in front of the curb lines along the streets to reflect no on-street parking within the travel lanes is permitted. Additional NO PARKING signage should be provided. It is also recommended that the Applicant or subsequent project owner request "Title 39" enforcement from the Township to allow for enforcement of the parking restrictions in the Development.
- f) A call-out for the proposed fire lane striping should be clearly depicted on the Site Plan.
- g) Our office has concerns regarding the distribution of common parking spaces in the Townhome section. The Applicant should review increasing the number of common spaces within the interior portion of Road B and Road D
- h) The Applicant should consider widening a portion of Road C to provide additional 90 degree or at a minimum parallel parking along the open field.
- i) The Applicant's Engineer should revise the sidewalk northwest of Building 8.
- j) Stop signs and stop bars should be provided southwest of Building 9 and northwest of building 10 at the T-intersection within the parking lot for consistency.
- k) It does not appear that a stop sign is provided at the intersection west of Building 13. The Applicant's Engineer should revise same.



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- l) The stop line for the northern ingress extends all the way across the road and should be corrected.
- m) The crosswalk adjacent to Building 24 should be relocated to Road G.
- n) The two parking spaces across from Road A should be eliminated because of their location within the intersection.
- o) The Applicant's Engineer should include No Parking striping for the angled trash enclosure north of the clubhouse, similar to the other proposed trash enclosures.
- p) Minimum landscape island sizes of 200 square feet at the end of a row are required per Section 196-8 C (2). It appears that the islands are approximately 130 square feet at the ends of single rows. A waiver may be required for same.
- q) Centerline striping from the entrance island to the first intersection should be provided at each access driveway extending from Springside Road. Further, the island curbing should be mountable and interior infilled with concrete up to 10 feet from the end at Springdale Road.
- r) A concrete apron should be provided for each basin access drive.
- s) Consideration should be taken to end the frontage sidewalk on the northern portion of the site at a proposed pedestrian crossing of Springside Road at the intersection of Meadowbrook Drive.

5) Traffic

- a) Based on the ITE Trip Generation Handbook, 10th Addition, the proposed improvements will generate the following increase in vehicle trips:

Land Use	AM Weekday Peak Hour			PM Weekday Peak Hour			RSIS
	In	Out	Total	In	Out	Total	Daily Trips
Multifamily Housing (Low-Rise) (LUC 220) 223 units	24	79	103	76	45	121	1316



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Multifamily Housing (Mid-Rise) (LUC 221) 275 units	24	69	93	71	46	117	1513
Total new trips	48	148	196	147	91	238	2829

- b) It is unclear how some of the existing volumes were determined. The Applicant's Engineer should add more descriptions about how volumes at the intersection of Springside Road and Valley Farm Road were determined. The date of the count was 2013 and does not match existing volumes. It is unclear if the NJDOT Access Permit Annual Background Growth Rate Table was utilized or not.
- c) A summary table should be provided to identify the LOS and delay to be provided at each studied intersection overall and for each lane approach.
- d) The study should include a vehicle queue analysis and summary table to identify the anticipated 95th percentile vehicle queue length for the approaches of each studied intersection.
- e) A design year of 2023 was assumed for analysis. The Traffic Engineering Assessment utilizes a background growth rate of 1.00 percent throughout the network. Per the NJDOT Access Permit Annual Background Growth Rate Table, an Urban Minor Arterial Road (Springside Road and Woodlane Road) has a 1.50 percent. Same should be updated.
- f) The Applicant is proposing to widen Springside Road along the site frontage. The northern site entrance which is proposed across from the RP-8 warehouse driveway has proposed north- and southbound left-turn bays. A northbound left-turn bay is also proposed for the southern site entrance. The Improvements to Springside Road will be subject to the approval of Burlington County.
- g) From a traffic impact standpoint, it appears that there are several significant increases in delay for some of the study intersection approaches:
 - i) Springside Road & Woodlane Road southbound through approach delay increases 15.6 seconds from Level of Service (LOS) E to LOS F during the PM peak hour. The increase in 95th percentile queueing should be identified.
 - ii) Highland Drive/Springside Road & Rancocas Road southbound left-turn approach delays increase 33 seconds (to LOS F) and 19.8 seconds (stays at LOS F) during the AM and PM peak hours, respectively. Additionally, the eastbound left-turn increase



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20.7 seconds (to LOS F) and the overall intersection increases 8.2 seconds (to LOS E) during the PM peak hour. The increase in 95th percentile queuing should be identified.

- iii) Springside Road at RP-8 Driveway/Sites North Driveway proposed eastbound through/right-turn movement has a 49.8 second and 40.4 second delay (LOS E) during the AM and PM peak hours, respectively. The 95th percentile queue appears to be less than one car length.
- iv) Springside Road at Valley Farm Road eastbound left-turn movement increases 13.8 seconds (to LOS E) during the PM peak hour. The 95th percentile queue increases from 2.1 vehicles to 2.9 vehicles.
- v) Springside Road at Ikea Drive northbound left-turn movement increases 13.9 seconds (to LOS E) during the PM peak hour. The 95th percentile queue increases from 2.4 vehicles to 3.2 vehicles.
- vi) Springside Road at Rancocas Ramp westbound right-turn lane movement increases 30.7 seconds (to LOS F) during the PM peak hour. The 95th percentile queue increases from 16 vehicles to 25 vehicles.
- vii) Springside Road at Sites southern driveway proposed left-turn lane has a 38.5 second (LOS E) delay. The 95th percentile queue is less than 1 vehicle.

The above noted intersections are under Burlington County jurisdiction.

6) Grading

- a) Additional spot grades should be included at key geometric locations along curbs including curb tangents, midpoints, ridges, grates, and building entrances to aid in constructability. Same should be include on all ADA ramps to indicate the landing and ramp grades.
 - i) Spot grades should be included at the midpoints of curbs for landscaped islands.
 - ii) Additional spot grades should be provided along the proposed sidewalk around the clubhouse to ensure no slopes are above 5%.
- b) Additional grades should be depicted for the sidewalk/crosswalk west of the maintenance building. It does not appear that ramps are proposed leading up to the crosswalk. Applicant should revise same.



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- c) The building numbers and inlet grate elevations should be depicted on the Grading Plans
- d) TC and DC callouts are provided at the entrances to trash enclosures but curbs are not depicted for the enclosures adjacent to Building 4. Same should be revised for clarity. The Applicant should clarify whether the intent is for the curb to taper down or the pavement to ramp up.
- e) A coping elevation should be provided for the pool.
- f) It appears a 67-grade line is missing in front of Building 21.
- g) The parking spaces south of Building 22 appear to have a flat area on the western side of the spaces. (TC 69.51/BC 69.01). That point should be raised to ensure a gradual slope towards the inlet.
- h) The applicant should depict driveway slopes on the site plan including a spot elevation at the sidewalk edge.
- i) Four-foot-high, orange mesh fencing should be provided around the entire limit of disturbance perimeter to prevent over-clearing and/or disturbance beyond the approved limit of disturbance.
- j) Grading lines appear to encroach on existing tree clearing limit. Same should be revised.

7) Stormwater Management

- a) The provided Preliminary Subsurface Investigation (SI) includes a key map with the locations of the performed test pits utilizing a concept plan of the site that appears to differ significantly than the current design. A key map of test pit locations with an updated layout should be provided, or preferably, the locations of the performed test pits should be identified in the plan set.
- b) The test pits identified in the SI do not appear to correlate with the location of the proposed infiltration basin nor the infiltration trenches surrounding Buildings 9, 10, 11, and 12. Appendix E (Chapter 12) of the NJ Best Management Practices (BMP) Manual requires that a minimum of two (2) test pits be performed for infiltration basins up to ten thousand (10,000) square feet and two (2) test pits be performed for a linear BMP less than 2500 linear feet (but greater than 500 linear feet) in length. The test pits should be obtained from within the limit of the proposed basin bottom, and *should extend to a minimum depth*



Marion Karp, Board Secretary
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of eight (8) feet below the lowest elevation of the basin, or to a depth that is at least twice the maximum potential water depth generated by the largest design storm, whichever is greater. Due to the observed permeability results at other locations onsite we recommend that obtaining the additional soil information be a condition of any approval granted by the Board.

