

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

SEPTEMBER 4, 2019 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, 2019 and posted in the Municipal Building.

Pledge of Allegiance

3. Welcome to guests.
4. Roll Call: Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Eckart, Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Myers, Mr. Odenheimer, Mr. Wisniewski, Solicitor Robert Swartz, Engineer Jim Winckowski, Planner Barbara Fegley, Secretary Marion Karp
5. Swear in Board Professionals
6. Approval of Meeting Minutes: 7/10/2019
7. Resolutions: approval needed:
 - 16-2019 George Stevenson, Block 107, Lot 10 (210 Main St., Rancocas) – minor subdivision & bulk variances
 - 17-2019 BBL NJ Land, LLC, Block 906.07, Lot 8.01 (115-119 Hancock Lane) – amended preliminary site plan review (medical office building)
 - 18-2019 GHM Properties, Redevelopment Plan, Block 805, Lot 1 (2015 Burlington-Mt. Holly Rd.)
8. Old Business: None
9. New Business:
 1. Crown Point Associates LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Rd.) – amended preliminary and final subdivision and site plan, bulk variances
 2. Dolan Contractors, Inc., Block 203, Lot 7.03 (86 Stemmers Lane) – amended preliminary and final site plan (reduced size office/warehouse/distribution facility) – **to be continued until the Board's 10/2/19 meeting**

10. Informal Applications:

1. Salt & Light, Block 1208, Lot 11- Community of Hope

11. Correspondence: None

12. Open meeting for public comment:

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

14. Adjourn

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WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

JULY 10, 2019 7:00 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on July 10, 2019 at 7:08 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, 2019 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Barger, Mr. Blair, Mr. Borger, Mr. Guerrero, Ms. Haas, Mayor Wisniewski, Solicitor Robert Swartz, Planner Barbara Fegley, Engineer Mike Roberts, Secretary Marion Karp

Absent: Mr. Applegate, Mr. Eckart, Mr. Freeman, Mr. Myers, Mr. Odenheimer

Approval of meeting minutes 6/12/2019 - were approved as written.

Resolutions: approval needed:

14-2019 Amended Redevelopment Plan, Westampton Logistics Center, 50 Western Drive, Block 902, Lots 1, 2 & 3 – was memorialized.

15-2019 Dolan Contractors, Inc., Block 203, Lots 8 & 9 (597 Rancocas Rd.) – consolidated site plan review, minor lot consolidation, bulk variances & waivers (254,134 sq. ft. office/warehouse/distribution facility) – was memorialized.

Old Business:

None

New Business:

George Stevenson, Block 107, Lot 10 (210 Main St., Rancocas) – minor subdivision & bulk variances. The applicant, George Stevenson, was present seeking a minor subdivision. He was sworn in by the Solicitor. He wants to subdivide and sell off a portion of his lot as a building lot; he explained to the Board that it is too much land for him to take care of. It was part of an old farm; he is intending to maintain the existing barn which is on his lot and fix it up. Mr. Stevenson explained that although both lots would be non conforming and undersize, all of the lots in the village were the same with the exception of a few. Dave Barger stated that he understands what he wants to do; it makes sense. He asked if the shed would be demolished; Mr. Stevenson

explained that it would. He understands that anything constructed would be subject to HPC approval. He will continue to live in his present home.

The Board engineer's report was reviewed; there are a number of variances that will be required. They will grant the waiver for a not providing a topo at this time; there will have to be additional dedication due to the right of way which is required; he would lose a bit of property. 50 feet of right of way is required; Main St. has 49.5 and Second Street has 33 feet. This would require an 8.5-foot dedication of right of way to the Township if the road was ever widened, which was highly unlikely. Dave Guerrero asked which way he preferred the new home to be built; Mr. Stevenson stated that it would be up to whomever purchased the lot. The lot has dual street frontage. Dave Barger suggested that they maintain some uniformity in the setback along Second Street. Gene Blair stated that the setbacks seem to vary between 30 and 50 feet and it would be tough to maintain any regularity. Dave Barger suggested taking an average of the setbacks.

The Solicitor asked what size home would be able to constructed on the lot. Dave Barger stated that there were some large houses that occupied smaller lots. There is public water and sewer available. There is no sidewalk along the street.

John Wisniewski asked if these setbacks are typical of other lots; they are.

The planner discussed her report with the board; George stated that the house wouldn't be taller than 35 feet. Building and paving coverage were not known at this time but the engineer doesn't think it will present a problem. There are some inaccuracies on the plan that need to be corrected.

The meeting was opened to the public for comment. Nancy Burkley stated that there are several reasons she hoped the Board would vote yes on this; the town was built in the 1700s; there are a few houses that are as close to the road as five feet. Mr. Stevenson's barn is one of the two that are left in the village. She thinks the Township zoning codes don't really apply here. It's like fitting a square peg in a round hole.

Bob Hall would be putting a new roof on the barn as well as new siding. Mr. Stevenson would use the money from the sale of the lot to rehab the barn.

There was much discussion about changing the required front yard setback to 35 feet from 30 feet which is what Mr. Stevenson was asking for. The plan will be filed by deed and legal description. The front yard setback would be not less than 35 feet on Second Street and not less than 20 feet from Wills Avenue with a side yard of 12 feet on one side and on north side of 20 feet.

Mr. Barger made a motion to approve the subdivision; seconded by Mr. Guerrero. Mr. Barger, Mr. Blair, Mr. Borger, Mr. Guerrero, Ms. Haas and Mr. Wisniewski voted yes.

BBL NJ Land, LLC, Block 906.07, Lot 8.01 (115-119 Hancock Lane) – amended preliminary site plan review (medical office building). Erin Szulewski, attorney was present on behalf of the application. The property is located within the B-1 zone. The site includes a hotel and restaurant and was granted preliminary approval to construct an office building along with a pad site for a bank, back in 2006. A two story 50,000 square foot medical building is now being proposed instead. They are only seeking preliminary approval at this time. Paul Trigger, Jill Barber, professional planner and Ed Brady, engineer were sworn in before the Board.

Ed Brady gave a general description of the site to the Board. There are 253 proposed parking spaces which reflects an excess but at this point they don't have tenants and can reduce if necessary, since this number exceeds ordinance requirements. The Fernbrooke residential development lies to the east, Cracker Barrel and the Hampton Inn are across Hancock Lane. The previously approved office building was approximately 31,000 square feet. There is public sewer and water available. The stormwater management system is existing and was constructed when the hotel (Hilton Garden Inn) and restaurant (Recovery) were developed. There is a landscaping buffer that was installed along with a six-foot-high vinyl fence that runs along the Fernbrooke Development. They will be supplementing the existing plantings there. They are asking for a variance for a retaining wall; part of it is located in the buffer. The wall runs from a height of one foot to eight feet tall and faces the interior of the site. They received County approval yesterday and are asking for a submission waiver for a traffic report until the time of final site plan submittal. They are planning on having irrigation around the building. Lighting is LED because it is much more efficient. There are existing lights that they will switch out to match the rest of the project; they are located along their driveway. The Kelvin level is 3000 degrees and they would try to match as much as possible as to what is already on the site. The trash enclosure is off the driveway at the southern corner of the property. They will provide more detail at the time of final site plan submittal.

The Fire Marshal's report dated July 2 was reviewed; they have no issues with any items listed in the report and will comply.

Applicant is requesting a waiver for building elevations and floor plans and will submit those at the time of final site plan approval.

Jill Barber, applicant's planner, testified on behalf of the application. She summarized the variance which is a C-1 bulk variance for buffering (retaining wall). The buffer would be supplemented with a mix of plantings including evergreens.

Dave Barger asked if they were planning on multiple tenants; they answered that it was impossible to say at this time. It will be a masonry building with some glass features, perhaps at the corners and maybe a parapet around the perimeter to hide the ac units on the roof.

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The meeting was opened to the public for comment.

John Caruso, 9 Mayfaire Circle, president of the Fernbrooke Homeowner's Association was sworn in. He asked if there is any chance that this would be a 24/7 operation. Paul Trigger stated it would not; generally speaking, it is a 7 AM to 5 PM operation, with some later evenings. Urgent Care, if it came in, would be open on Saturdays as well for a limited number of hours.

Bill Rafuse, 34 Fernbrooke Drive was sworn in. He asked if the landscaping would be taken care of, for example, if a tree died would it be replaced. He was told that the maintenance of the site would be taken care of by the developer. He asked about plants being added along the landscape buffer; they would be. He had concerns about being able to see the parking lot and was worried about lights from cars shining into their houses. The berm is elevated, there is also the landscaping and the fence to shield the houses from the lights.

Ms. Haas asked about how many tenants; Paul Trigger explained that it would be a mix of small and larger tenants; they would have to wait to see who would come forward. They could occupy a space as small as 2500 square feet or as large as 15,000 square feet.

There being no further comment from the public, the meeting was closed.