- c) The Plans and Report indicate the permanent pool elevation for the two wet ponds are to be lower than the lowest elevation control orifice/weir, which would result in a portion of each design storm being removed from the routing calculation and a reduction in calculated outflow. The Plans and Report should be revised as necessary so that the invert of the lowest controlling orifice matches the permanent pool elevation, either through a reconfiguration of the outlet structures (e.g. through the addition of an orifice at the permanent pool elevation) or a revision to the routing calculations, or both as appropriate to align with design intent.
- d) The outfall for Wet Pond 1 should be relocated to discharge at the start of the wetland ditch near WB-5. The outfall for Wet Pond 2 should be extend closer to the stabilized woodline near WA-33. Our office has concerns regarding the current location of the two proposed outfalls will result in downstream erosion due to the concentration of stormwater discharge where previously sheet flow across the agricultural field occurred.
- e) The pond routing calculations for Wet Pond #1 and #2 provided in the Stormwater Management (SWM) Report model the top of structure grate (Device #4) as a sharp-crested weir with a length equal to 16 LF, presumably the perimeter of the inside of the structure. However, since Device #3 was modeled as a broad crested weir and not as a rectangular orifice, when the pond water elevation exceeds the top of the structure, the flow over Device #3 would be counted twice, resulting in a higher flow rate than what was calculated.
- f) The maximum depth of runoff in an infiltration basin during the water quality storm is two (2) feet. The routing calculations provided in Section 2B indicate the maximum depth to be 2.7 feet. The infiltration basin may need to be resized accordingly.
- g) The identified breadth of 0.7' for the weir (Device #3) would suggest a structure thickness of roughly 8", which would result in an inside perimeter of less than 16' per the Outlet Control Structure details provided in the plan set. The details should be reviewed and revised to confirm design intent and to coordinate the dimensions of the basin with the Report.



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- h) The TSS Removal Target table in Section 2B of the SWM Report should clarify what area of the site is identified as Existing Vehicular Impervious as there does not appear to be any existing impervious surfaces are to remain in the post construction condition.
 - i) In order for the Wet Ponds to be assigned 90% TSS removal, the detention time should be calculated to be above 24 hours. Once the permanent pool elevation is revised to match the lowest outlet invert, the detention time should be calculated to determine if the Wet Ponds would meet this requirement.
 - j) The infiltration trenches should be redesigned to be installed flat (0.00%) slope. Additionally, a detail of the trench and stone bedding should be provided on the Plans and coordinated with the Report as applicable.
 - k) Section 2C includes two Annual Groundwater Recharge Analysis (GSR-32) spreadsheets for the site however it is unclear if the spreadsheet labeled "Apartments" is in reference to the infiltration trenches and the spreadsheet labeled "Townhome" is in reference to the infiltration Basin. Applicant's Engineer should confirm same.
 - l) It appears that the B Inlet #102BA grate elevation is off by 1 foot. Applicant should confirm and revise same.
 - m) The Storm Sewer Tabulation pages depict a significant amount of runs that have Velocities less than 2 ft/s as well as slopes of less than 0.25 percent. The Applicant's Engineer should revise the pipe design to increase flow velocities to be greater than 2 ft/s
 - n) The Storm Sewer Tabulation page for the file STORM 800 depicts a negative ground/rim elevation. The Applicants Engineer should revise same.
- 8) Utilities
- a) The sanitary main tie-in location in the southwest corner appears to be located on Block 833, Lot 98 within Willingboro Township. It is unclear from the site plan if there is a utility easement onto the property. Same should be clarified. Additionally, the sanitary main appears to encroach within the tree clearing limit and riparian buffer. An NJDEP Permit may be required to construct this utility connection.
 - b) It appears that there are additional callouts for Sanitary Manhole #1A that are off of the page. Same should be revised.



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- c) Water and sewer utility design will be subject to the review and approval of the Willingboro MUA.

9) Soil Erosion and Sediment Control

- a) It is unclear how the tailwater depths identified in Section F for sizing the outlet scour holes were determined. The Applicant's Engineer should provide additional information in the report in support of the utilized depth. Tailwater depth in a stormwater basin is typically based on the 2-year storm maximum depth.

10) Environmental

- a) It appears that wetlands are located in southern, northern, and western portions of the site and a 50 foot wetland buffer is required as an Intermediate Resource Value.
- b) The Applicant should indicate whether a Phase 1 Environmental Assessment has been conducted for this property. Considering the historic farmland use of the property, at a minimum the soils onsite should be tested for potential historic pesticide contamination. The Applicant should also indicate whether any underground storage tanks were used for heating oil at the barns or dwelling onsite.
- c) The Applicant's engineer should verify whether a Flood Hazard exists for the streams/ditches located on the southern portion of the site. A Flood Hazard/Riparian Buffer Line Verification should be received from the NJDEP.
- d) The limits of wetland buffer reduction to the rear of Building 23 should be identified on the Site Plan.

11) Landscaping

- a) There appears to be multiple islands that do not contain at least one (1) deciduous shade or ornamental tree per Section 196-8 C (3). Same should be revised.
- b) The Applicant should discuss how the southern end of the property will be managed. It is currently a farm field and designated as a conservation and drainage easement. Our office recommends a no mow/low mow seed mix. Also, clustered tree plantings might be located at the limits of the buffer areas to demarcate the easement.
- c) It appears two (2) large existing cedar trees are located flanking the existing farmhouse driveway, near Springside Road. The Applicant should locate these trees on the plans,



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as it might be possible to save these trees as part of the buffer plan, behind proposed Building #14/#15.

- d) The Applicant should indicate whether any areas of the project will be irrigated. If so, same should be noted on the Site Plan.
- e) Extraneous information from the Landscape Plans should be removed that are not necessary, to allow for greater legibility. Also, our office recommends 'typical' foundation planting details with options for solar orientation and an enlarged Clubhouse area detail, which would reduce the labels and lines on the plans, ensuring greater clarity and less confusion.
- f) The 'Plant Schedule', sheet 29 of 38, should be revised to provide a greater variety of plant materials throughout the site, to ensure the health and viability of this future plant community. Our office has the following recommendations:
 - i) A Swamp White Oak should be provided in lieu of proposed QR (Red Oak), due to the presence of bacterial leaf scorch. Trees in the white oak family are less susceptible to this disease than the red oak family.
 - ii) An alternative to proposed AS (Sugar Maple) should be provided or at a minimum, the quantity proposed reduced, as this species recently has not been able to thrive due to rising temperatures and is better suited for climates north of this planting zone. The Applicant might consider Hackberry, Silver Linden or even Dawn Redwood if used in open areas.
 - iii) Our office recommends reducing the proposed quantities for PD (Douglas Fir) as this species is susceptible to a variety of diseases and has performed poorly in recent years. Also, groupings of proposed PS (White Pine) should be in reduced numbers, as this species loses its lower limbs at maturity, which does not provide for an effective buffer. Additional evergreen species should be considered, such as a greater quantity of PC2 (Colorado Spruce), Leyland Cypress, American Holly, Serbian Spruce, Fraser Fir, Eastern Red Cedar, etc. Further, trees should also be proposed at six (6) feet tall, to provide a mix of ages within the buffer.
 - iv) The plans should indicate if all of the proposed Flowering Trees are to be single stem, to prevent confusion.
 - v) The Applicant has proposed limited varieties of shrubs, as the majority of the list is made up of only two (2) genus, *Ilex* and *Prunus*. The Applicant might consider



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Fothergilla, Spirea, Sweetspire, PJM Rhododendron, Blue Mist Shrub, Witch Hazel, Bayberry, etc. As previously mentioned, foundation landscaping should be provided with consideration of sun and shade tolerant plants.