Mr. Guerrero made a motion to approve the application; seconded by Mr. Blair. Mr. Barger, Mr. Blair, Mr. Borger, Mr. Guerrero, Ms. Haas and Mr. Wisniewski voted yes.

GHM Properties, Redevelopment Plan, Block 805, Lot 1 (2015 Burlington-Mt. Holly Rd.). George Hulse, applicant's attorney, was present on behalf of the redevelopment plan. Barbara Fegley, the Board planner, had prepared the draft plan. The plan is to construct two new additional hotels, a 6200 square foot national brand name restaurant and a 1500 square foot drive through pad site. A Hampton Inn and a Home 2 Suites will be the franchise hotels. The restaurant will be a Darden Group facility, perhaps either a Longhorn or an Olive Garden, perhaps additionally, an Anthony's Coal fired pizza or a Red Robin restaurant.

The redevelopment report is dated June 27. Barbara Fegley gave an overview of her report. There is an existing hotel on the site, now a Red Roof Inn, which will be renovated. There will be meeting room space (an in-house conference center which would not be available to outsiders) in the hotel which increases the parking requirements. The restaurant would have a liquor license. There are three existing bill boards on the property; there is a free-standing sign at the Red Roof Inn entrance as well as two others; they will be reconstructed the same size and in the same locations. All of the uses are permitted in the B-1 zone.

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They see their proposed facility as a service to the general area as well as to the new hospital coming into Westampton. They see a great demand for hotel rooms; it will be a benefit to the community and they feel it is consistent with the Township's Vision Plan. Mr. Hulse believes they can bring the Board a site plan that would not ask for many variances or waivers.

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

Mr. Guerrero made a motion to approve the redevelopment plan; seconded by Ms. Haas. Mr. Barger, Mr. Blair, Mr. Borger, Mr. Guerrero, Ms. Haas and Mr. Wisniewski voted yes.

Open Meeting for public comment

Nancy Burkley – it's almost impossible to do anything in Rancocas without coming to the Board for a variance. She thinks they need a separate zone for historic areas that includes Rancocas.

Correspondence:

None

Comments from the Board

No comments were made.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board

RESOLUTION: 16-2019

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: George Stevenson

BOARD'S DECISION: Granted Minor Subdivision Approval with Bulk Variance Relief

PROPERTY ADDRESS: 210 Main Street, Block 107, Lot 10

ZONING DISTRICT: R-2 Residential Zone

DATE OF HEARING: July 10, 2019

WHEREAS, George Stevenson ("the Applicant") filed on June 20, 2019, an Application with the Westampton Land Development Board ("the Board") seeking Minor Subdivision Approval with bulk variance relief to permit the subdivision of an existing lot located at 210 Main Street, Westampton, New Jersey, and designated as Block 107, Lot 10 on the Township Tax Map ("Subject Property") into two (2) residential lots; and

WHEREAS, the Board had jurisdiction to hear this matter under the New Jersey Municipal Land Use Law; and

WHEREAS, the Application came before the Board at the regularly-scheduled public meeting held on July 10, 2019. Mr. Stevenson appeared on his own behalf, was sworn in, and testified in support of the Application; and

WHEREAS, during the July 10, 2019 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, based on all the evidence and testimony submitted during the July 10, 2019 hearing, the Board renders the following factual findings and conclusions of law in addition to any contained in the preceding paragraphs:

1. The Applicant is George Stevenson, the owner of the Subject Property.
2. The Application seeks Minor Subdivision Approval with bulk variance relief to permit the subdivision of the Subject Property with a size of 25,709 square feet in the R-2 Residential zone into two (2) proposed lots consisting a one lot (Lot 1.01) to be 15,154 square feet and the other lot (Lot 10.02) to be 10,555 square feet. Lot 10.01 will contain the existing dwelling and barn and Lot 10.02 will contain a shed and be available for future development.

3. The Application requires Minor Subdivision Approval and bulk variance relief from Township Code, including the following:

- A. A minimum lot area of 20,000 square feet is required and Applicant proposes proposed Lot 10.01 an area of 15,154.17 square feet and proposed Lot 10.02 an area of 10,555.32 square feet
- B. A minimum front yard of 50 feet is required, whereas a front yard setback of 15.96 feet and 9.79 feet currently exist along Main Street and Wills Avenue relative to proposed Lot 10.01 and a 30 foot setback is requested along Wills Avenue and Second Street relative to proposed Lot 10.02
- C. A minimum lot width of 100 feet is required, whereas 55.65 feet currently exists from Main Street and 222 feet from Wills Avenue relative to proposed Lot 10.01 and 93.66 feet from Second Street and 115 feet from Wills Avenue relative to proposed Lot 10.02
- D. A minimum side yard setback for an accessory building is 6 feet, whereas 2.65 feet currently exists for an existing 2 story barn on Lot 10.01
- E. Permitted accessory buildings include storage buildings less than 200 square feet in the R-2 zone and the barn to remain located on the proposed Lot 10.01 appears to be approximately 663 square feet.