- vi) It appears plant materials within the Ground Covers category was cut off. This should be revised to prevent confusion during construction. Also, additional species should be added here as well, as the majority of this category are also made up of only two (2) genus, *Hemerocallis* and *Juniperus*. The Applicant might consider Catmint, Russian Cypress, Cotoneaster, Gro-Low Sumac, Little Bunny Fountain Grass, Mondo Grass, Little Bluestem Grass, etc.
- vii) All shrubs should be provided at an installation size of eighteen (18) inches in height or spread, to enhance site aesthetics. The plans should be revised to increase the size for proposed IS3 (Strongbox Inkberry Holly).

12) Lighting

- a) The Applicant is proposing sixteen and a half (16.5) foot high pole mounted LED light fixtures to provide for site lighting. The Lighting Schedule should clearly identify kelvin temp and fixture and pole color for each light style. A detail should also be provided for the double fixture lights.
- b) The Applicant should clarify whether metered or unmetered lighting will be provided. If private metered lighting is to be provided, the meter and power source location should be identified on the site plan.
- c) It is unclear where house shields are being provided for the site lighting. The Applicant's Engineer should clarify same. Additionally, a detail for the shields should be provided and specifically call out on the site plan.

13) Subdivision Plat

- a) Comments will be provided under separate cover.
- b) Deeds and Descriptions for all easements shall be provided for review to our office and the Board Solicitor prior to filing of the plat.



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14) Construction Details

- a) The trash enclosures should be increased in width and the dimensions specifically called out on the site plan. A sample layout for a two commonly used 8 CY dumpsters should be provided. Interior bollards should also be considered for wall protection. An open side entry should also be provided with sidewalk access.
- b) Details for each type of accessible ramp should be provided.
- c) The Outlet Control Structure Details should be drawn to scale. The top grate design should also be specified. The identified breadth of 0.7' for the weir (Device #3) would suggest a structure thickness of roughly 8", which would result in an inside perimeter of less than 16' per the Outlet Control Structure details provided in the plan set. The details should be reviewed and revised to confirm design intent and to coordinate the dimensions of the basin with the Report.
- d) A note should be added to SITE & DEMOLITION NOTES that the material used for pavement striping or markings should be thermoplastic.
- e) The Applicant should provide a detail for the Transformer Pads.
- f) The detail for the Decorative Aluminum Fence & Gate Detail appears to depict a fence that will be higher than 6 feet tall.
- g) The Applicants Engineer should include a note for the concrete sidewalk that it should be broom finished.
- h) The Wet Pond Detention Basin Section details should be clarified to identify the thickness and limits of the clay liner bottom.
- i) A detail of the proposed infiltration trenches and should be provided on the Plans and coordinated with the SWM Report as applicable.

15) Outside agency permits and/or approvals

- a) Burlington County Planning Board
- b) Burlington County Soil Conservation District
- c) Willingboro Municipal Utilities Authority
- d) Westampton Fire Marshall
- e) New Jersey Department of Environmental Protection



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Should you have any questions or require additional information, please do not hesitate to contact this office.

Very truly yours,
CME Associates

James Winckowski, PE, CME
Land Development Board Engineer's Office

JW/rs/mjr
Enclosure

cc: Gene Blair, Construction Code Official
Robert Swartz, Esq, Board Solicitor
Barbara Fegley, PP, Board Planner
Applicant

Christopher J. Noll, PE, CME, PP
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C. Jeremy Noll, PE, CME, CPWM
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January 29, 2021
#88036 01

Westampton Township Land Development Board
710 Rancocas Road
Westampton, NJ 08060

Attn: Marion Karp, Secretary Land Development Board

Re: Laurel Run
Block 204 Lot 2
Preliminary & Final Major Subdivision and Major Site Plan

Dear Members:

An application has been received for Preliminary and Final Major Subdivision and Site Plan approval. The subject tract is located in the R-9 Residential District. The applicant proposes to subdivide an existing 73.56 acre parcel for development of 223 fee simple townhomes in 39 separate buildings and 275 apartments units contained in eleven (11) multistory buildings. The apartment buildings will be contained within proposed lot 2.02 with an area comprising 30.76 acres. Proposed improvements contained within the apartment parcel include a clubhouse comprising approximately 2,887 square feet and a pool, a maintenance building and parking areas. The townhouses will be contained within proposed lot 2.01 which will comprise 42.19 acres. Proposed improvements contained within the townhouse parcel include a 6' wide asphalt walkway encircling a grass, open field area. Recreation and playground amenities are proposed on the interior side of the walkway, on the eastern side of the open area. Playground equipment includes a 2-5 year old playground, a 5-12 year old playground, musical playground equipment and twirl playground equipment, all on rubberized safety surfaces. Also proposed is a shade structure and a pet waste station. Benches, trash cans and a bike rack are proposed in conjunction with the trail and/or playground area. Both the apartment and townhouse components will be improved with landscaping, site lighting and stormwater management. The majority of the site fronts along the southbound lane of Springside Road (CR 635). A 0.62 acre portion of the tract will be dedicated to Burlington County for road widening purposes. The southerly most portion of the tract fronts on Valley Farm Road. Access to the overall tract will be provided from Springside Road via two (2) new full movement driveways.

The majority of the site is currently under cultivation, however, there are small, separate wooded portions in the northerly and northwesterly regions. The southerly portion is constrained with wetlands as well as a Riparian Buffer that will be contained within a proposed 11.48 acre Conservation and Drainage easement. There is an existing dwelling

and five accessory buildings located in the middle portion of the site that are accessed from Springside Road via a paved driveway. All of the aforementioned improvements will be demolished and removed. The westerly boundary of the site borders Willingboro Township. It is improved with detached single family dwellings. Land located directly north of the site is wooded. There is an existing church located adjacent to the southeasterly corner of the property. Cultivated fields border the remainder of the southerly property line. Land opposite the northeasterly corner of the site, across Springside Road is improved with townhouses in the Spring Meadows development. Land across the remaining portion of the site's Springside Road frontage is improved with a warehouse.

The following documents have been received with this application:

1. Preliminary & Final Major Subdivision and Major Site Plans, Laurel Run, prepared by Hammer Land Engineering, dated 12/07/20, including:
 - a. Cover Sheet, Sheet 1 of 38.
 - b. General Notes and Zoning Sheet, Sheet 2 of 38.
 - c. Existing Conditions & Removals Plan, Sheet 3 of 38.
 - d. Overall Site Layout Plan, Sheet 4 of 38.
 - e. Enlarged Site Layout Plan, Sheets 5 to 7 of 38.
 - f. Overall Grading, Drainage and Utility Plan, Sheet 8 of 38.
 - g. Enlarged Grading Plan, Sheets 9 to 11 of 38.
 - h. Enlarged Drainage Plan, Sheets 12 to 14 of 38.
 - i. Enlarged Utility Plan, Sheets 15 to 17 of 38.
 - j. Enlarged Soil Erosion and Sediment Control Plan, Sheets 18 to 20 of 38.
 - k. Soil Erosion and Sediment Control Notes & Details, Sheet 21 of 38.
 - l. Conduit Outlet Protection Details, Sheet 22 of 38.
 - m. Enlarged Landscaping Plan, Sheets 23 to 25 of 38.
 - n. Enlarged Lighting Plan, Sheets 26 to 28 of 38.
 - o. Landscaping Details, Sheet 29 of 38.
 - p. Lighting Details, sheet 30 of 38.
 - q. Profiles, Sheets 31 to 34 of 38.
 - r. Construction Details, Sheets 35 to 37 of 38.
 - s. Emergency Vehicle Circulation Plan, Sheet 38 of 38.
2. Boundary & Topographic Survey, Sheets 1 and 2 of 3 and Sheet 1 of 1 prepared by Professional Design Services, LLC dated 6/08/20.
3. Final Plat - Major Subdivision - "Laurel Run," Sheets 1 to 3 of 3 prepared by Professional Design Services, LLC dated 6/08/20.
4. Architectural Plans prepared by Wade Architecture dated 2/10/18 including:
 - a. Cover Sheet, Sheet CS.1.
 - b. Specifications, Sheet SP.1.
 - c. Specifications, Sheet SP-2.
 - d. Quick View, Sheet A.O.1.
 - e. Quick View with Optional Alternate Entry, Sheet A.O.2.
 - f. Front Elevation, Sheets A1.1-A.1.5.
 - g. Rear Elevations, Sheet A.2.1.

- h. Side Elevations, Sheets A.2.2-A.2.5.
 - i. Section View, Sheet A.2.11.
 - j. Section View With Loft, Sheet A.2.12.
 - k. Foundation Plan, Sheet A.3.1.
 - l. Lower Level Floor Plan, Sheet A.3.2.
 - m. Lower Level Floor Plan-Options, Sheet A.2.3.
 - n. First Floor Plan, Sheet A.4.1.
 - o. Second Floor Plan, Sheet A.5.1.
 - p. Second Floor Plan With Loft, Sheet A.5.2.
 - q. Loft Level Floor Plan, Sheet A.6.1.
5. Stormwater Management Report, prepared by Hammer Land Engineering, dated 12/07/12.
 6. Operations and Maintenance Manual, prepared by Hammer Land Engineering, dated 12/07/12.
 7. Sanitary Sewer Engineer's Report, prepared by Hammer Land Engineering, dated 12/07/12.
 8. Water System Engineer's Report, prepared by Hammer Land Engineering, dated 12/07/12.
 9. Ecological Resource Evaluation and Impact Assessment Report prepared by Eastern States Environmental Associates, Inc. dated 11/25/20.
 10. Traffic Engineering Assessment, prepared by Nathan B. Mosely, PP, CME, of Shropshire Associates, LLC, of Atco, NJ, dated December 4, 2020.
 11. Preliminary Subsurface Investigation prepared by Mellick-Tully & Associates dated March 24, 2020.
 12. Soil Test Pit investigation performed by Underwood Engineering dated 8/03/20.
 13. Application Cover Letter, prepared by Stephen R. Nehmad, Esq. of Nehmad Davis & Goldstein, PC, dated 12/11/20.
 14. Township of Westampton Site Plan Application dated 12/04/20.

We have reviewed the documents listed above for conformance to the Zoning Code of Westampton Township and offer the following comments:

General Comments

1. The R-9 Ordinance was adopted specifically for Block 204, Lot 2 to permit market rate townhouses and apartment units and 75 affordable apartment (multi-family) units to satisfy a portion of the township's affordable housing obligation.

As such, we want to be sure the proposed plan meets all of the requirements that are in the R-9 Ordinance concerning the requirements of the Township's Settlement Agreement that have been added to the R-9 Ordinance.

Testimony should be provided on the following:

- a. The Affordable Units shall be family rental units. Subject to the provisions of Section K(6) (Item j. below) of the Ordinance, the affordable units shall be

integrated fully with the market-rate units and shall not be permitted in stand-alone buildings. The affordable units shall be constructed and integrated with the market rate family rental units as recommended by COAH Regulations (N.J.A.C. 5:93-5.6(f)) and UHAC's Regulations..

- b. Affordability requirements shall remain in effect for a minimum period of 30 years and until released by the municipality in accordance with UHAC.
- c. The developer shall take all necessary steps to ensure the Affordable Units provided for under the Agreement are creditworthy under COAH and UHAC regulations and all other applicable laws. Specifically, the developer agrees that all Affordable Units shall comply with COAH's Regulations including, but not limited to those concerning (a) income qualification, (b) bedroom distribution, (c) low/moderate income split, (d) affirmative marketing and (e) handicap accessibility.
- d. The income level for the Affordable Units within each bedroom distribution shall be as follows: (i) thirteen percent (13%) shall be available to very low income households (or a minimum of ten units); (ii) thirty seven percent (37%) shall be available to low income households; and (iii) fifty percent (50%) shall be available to moderate income households. The income levels of very low, low and moderate shall be as defined by applicable COAH and UHAC regulations. None of the affordable units shall be age-restricted.
- e. Very low-, low-, and moderate income housing units within developments in the R-9 Zone shall comply with applicable sections of the Township's Affordable Housing Ordinance.
- f. Inclusionary development set-aside. A total of 75 affordable attached, family rental dwelling units in a development in the R-9 Zone shall be set aside for very-, low-, and/or moderate-income rental households. The inclusionary development set-aside is 15% against any development that occurs under this Ordinance.
- g. All affordable units shall include the required bedroom distribution, be governed by controls on affordability and affirmatively marketed in conformance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., or any successor regulation, with the exception that (13%) of the affordable units shall be required to be at 30% of the median income (very low income) requirement of the New Jersey Fair Housing Act ("FHA"), N.J.S.A. 52:27D-301, et seq., and in compliance with all other applicable laws.
- h. At least ten (10) of the affordable units developed must be very low income units.

- i. At least half of all affordable units within each bedroom distribution shall be low-income units, which shall at least 13% of all restricted rental units within each bedroom distribution as very low-income units (affordable to a household earning 30% or less of median income).
- j. The Affordable Units shall be family rental units constructed within the family rental portion of the overall development. The Affordable Units shall be constructed and integrated with the market rate family rental units as recommended by COAH Regulations (N.J.A.C. 5:93-5.6(f)). To provide such integration, the following requirements shall apply: (i) one (1) building within the family rental portion of the overall development may be configured such that no less than 8 units or forty percent (40%) of the total units within that building shall be designated as Affordable Units; (ii) for all remaining buildings within the family rental portion of the overall development, all buildings shall be configured such that no less than ten percent (10%) and no more than forty percent (40%) of the total units within a given building shall designated as Affordable Units. Affordability requirements shall remain in effect for a minimum period of 30 years and until released by the municipality in accordance with UHAC.
- k. All new construction units shall be adaptable in conformance with P.L.2005, c.350/N.J.S.A. 52:27D-311a and 311b and all other applicable law.
- l. Phasing plan: Phasing for the construction of residential dwelling units in the R-9 Zone may be phased in any matter to be determined by the developer, subject to the phasing schedule established by N.J.A.C. 5:93-5.6(d). If Phasing is proposed, a Phasing Plan should be submitted.
2. The R-9 Ordinance included restrictions on similarity of design. With regard to attached housing units, the developer shall, to the extent feasible, alter the exterior of the buildings or structures in order to provide variation in appearance (accent elements, color, material or design), except where the similarity in appearance is an element of the design. The front facade of any attached housing dwelling unit shall not continue on the same plane for a distance of more than the width of two connected dwelling units and all offsets between front facades shall be at least two feet in depth. If garages are to be provided, they shall be an integral part of the structure and design scheme.

The Site Plan does not distinguish how the exteriors of the attached units will be altered. Testimony and plans indicating how this Ordinance requirement will be met should be provided.