4. The Applicant introduced the Application and explained the Applicant's requested relief. Mr. Stevenson represented the site is his personal residence and he desires to subdivide and sell off a portion of the Subject Property as a residential building lot. Mr Stevenson explained to the Board that it is too much land for him to take care of; the Subject Property was part of an old farm; the Applicant is intending to maintain the existing barn which is on the proposed Lot 10.01 and the Applicant intends to fix it up. Mr. Stevenson explained that although both lots would be non-conforming and undersize, all of the lots in Rancocas Village were the same with the exception of a few. Mr. Barger stated that he understands what Mr. Stevenson wants to do and that it seems to make sense. Mr. Barger asked if the shed would be demolished and the Applicant explained that it would and the Applicant understands that anything constructed would be subject to the appropriate approvals. The Applicant stated that he intends to continue to live in his present home which would be on proposed Lot 10.01

5. The Board Engineer, Michael Roberts, PE discussed his report; there are a number of variances that will be required; Mr. Robert's recommended a waiver for the Applicant not providing topography at this time; there will have to be additional dedication due to the right of way which is required; the Applicant would lose a portion of the Subject Property; a 50 feet of right of way is required; Main Street has 49.5 feet and Second Street has 33 feet; which would require an 8.5 foot dedication of right of way to the Township if the road was ever widened, which was highly unlikely. Mr. Guerrero asked which street the new home would face relative to proposed Lot 10.02, and the Applicant stated that it would be up to whomever purchased the lot as the proposed Lot 10.02 has dual street frontage. Mr. Barger suggested that some uniformity be maintained in the setback along Second Street and Mr. Blair stated that the setbacks seem to vary between 30 feet and 50 feet and it would be tough to maintain any regularity. Mr. Barger suggested taking an average of the setbacks. The Solicitor asked the Applicant what size home would be able to constructed on the lot and Mr. Barger stated that there were some large houses

that occupied smaller lots. There is public water and sewer available. There is no sidewalk along the street. Mayor Wisniewski asked if the requested and discussed setbacks are typical of other lots and was told that they are.

6. The Board Planner, Barbara Fegley, A.I.C.P., P.P., presented and discussed her review letter with the Applicant and the Board. The Applicant stated that the house on proposed Lot 10.02 would not be taller than 35 feet and that the building and paving coverage were not known at this time but would be a question at such time as an application was made for a building permit on the proposed Lot 10.02. It was noted that there are some inaccuracies on the plan that need to be corrected and the Applicant agreed to do so.

8. After testimony presented by the Applicant and comments by the Board professionals during the July 10, 2019 meeting, the matter was opened to the public for comment.

- A. Nancy Burkley was sworn in by the Solicitor and stated that there are several reasons she hoped the Board would approve the Application; the Town was built in the 1700s; there are a few houses that are as close to the road as five feet; Mr. Stevenson's barn is one of the two that still remain in the Village; and Ms. Burkley thinks the Township zoning codes do not really apply in Rancocas Village, as it is like fitting a square peg in a round hole.
- B. Robert Hall was sworn in by the solicitor and asked if the Applicant would be putting a new roof on the barn as well as new siding. Mr. Stevenson stated that he would use the money from the sale of the other lot to rehab the barn.

Public comment was then closed.

9. The Board further discussed the requested front yard setback with the Applicant. The Board considered changing the required front yard setback to 35 feet from 30 feet which is what Applicant was requesting. It was discussed that, if approved, would the Applicant agree that the plan will be filed by deed and legal description and the front yard setback would be not less than 35 feet on Second Street and not less than 20 feet from Wills Avenue with a side yard of 12 feet on one side and on north side of 20 feet. The Applicant agreed.

10. 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 placing the Subject Property in a position that would be similar to the surrounding properties and promoting the ability for the Applicant to manage his obligations relative to the Subject Property;
- c. that the variance can be granted without substantial detriment to the public good because the proposed new lot would be similar to the surrounding residential properties; and there are no nearby residential lots impacted by the minor subdivision;

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.