3. The applicant should provide testimony for the record regarding the following:
 - a. The number of very low income units, the number of low income units and the number of moderate income units proposed and the number of bedrooms in each income category.
 - b. The number of units by the number of bedrooms of the market rate units.
 - c. The locations of affordable units.
 - d. The agency or company that will insure the affordable units are affirmatively marketed and that renters are income qualified.
4. The apartment and townhouse developments are contained within two separate lots as are the various recreational improvements listed above. The applicant should provide testimony regarding cross access to the recreational facilities and open space areas.
5. It appears that streets proposed within the townhouse component of the development will remain private. The applicant should provide testimony regarding the intent.
6. The applicant should address maintenance responsibilities for proposed recreational facilities, open space, stormwater management areas, landscaping, monument sign and other signage, trash and recycling removal and snow plowing. The applicant should discuss creation of a homeowners association (HOA) and whether it will be a single association or separate associations for the townhouses and the apartments. A copy of the HOA document(s) should be provided to the Board attorney for review.
7. Copies of all proposed easements should be provided to the Board attorney for review.
8. Ordinance §250-22D indicates that, "All development shall be carried out in a manner which promotes energy conservation and maximizes active and passive solar energy in accordance with any applicable statutes. Such measures may include orientation of buildings, landscaping to permit solar access and the use of energy-conserving building materials." The Applicant should provide testimony regarding energy conservation measure provided in both the apartment section and the townhouse section of the proposed development.
9. The plans depict and label wetlands along the northerly, westerly and southerly property lines. The Letter of Interpretation (LOI) reference should be revised to reflect the proper citation required by the October 4, 2019 Letter of Interpretation. The line(s) should be labeled as follows:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP"
DLUR File No: 0337-19-0001.1 FWW190001

10. A copy of the Boundary and Topographic Survey for Diocese of Trenton Francis House of Prayer, Block 204 Lot 2, Township of Westampton, Burlington County, New Jersey, consisting of 3 sheets, dated 9/14/2018, last revised 10/3/2019, prepared by Eric V. Wilde, PLS of Maser Consulting PA should be provided. The Boundary and Topographic Survey prepared by Professional Design Services, LLC, included with the application indicates the Map Reference as the Maser Consulting PA Boundary and Topographic Survey dated September 14, 2018, however, there is no revision date noted. The Letter of Interpretation indicates that site inspections were conducted by NJDEP on August 22 and October 2, 2019. It is possible there were field revisions to the wetlands line so we want to make sure the correct plan and delineation are referenced.
11. The Site Plan indicates Transition Area Averaging (TAW) will be required along the northern property line, north of the end of Road B, adjacent to townhouse Buildings 19 and 20 for the access drive to the stormwater management area and for grading and buffer plantings. A TAW will also be required for grading and stormwater piping to the north of Building 23. In addition, Statewide General Permit #2 will be required for the sewer line connection south of Apartment Building 6 to connect to the sanitary sewer manhole in the rear yard of Block 833, Lot 98 in Willingboro. The status of these submissions to NJDEP should be provided.
12. It is recommended that markers be provided along the modified wetlands transition area located behind the townhouse buildings to notify residents of its location and the NJDEP restrictions associated with it. It is likely the NJDEP will also require this with a Transition Area Averaging Plan approval.
13. The dimensions of islands within the apartments should be provided. The General Notes and Zoning Sheet (Sheet 2 of 38) notes that the minimum size of landscape islands is 162 square feet, however, it does not note that the size of end of row islands shall be 200 square feet per Ordinance §250-14.3G4c.
14. Ordinance §250-14.3I3 requires Building Design Standards be provided including the following documentation on conformance to items a. to d. below. Such documentation has not been provided.
 - a. The exterior of all apartment buildings in the development shall be of consistent or compatible size, scale and appearance so as to not differentiate buildings with or without affordable housing units.
 - b. Floor plans shall be provided for each of the buildings. Architectural design shall be consistent with architect's project elevation provided.
 - b. Buildings shall include breaks in the facades with the use of different colors or materials to break up building lengths.

- c. Rooflines shall be pitched.
- d. All HVAC and mechanical equipment shall be inconspicuously placed or adequately screened from view.

Site Design

1. It is assumed that individual trash containers will be provided to each townhouse unit for pick up. Roads B, E, F and G dead end which is a concern for trash and recycling material trucks having to back up as there is no turn around provided. The applicant shall provide testimony regarding the size of the trash truck and the type of trash and recycling containers to be provided and measures proposed to mitigate conflict with resident vehicles.
2. The Site Plans indicates that 12 unit cluster mail box units are proposed at the end of the streets E, F and G. It appears that postal service vehicles will be required to perform a "K" turn to exit each of them unless driveways are unoccupied. We recommend that the mail boxes be re-located to Road C.
3. Standard parking stalls located in front of apartment Buildings 9 and 11 are mistakenly dimensioned as 11'. The dimensioning should be relocated to the ADA stalls proposed to the west.
4. The paved portion of the pool proposed within the apartment component is located approximately 5' from a sidewalk and adjacent parking lot. We recommend that it be shifted approximately 10' south to provide addition room for buffering.
5. The Fire Marshal should comment on the development's accessibility for emergency equipment.

Landscaping

15. The Landscape Plans should depict the existing trees intended to remain along the westerly property line that borders existing dwellings in Willingboro.
16. Ordinance §250-14.3E3c(1) requires a minimum buffer planting width of 25' from the apartments to the single family residences to the west of the property whereas the width appears to be approximately 15' wide along the westerly property line. Additional plant material will be required. We recommend supplementing the evergreen trees with a mix of deciduous trees and shrubs such as Tulip Poplar (*Liriodendron tulipifera*), Sugar Maple (*Acer saccharum* 'Green Mountain'), Serviceberry (*Amelanchier x grandiflora* 'Autumn Brilliance'), Heritage Birch (*Betula nigra* 'Heritage'), Prague Viburnum (*Viburnum x Pragense*), Sweetbay Magnolia (*Magnolia virginiana*) and Staghorn Sumac (*Rhus typhina*).

17. Ordinance §250-14.3E3c(2) requires buffer plantings along the property frontage along Springside Road to be a minimum width of 15 feet. Sections of the proposed plantings do not meet the buffer requirements that states the buffer shall be comprised of a six-foot-high visual barrier, at the time of planting, of evergreen plantings set in a double row, staggered and spaced to accomplish this purpose. At the developer's option, landscaped areas may be planted with a mixture of evergreen and deciduous plantings designed to accomplish this goal. Supplemental plantings are required.
18. Ordinance §250-14.3E3c(3) requires buffer plantings in the northeast corner of the property adjacent to the townhouses and parking lots shall be a minimum width of 25'. The Concept Plan from which this Ordinance was developed, showed a parking lot to the west of Building 19, however, the intent was to provide additional landscaping where the minimum tract buffer to all property lines could not be achieved. The buffer provided does meet the 25' requirement and additional landscaping is required.
19. Landscaping within the majority of the apartment complex parking islands is limited to low growing evergreens. The islands should be supplemented with a shade tree such as Willow Oak or 'Princeton' Elm together with a mix of medium size evergreen and deciduous shrubs to better break up the expanse of pavement.
20. We note that plants requiring full sun exposure to thrive such as Bar Harbor Junipers and Drift Roses are proposed on the north side of the apartment buildings. They should be replaced with shade tolerant species such as Periwinkle (*Vinca minor*) and Heavenly Bamboo (*Nandina domestica*).
21. The plan proposes to install 'Alleghany' Viburnums around the trash enclosures spaced approximately 3' on center. The designer is advised that 'Alleghany' Viburnums develop spreads of 8 to 10'. Consequently, we recommend expanding the mulched planting bed and incorporating more narrow shrubs such as Cherry Laurel and Gold Mound Spirea into the plant mix. The number of Viburnums should be reduced as appropriate.
22. We recommend that the 'Green Pillar' Pin Oaks and 'Armstrong' Maples proposed in planting beds adjacent to the apartment buildings be replaced with upright evergreen trees such as 'Dragon Lady' Holly (*Ilex x aquipernyi* 'Dragon Lady').
23. As previously indicated, we recommend that the pool and associated pavers be shifted in a southerly direction to provide additional room to buffer the parking area. We also recommend incorporating a greater variety of shrubs such as 'Dragon Lady' Holly, 'PeeWee' Hydrangea (*Hydrangea quercifolia* 'PeeWee'), Nandina (*Nandina domestica* 'Fire Power') and upright evergreen trees such as 'Dragon Lady' Holly into the expanded planting area to provide greater diversity and seasonal interest.