11. 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 Minor Subdivision Approval with bulk variance relief to permit the Subject Property to be subdivided into two residential lots 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 Minor Subdivision 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 Minor Subdivision Plan Approval with bulk variance relief to permit the subdivision of the Subject Property into two (2) residential lots, Lot 10.01 with an area of 15,154 square feet and Lot 10.02 with an area of 10,555 square feet and the following bulk variance:

	Proposed Lot 10.01	Proposed Lot 10.02
Minimum Lot Width	55.65' from Main Street and 222' from Wills Avenue	93.66' from Second Street and 115' from Wills Avenue
Minimum Front Yard Setback	15.96 from Main Street and 9.79 from Wills Avenue	20' from Wills Avenue and 35' from Second Street
Side Yard Setback	13.76' along Main Street and 146.40' along Wills Avenue	12' along the West side (facing Lot 9.01) and 20' along the North side (facing Lot 10.01)

Upon motion duly made by Mr. Barger and seconded by Mr. Guerrero, 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 prepare a deed of minor subdivision with legal descriptions and submit to the Board Solicitor and the Board Engineer for review and approval.
2. A grading plan and drainage plan for Lot 10.02 shall be submitted to the Board Engineer for review and approval prior to Applicant making application for a building permit for a new dwelling on Lot 10.02.

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.

ROLL CALL VOTE

	<u>Ayes</u>	<u>Naves</u>	<u>Abstentions</u>	<u>Recusal</u>
Barger	x			
Blair	x			
Borger	x			
Guerrero	x			
Haas	x			
Wisniewski	x			

WESTAMPTON LAND DEVELOPMENT BOARD

BY:

Gary Borger, Chairman

ATTEST:

Marion Karp, RMC, CMR, Board Secretary

DATE MEMORIALIZED: _____

RESOLUTION: 17-2019

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: BBL NJ Land, LLC

BOARD'S DECISION: **Granted Application for Amended Preliminary Major Site Plan Approval with Bulk Variances & Waivers**

PROPERTY ADDRESS: 115-119 Hancock Lane – Block 906.07, lot 8.01

ZONING DISTRICT: B-1 Business District

DATE OF HEARING: July 10, 2019

WHEREAS, BBL NJ Land, LLC (the “Applicant”) submitted an application for amended preliminary site plan approval and requesting certain bulk variances and waivers to the Westampton Land Use Development Board (“Board”) to revise a preliminary site plan approval from an office building and bank to the development of a 2-story, 50,000 square foot medical office building with associate site improvements including 253 parking spaces at the property located at 115-119 Hancock Lane, Westampton, New Jersey, designated as Block 906.07, Lot 8.01 on the Township Tax Map (“Subject Property”); and

WHEREAS, the Applicant’s application proposed revising the plan on that portion of the property that currently contains an existing detention basin for the entire project, to develop a 2-story, 50,000 gross square foot medical office building with associated improvements including 253 parking spaces, concrete curb and sidewalk installation, a modified recharge basin, and landscaping and lighting improvements; and

WHEREAS, the site was subject to a previously received site plan approval in 2006, which included a hotel, restaurant, bank and three-story office building where the hotel and restaurant were previously constructed on Lot 8 and the previously approved 31,250 square foot 2-story office building and 2,500 square foot bank were never developed; 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, at the July 10, 2019 Board meeting, upon proper notice to the public, the Applicant was represented by Erin Szulewski, Esq. of Parker McCay. The Board heard testimony from the Applicant’s professionals as to the purpose, location, and details of the proposed amended major preliminary site plan and requested variance relief; and

WHEREAS, at the July 10, 2019 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, based on all the evidence submitted to the Board and testimony presented at the July 10, 2019 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, BBL NJ Land LLC, seeks amended preliminary major site plan approval with bulk variance relief and waivers to revise a preliminary site plan approval from an office building and bank to the development of a 2-story, 50,000 square foot medical office building with associate site improvements including 253 parking spaces at the Subject Property.

2. The Application requires the grant of *N.J.S.A. 40:55D-70c* bulk variances in connection with the amended preliminary major site plan approval to permit several deviations from the bulk requirements as set forth in the Township Code.

3. Prior to the July 10, 2019 hearing, the applicant submitted proper notice, acknowledging its application for amended preliminary site plan approval and a variance for a retaining wall which is partially located within the buffer area.

4. The following professionals appeared and testified in favor of the Application during the July 10, 2019 hearing: the Applicant's Engineer, Edward P. Brady, PAE, of Taylor Wiseman & Taylor and the Applicant's Professional Planner, Jill Barber, of Taylor Wiseman & Taylor. Further, Paul Triggerger appeared as a representative of the Applicant.

5. The Applicant submitted the following exhibits during the July 10, 2019 hearing:

A1 – Color Rendering of Landscaping Plan

6. The Board began the July 10, 2019 meeting by hearing from Ms. Szulewski that the Subject Property is located within the B-1 zone; the site includes a hotel and restaurant and was granted preliminary approval to construct an office building along with a pad site for a bank, back in 2006; a two story 50,000 square foot medical building is now being proposed instead of the office building and bank.

7. Mr. Brady, the Applicant's Engineer, testified as to a general description of the site including that the Applicant is proposing 253 parking spaces which is in excess of the requirement but at this point the Applicant does not have a tenant or tenants and can reduce if necessary, since this number exceeds ordinance requirements; the Fernbrooke residential development lies to the east and Cracker Barrel and the Hampton Inn are across Hancock Lane. Further, Mr. Brady testified that the previously approved office building was approximately 31,000 square feet; there is public sewer and water available; the stormwater management system is existing and was constructed when the hotel (Hilton Garden Inn) and restaurant (Recovery) were developed; there is a landscaping buffer that was installed along with a six-foot-high vinyl fence that runs along the Fernbrooke Development and the Applicant will be supplementing the existing plantings at that buffer; the Applicant is requesting a variance for a retaining wall of

which part of such retaining wall is located in the buffer and the wall runs from a height of one foot to eight feet tall and faces the interior of the site. Mr. Brady testified that the Applicant received County approval yesterday and is asking for a submission waiver for a traffic report until the time of final site plan submittal; the Applicant is planning on having irrigation around the building; lighting is LED as it is more efficient and there are existing lights located along the driveway that the Applicant will switch out to match the rest of the project; the Kelvin level is 3,000 degrees and the Applicant will try to match as much as possible as to what is already on the site; and the trash enclosure is off the driveway at the southern corner of the property and the Applicant will provide more detail at the time of final site plan submittal.

8. The Board and the Applicant discussed the Fire Marshal's report dated July 2 was reviewed and the Applicant has no issues with any items listed in the report and agreed to comply.

9. The Applicant requested a waiver for building elevations and floor plans until final site plan approval.

10. Ms. Barber, the Applicant's Planner, testified on behalf of the application. Ms. Barber summarized the variance which is a C-1 bulk variance for buffering of the retaining wall. Ms. Barber testified that the buffer would be supplemented with a mix of plantings including evergreens. Mr. Barger asked if the Applicant was planning on multiple tenants and the Applicant replied that they did not know at this time.

11. On behalf of the Applicant, Mr. Trigger testified that the building would be a masonry building with some glass features, perhaps at the corners and maybe a parapet around the perimeter to hide the air conditioning units on the roof. Ms. Haas asked if the Applicant knew the number of tenants for the building and Mr. Trigger testified that it could be a mix of small and larger tenants but they would have to wait to see who comes forward as tenants could occupy a space as small as 2,500 square feet or as large as 15,000 square feet.

12. After testimony was presented by the Applicant's witness and professionals, the matter was opened to the public for comment,

- a. Mr. John Caruso, of 9 Mayfaire Circle, president of the Fernbrooke Homeowner's Association was sworn in by the Solicitor. Mr. Caruso asked if there is any chance that the operation at the property would be 24/7. Mr. Trigger testified that it would not and generally speaking, it is a 7 AM to 5 PM operation, with some later evenings and that Urgent Care, if it came in, would be open on Saturdays as well for a limited number of hours.
- b. Mr. Bill Rafuse, of 34 Fernbrooke Drive was sworn in by the Solicitor. Mr. Rafuse asked if the landscaping would be taken care of, for example, if a tree died would it be replaced. Mr. Rafuse was informed that the maintenance of the site would be taken care of by the developer and Mr. Rafuse then asked if the Applicant would add planting along the landscape buffer, and Applicant agreed. Mr. Rafuse had concerns about being able to see the parking lot and was worried about lights from cars shining into their

houses. The Applicant testified that the berm is elevated and there is also the landscaping and the fence to shield the houses from the lights.

There being no further public, the matter was closed for public comment.