24. We recommend expanding plant diversity in the island proposed within the driveway accessing the apartments. Recommended plants include shrubs such as St. Johnswort (*Hypericum* x 'Hidcote'), Caryopteris (*Caryopteris* x *clandonensis* 'Beyond Midnight'), 'Grey Owl' Juniper (*Juniperus virginiana* 'Grey Owl') and ornamental grasses such as Feather Reed Grass and 'Fountain Grass' (*Pennisetum alopecuroides* 'Hamelin'). The number of Daylilies should be reduced accordingly. We recommend that the driveway accessing the townhouse development be treated in a similar manner.
25. We recommend supplementing the evergreen trees proposed along the tract's road frontage with shrubs such as 'Shasta' Doublefile Viburnum, Serviceberry and Spirea.
26. There are several plants, including JS and PH2 called out on sheet SP-23 that have no corresponding listing in the Plant Schedule provided on sheet SP-29. They should be identified with regard to species, size and number proposed for installation.

Outside Agency Approvals

27. Any approval granted by the Board should be conditioned on the Applicant obtaining the following approvals:
 - a. NJDEP
 - b. Burlington County Planning Board.
 - c. Burlington County Soil Conservation District.
 - d. Construction Code Official.
 - e. Fire Chief/ Official.
 - f. All others having jurisdiction over this application.

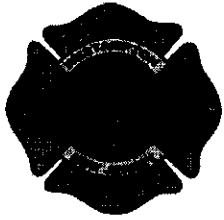
If you have any questions or require further information, please feel free to contact me.

Sincerely,



Barbara J. Fegley, AICP, PE
Land Development Board Planner

Cc: Gene Blair, Construction Code Official, via email
Robert Swartz, Esq.
James Winckowski, PE, CME, Board Engineer, via email
Stephen R. Nehmad, Esq., snehad@ndglegal.com
Joseph D. Hanrahan, PE, Jhanrahan@hammerengineering.com
Robert C. Fesco, DR Horton NJ/PA, 2040 Briggs Road, Suite A, Mt. Laurel, NJ 08054



Westampton Township Emergency Services

780 Woodlane Road

Westampton, New Jersey 08060

Phone (609) 267-2041 Fax (609) 267-3305

www.westamptonfire.org

LAND DEVELOPMENT BOARD REVIEW

DATE: February 3, 2021
ADDRESS: Laurel Run
PROPOSED USE: Residential

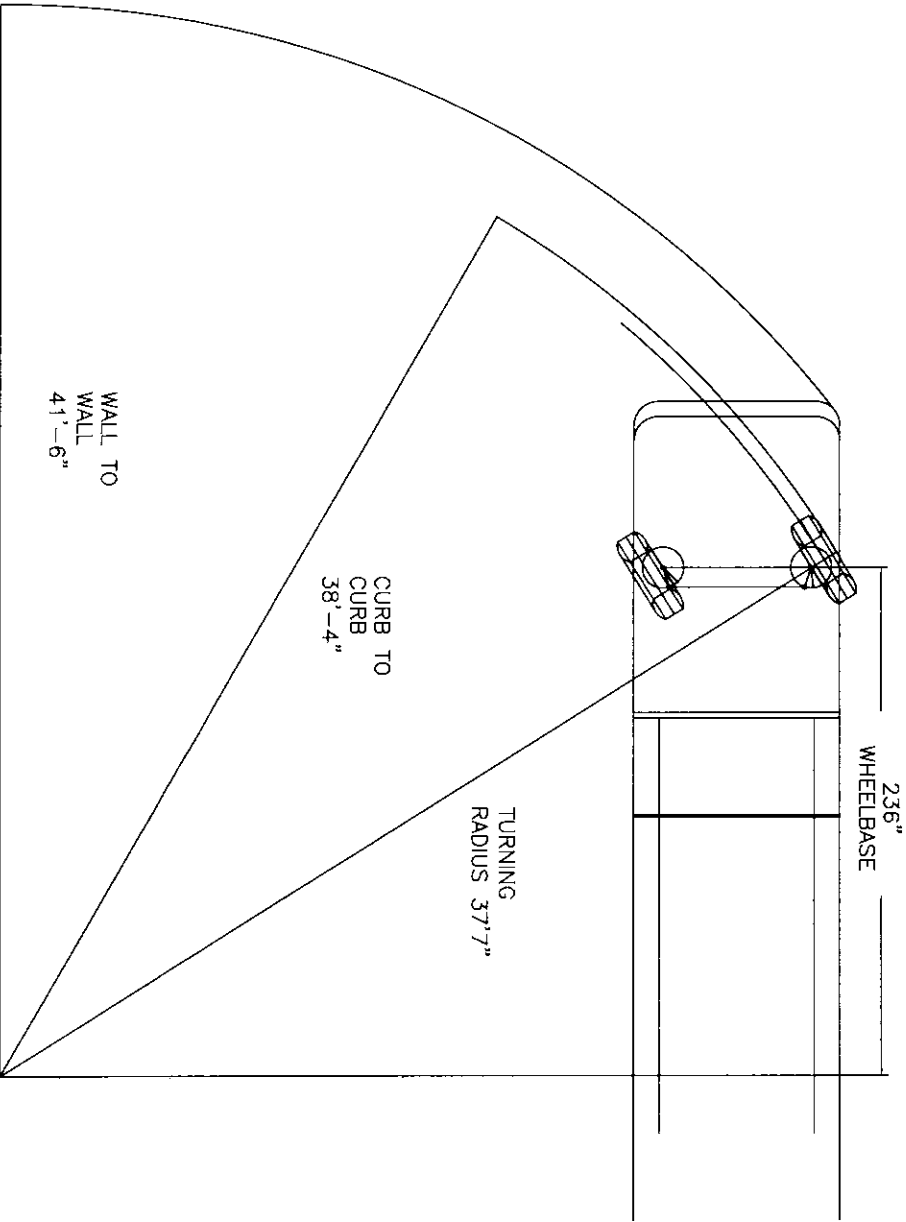
HYDRANTS: - 400 feet or less between each hydrant
- Installed and operational before construction begins.

FIRE PROTECTION SYSTEMS: - R13 System to include attics in all Apartments/Townhouses
- Double 7/8" type x-gypsum
- Vertical fire wall 30" above roofline on Townhouses

APPARATUS ACCESS: - Circulation Plan as provided does not allow for Fire Apparatus to access all buildings.
- Apparatus turning radius (Attached)
- Solid base installed prior to construction begins.
- Cul-de-sacs in lieu of dead ends.