13. With regard to the request for bulk variance relief, through the evidence submitted and testimony presented by the Applicant, the Board finds that the Applicant has sustained the burden of proof to support the following variance in accordance with the statutory requirements set forth in the MLUL, *N.J.S.A. 40:55D-70c(2)*:

- Ordinance 250-15G(3) requires that buffers be planted to a depth of 50 feet along property lines where a nonresidential use abuts a residential use. Applicant requests a variance regarding a portion of the retaining wall which encroaches into the buffer required along the property line shared with the residential development to the east.

The above deviation from the Township Code requirement serves several purposes of the MLUL, specifically: promotion of the general welfare of the community by encouraging development and increasing the property value of the Subject Property; *N.J.S.A. 40:55D-2a*; providing adequate open space at the Subject Property for the proposed uses; *N.J.S.A. 40:55D-2c*; providing sufficient space in an appropriate location for a needed commercial use that will be carried out in an environmentally friendly way to meet the needs of Township citizens; *N.J.S.A. 40:55D-2g*; and by improving the visual appearance and aesthetics of the Subject Property by allowing for the encroachment into the buffer area and proposed landscaping. *N.J.S.A. 40:55D-2i*.

14. Through the evidence submitted and testimony presented by the Applicant, the Board finds that the benefits of the requested variance substantially outweighs any detriment, of which there is none, that the variances can be granted without substantial detriment to the public good, and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance due to the permitted use in the B-1 Zone, need for the business in the Township, and large, suitable size of the Subject Property. *N.J.S.A. 40:55D-70(c)(2)*.

15. The Board further finds that the requested variance relief:

- a. relates to a specific piece of property, namely the Subject Property;
- b. that the purposes of the MLUL would be advanced by a deviation from the Township Zoning Ordinance requirements;
- c. that the variance can be granted without substantial detriment to the public good; and
- d. that the benefits of the deviation substantially outweigh any detriment and that the variances will not substantially impair the intent and purpose of the zone plan and ordinance.

16. With regard to the requested amended preliminary 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 amended preliminary 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 and permitted commercial uses in the C 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 for amended preliminary major site plan approval along with bulk variance relief and waivers to revise a preliminary site plan approval from an office building and bank to the development of a 2-story, 50,000 square foot medical office building with associate site improvements including 253 parking spaces at the property upon motion duly made by Mr. Guerrero and seconded by Mr. Blair was and is hereby **GRANTED**, subject to the testimony and representations set forth on the record by the Applicant, and any conditions set forth herein.

ROLL CALL VOTE

	<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Recusal</u>
Barger	x			
Blair	x			
Borger	x			
Guerrero	x			
Haas	x			
Wisniewski	x			

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

1. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Board Engineer's Review Letter except as may be specifically noted on the record and will work with the Board Engineer to resolve all issues contained in said Review Letter.
2. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Board Planner's Review Letter except as may be specifically noted on the record and will work with the Board Planner to resolve all issues contained in said Review Letter.
3. The Applicant shall comply with all terms, conditions, and recommendations set forth in the Fire Marshal's letter except as may be specifically noted on the record.
4. All agreements, conditions and representations made by the Applicant or imposed upon the Applicant as set forth in the record of this matter regarding this application shall be fully satisfied by the Applicant and/or successors in interest.

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.

WESTAMPTON LAND DEVELOPMENT BOARD

BY:

Gary Borger, Chairman

ATTEST:

Marion Karp

Marion Karp, RMC, CMR, Board Secretary

DATE MEMORIALIZED: _____

9/4/19

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

RESOLUTION OF THE WESTAMPTON TOWNSHIP LAND
DEVELOPMENT BOARD RECOMMENDING THE ADOPTION OF A
REDEVELOPMENT PLAN FOR 2015 BURLINGTON COUNTY ROUTE
541, BLOCK 805, LOT 1, WESTAMPTON TOWNSHIP

RESOLUTION NUMBER 18- 2019

WHEREAS, in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-1 et seq. (the "LRHL"), the Township Committee of the Township of Westampton (the "Township") designated Block 805, Lot 1 (2015 Burlington County Route 541) (the "Property") as Non-Condensation Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, pursuant to Ordinance No 8-2018, the Township adopted a Redevelopment Plan governing the redevelopment of the Redevelopment Area (the "Redevelopment Area"); and

WHEREAS, in order to effectuate the Township's designation of the Redevelopment Area, the Township is required to adopt, by ordinance, a Redevelopment Plan pursuant to the N.J.S.A. 40A:12A-7; and

WHEREAS, pursuant to Township Resolution 142-18, the Township directed the Westampton Township Land Development Board (the "Board") to create and transmit a Redevelopment Plan and Report to the Township Committee in accordance with the LRHL and identify any provisions of the proposed Redevelopment Plan which are inconsistent with the Master Plan and make recommendations concerning any inconsistencies and any other matters as the Board deems appropriate