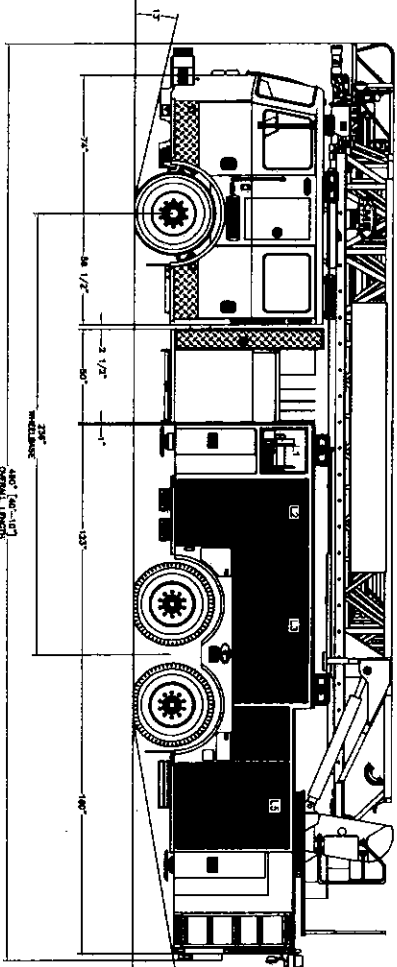
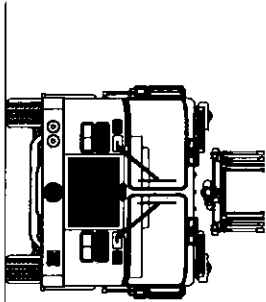
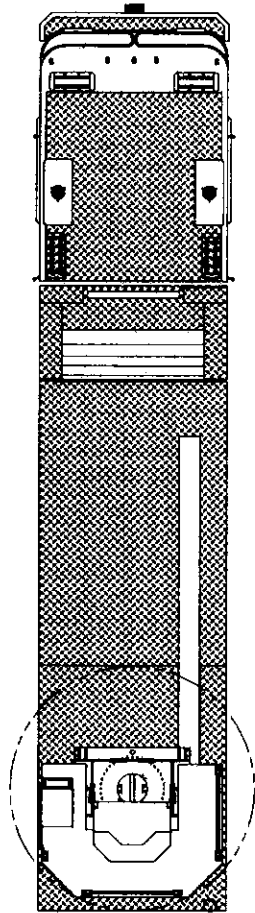
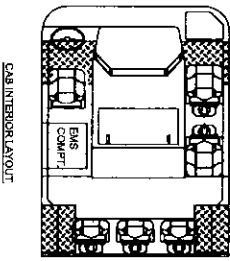
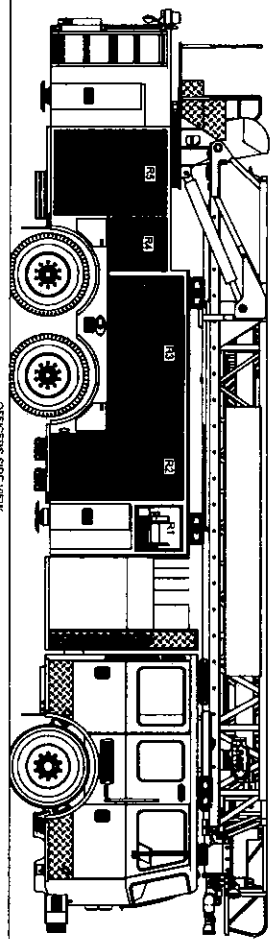
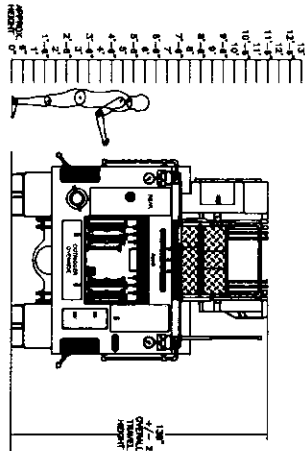
BUILDING ACCESS: - Knox Boxes on all Apartment Buildings
- Emergency contact list
- Street Names approved prior to occupancy
- Apartment/Townhouse Street Number approved prior to occupancy.
- Address signage on front and rear of Townhouses
- Address signage on two sides of Apartments

NOTES - Bollards for utilities in parking areas in compliance with NJ IFC 312
- Truss/solar panel signage in area of Knox Box
- Fire Extinguishers as required
- 24-hour fire watch once construction begins in accordance with Chapter 33 of the 2018 IBC/IFC.
(See Attached articles for justification)



NOTE: THESE ARE APPROXIMATE DIMENSION THAT DO NOT TAKE IN AFFECT THE WEIGHT OF THE VEHICLE OR THE SURFACE THE VEHICLE IS ON.

SYN	DATE	REVISION	OCCUPATION
KOVATCH MOBILE EQUIPMENT			
ONE INDUSTRIAL COMPLEX			
PHEASANTVILLE, PA 17068			
TOLERANCE UNLESS OTHERWISE SPECIFIED			
FRACTIONAL DECIMALS			
ONE PLACE = .0625			
TWO PLACES = .0031			
THREE PLACES = .0016			
FOUR PLACES = .0008			
DATE	SCALE	DRAWN BY	DATE
28-08-01	NONE	K.M.	
APPROVED BY			
K.M.E. AERIALCAT			
TURNING RADIUS			
BASE 236"			
CAD			
DO NOT CHANGE MANUALLY			



SPECIFICATIONS

CHASSIS: 109' REAR-LOAD / 109' FRONT-LOAD
 TRANSMISSION: 4-SPEED / 4-SPEED AUTOMATIC
 FRONT AXLE: 10,000 LB. CAPACITY / 10,000 LB. CAPACITY
 REAR AXLE: 10,000 LB. CAPACITY / 10,000 LB. CAPACITY
 TIRE: 10.00-20 / 10.00-20 / 10.00-20 / 10.00-20
 GVW: 10,000 LB. / 10,000 LB. / 10,000 LB. / 10,000 LB.
 GVWR: 10,000 LB. / 10,000 LB. / 10,000 LB. / 10,000 LB.

NOTES

PLEASE REVIEW AND RETURN A SIGNED COPY.

CUSTOMER PAINT CODES

NAME: _____
 TITLE: _____
 COMPANY: _____
 ADDRESS: _____
 CITY: _____
 STATE: _____
 ZIP: _____



109' REAR-LOAD / 109' FRONT-LOAD
 WESTMINGTON, NJ
 GSO 8827

1/13/20 - Boundbrook NJ

A massive fire ripped through several buildings, including a pair of apartment complexes under construction in downtown Bound Brook Sunday night, according to fire officials. Firefighters, who continued to battle the blaze past 11 p.m., said there were no serious injuries. A Bound Brook firefighter was treated for a sprained ankle.

The fire broke out on East Main Street near Mountain Avenue shortly before 8 p.m. Photos and video showed roaring flames spreading to both sides of the street and consuming a building in the borough's

In addition to the construction sites, Bound Brook Police Chief Vito Bet said the fire spread to two houses and an electronics store, as well.

"The whole thing caught flame quickly," Bet said. The fire "was so hot it blew to the other new building under construction across the street. We're gonna be out here for awhile. It keeps rekindling."

NJ Transit suspended the Raritan Valley Line between between Bridgewater and Dunellen in both directions due to the fire. Substitute bus service was being provided.

The fire first erupted in a unoccupied complex known as the Meridia Downtown, which included 174 apartments plus retail space, said Bound Brook Borough Councilman Abel Gomez.

Possibly aided by Sunday's high winds, Gomez said the flames leapt across main Street to a second apartment complex, which was also under construction. That complex is made up of 60 residential units plus a restaurant. Gomez did not know the name of the second complex.

Downtown resident Mary Savage, who lives across the street from the initial complex, said the fire started in one section of the construction site and within seconds the flames had ripped across the entire building.

"It's bad here," Capt. Kevin Rivenbark said, before hurrying off the phone. He said a cause of the fire had not yet been determined.

Gomez, who watched the inferno spread, said it was highly likely that additional surrounding buildings would be damaged or destroyed.

As firefighters attacked the flames, more than 100 people stood outside and watched the fire burn.

Ariel Piere noticed smoke while driving on Route 287 around 8:30 p.m. "It just keeps spreading and spreading," said Piere, 31, who lives about two blocks from the Meridia apartment.



Firefighters are battling a massive blaze in downtown Bound Brook on Sunday, Jan. 12. Ed Murray | NJ Advance Media for NJ.com

Buck Clarke, owner of the yet-to-open Piedmont Distilleries, which is located in a one-story building behind the apartments, was also among the onlookers.

"The apartment building was nothing but 100 units of framing," Clarke said. "What these fire crews have done is pretty remarkable. I'm very much relieved. It could have very easily spread."

Gomez said the destroyed Meridia Downtown was distinct from a similar project completed several years ago about six blocks away known as the Meridia Main, which was not damaged on Sunday.

He said the fire was a huge setback for the borough, which had suffered a series of devastating floods over the past two decades but was looking forward to a rebirth following completion of a major flood control project in 2016.

He said the two destroyed complexes — both developed entirely with private funding — were within the borough's downtown redevelopment zone, and were to be among the initial fruits of the flood control project after construction on both complexes had begun last Spring.

"Bound Brook was in the process of a renaissance," Gomez said. "After all the floods we've had here, and now we have this fire."

8/22/20 – Somerville NJ

A large fire destroyed a vacant building in a luxury New Jersey apartment complex that was under construction Friday. The blaze also threatened a nearby building that was occupied.

The incident happened shortly before 9:30 a.m. at the nearly built Somerville Parc apartment building in Somerville, [WLNY-TV reports](#). More than 100 firefighters responded to the blaze, which broke out in the building's attic space and spread quickly through the structure.

The lightweight, wood material of the building, described as a "toothpick tower," fueled the flames. Residents were expected to move into the 88-unit building by September.

"That's a worst nightmare for a firefighter," Somerville Fire Marshal Robert Lynn told WLNY.

Flames threatened a neighboring apartment building in the complex. Part of that building was evacuated, but the fire only damaged the vacant structure.

No injuries were reported, and the fire marshal's office investigated the cause of the blaze.

8/25/20 – Phoenix AZ

A two-alarm fire destroyed a Phoenix apartment complex that was being built Tuesday.

Firefighters responded to the blaze at about 6 a.m. that broke out at a two-story structure that had been under construction for seven months, [The Arizona Republic reports](#). When the first crews arrived at the scene, they found flames fully engulfing the building, and a defensive posture was taken.

Because the building was still in the framing stage, exposed wood fueled the flames. Firefighters were positioned on all four sides of the blaze to keep it from spreading to nearby structures, according to the Republic.

It took about 45 minutes for crews to knock down the fire, [the department said in an online update](#). They remained at the scene for a few hours to put out any hot spots.

No injuries were reported, and the cause of the fire is under investigation.



County of Burlington

Public Works: Planning Board

1900 Briggs Road, Mt. Laurel, NJ 08054
Mailing: P.O. Box 6000, Mount Holly, NJ 08060
(856) 642-3800 • www.co.burlington.nj.us

Eve A. Cullinan, County Administrator

Board of County Commissioners

Felicia Hopson, Director
Dan O'Connell, Deputy
Linda A. Hynes
Tom Pullion
Balvir Singh

Danielle Scoleri, Principal Engineer

February 11, 2021

B.C.P.B. #B20-37-042 Preliminary

Ms. Marion Karp, Secretary
Westampton Twp. Planning Board
710 Rancocas Road
Mt. Holly, NJ 08060

RE: LAUREL RUN – D.R. HORTON
225 Lots. 73.57 Acres.
Lot 2. Block 204. Sheet 2.
Drawing No. Sheets 1,2 & 3 of 3 all dated 6/8/20.
Located on Springside Road, Route 635 (COUNTY) and
Valley Farm Road (MUNICIPAL).

Dear Ms. Karp:

Please be advised that at its meeting of February 9, 2021, the Land Development Review Committee of the Burlington County Planning Board reviewed and conditionally approved this subdivision.

In accordance with the Burlington County Land Development Review Resolution Section 5.10, where conditional approval has been granted to a preliminary plat by the Committee, the applicant is given thirty (30) days to submit corrected drawings or plans. Upon application by the applicant, the thirty (30) day period may be extended for an additional thirty (30) days. Failure to submit corrected drawings shall constitute a violation of the approval and require resubmission of a preliminary plat.

The conditional approval is subject to the plans being revised to address the following:

1. INFO – The subdivision application proposes to subdivide two (2) agricultural lots into 225 lots containing Townhomes and Multi-Family Apartment Buildings. The site has frontage along Springside Road (CR #635) in Westampton Township.
2. INFO – There is a concurrent site plan application submitted for review under BCPB App #S20-37-061 for the construction of the Multi-Family Apartment buildings and on-site improvements. Any site access and stormwater comments will be provided with the site plan application. This preliminary subdivision application will not be approved until the concurrent site plan application is approved.

Preliminary Comments:

3. The Ultimate half Right-Of-Way, measured with respect to centerline is to be shown on the plans for Springside Road (CR #635) as per the Burlington County Highway Master Plan (<https://www.dvrpc.org/webmaps/BCHMP/>). Any front setback lines shown are to be measured from said line.
4. Note #3 on the plats call out the proposed lots, incorrectly, at 224. There are 225 proposed lots. Revise note #3 accordingly.

5. The following items should have been provided on the plans submitted:
 - a. Road names and route numbers on all existing and proposed roadways. (7.06.6) *The road name for the northern access is Road 'A', but there is no road name shown for the southern site access.*
 - b. Tax map sheet, block and lot numbers. (7.06.13) *There are no block numbers shown for the townhome lots. Provide the block numbers as required.*

Paper Copy Final Comments:

6. The Westampton Township Planning Board certification is incorrect.
 - a. INFO. – A major subdivision being filed by plat, must be filed at the County Clerks Office within 95 days of the date the municipality signs the plat. This date is to be filled in under the Township Planning Board Secretary certification prior to submittal to County for signature.
 - b. Remove "R.S. 46:23-9.9 known as" from the Township signature certification.
 - c. Replace "Ocean" County with "Burlington" County.
7. Location of proposed monuments as required by the Map Filing Law:
 - a. There appears to be a double monument shown at the property corner of proposed Lot 2.124 where it intersects with the right-of-way for Road 'C'. Remove the extra monument.
 - b. A monument is required at the common property line for proposed Lot 2.02 and existing Lot 1 where it intersects with the Valley Farm Road right-of-way.
 - c. Remove monument symbol at the end of C4.
8. All Non-radial lines are to be labeled on the plat sheets:
 - a. One or both sides of the southern access intersecting with the Springside Road (CR #635) easement lines. Verify and label accordingly.
9. All information detailed above is to be shown on all plat sheets as applicable.

If the applicant's surveyor/engineer has any questions or is in need of additional assistance in the preparation of the requested revisions, Danielle Scoleri of this office should be contacted. She can be reached at (856) 642-3800.

In addition to the above, the following standard County requirements apply:

1. In accordance with the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975, approval of this project by the municipal authorities may be conditioned upon certification by the local Soil Conservation District or municipality of a plan for soil erosion and sediment control. We suggest that the developer contact the Burlington County Soil Conservation District which is located at 1971 Jacksonville-Jobstown Road, Columbus, NJ 08022. Their telephone number is (609) 267-7410.

2. Approval by the Burlington County Planning Board of this application does not constitute and should not be considered to be a determination that the approved plans comply with any and all laws pertaining to wetlands. Approval is expressly subject to all State and Federal laws concerning developments in or near wetlands.
3. All subdivisions to be recorded in the County Clerk's Office must be prepared in conformance with the New Jersey Map Filing Law, N.J.S.A. 46:26B-1 through 46:26B-8. All subdivisions to be filed by final plan shall submit a paper copy along with a final application and applicable fee to this office for review prior to drawing up mylars for signature.

COUNTY PLANNING BOARD APPROVAL IN NO WAY AFFECTS OR NEGATES ANY APPROVAL REQUIRED BY THE MUNICIPALITY.

Very truly yours,

BURLINGTON COUNTY PLANNING BOARD



Mia C. Baker, Secretarial Assistant
Secretary to the Planning Board

cc: Burlington County Department of Resource Conservation
Burlington County Economic Development Department
Municipal Planning Board Planner
D.R. Horton, Atten: Robert C. Fesco
Diocese of Trenton, Atten: Bishop David M. O'Connell
Professional Design Services, LLC, Atten: James J. Kuhn, PLS
Hammer Land Engineering, Atten: Joseph D. Hanrahan, PE
David M. Roskos, Esq.

CERTIFIED MAIL TO D.R. HORTON:
Receipt #7007 0710 0002 0111 9527