WHEREAS, the Board's Planner, Barbara J. Fegley, AICP, PP, of Environmental Resolutions, Inc., prepared a Redevelopment Plan, which is titled "Redevelopment Plan, 2015 Burlington-Mount Holly Road County Route 541, Block 805, Lot 1, Westampton Township, Burlington County, New Jersey," dated June 27, 2019 and now subject to adoption by Township Committee; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-26, authorizes a planning board to issue a report and recommendation to the governing body prior the adoption of a development regulation, revision or amendment thereto; and

WHEREAS, Barbara J. Fegley, AICP, PPC, Board Planner, appeared, testified and presented her report, which report was made a part of the record herein with respect to the proposed Redevelopment Plan for the Redevelopment Area; and

WHEREAS, Barbara J. Fegley, AICP, PPC, Board Planner, testified as to the need for such changes to the Redevelopment Area for the purposes of renovating a current hotel and constructing a new hotel within the Redevelopment Area; and

WHEREAS, Barbara J. Fegley, AICP, PPC, Board Planner, testified that the proposed Redevelopment Plan is substantially consistent with the Master Plan of the Township of Westampton and it is appropriate to meet the redevelopment goals, consistent with the intentions of the Redevelopment Area; and

WHEREAS, from the submissions made to the Board, the testimony and evidence presented, including the testimony and evidence of all interested parties and based upon the entire records, the following further findings of fact and conclusions of law were made:

1. All of the representations as set forth in the foregoing "WHEREAS" paragraphs are hereby incorporated by reference herein as findings of facts.
2. The Board has determined that the Redevelopment Plan is substantially consistent with the Township's Master Plan adopted December 13, 2018.
3. The Board has determined that is it in the best interest of the Township to adopt this Resolution and clearly state that this Resolution, and the Redevelopment Plan prepared by Barbara J. Fegley, AICP, PPC, shall be, and hereby is, the report of the Board as required under N.J.S.A. 40A:12A-7(e) and the Municipal Land Use Law, to the Township Committee containing the Board's recommendation regarding the adoption of the Redevelopment Plan to the Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED, based upon the foregoing findings of facts and conclusions of law, including all of the testimony and evidence presented at the hearing and based upon the report submitted to the Land Development Board, that the Land Development Board of the Township of Westampton, Burlington County, New Jersey, does hereby recommend to the Township Committee of the Township of Westampton that it adopt the Redevelopment Plan of the Redevelopment Area as set forth herein and that this Resolution shall be considered the report of the Westampton Land Development Board to the Township Committee as required by N.J.S.A. 40A:12A-7(e).

ROLL CALL VOTE

	<u>Ayes</u>	<u>Nayes</u>	<u>Abstentions</u>	<u>Recusal</u>
Barger		x		
Blair	x			
Borger		x		
Guerrero	x			

Haas x
Wisniewski x

Gary Borger, Chairman

Attest:

Marion Karp 9/4/19

Marion Karp, RMC, CMR, Board Secretary



Township Of Westampton



SITE PLAN REVIEW APPLICATION X
SUBDIVISION APPLICATION X
MINOR MAJOR X
PRELIMINARY X FINAL X CONSOLIDATED

BLOCK 807 LOT 1

1. GENERAL INFORMATION

A. Applicant Name Crown Point Associates LLC

Address 280 Route 35 South, Suite 150, Red Bank, NJ 07701

Telephone Number 732 530 9191

B. The Applicant is a:

Corporation*
Partnership*
Individual
Other (specify) LLC

*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 X
Owner
Lessee
Other (specify)

Attorney William F. Hyland, Jr., Hyland Levin Shapiro LLP

Address 6000 Sagemore Dr., Suite 6301, Marlton, NJ 08053

Telephone Number 856 355 2900; e-mail: hyland@hylandlevin.com

**OWNERSHIP DISCLOSURE STATEMENT PURSUANT TO
NJSA 40:55D-48.1 AND 48.2**

APPLICANT Crown Point Associates LLC

BLOCK 807 LOT 1

Is this application to subdivide a parcel or parcels of land into six or more lots?

YES _____ NO X

Is this application for a variance to construct a multiple dwelling of 25 or more units?

YES _____ NO X

Is this application for approval of a site or sites to be used for commercial purposes?

YES X NO _____

IF ANY OF THE ABOVE ANSWERS WERE YES RESPOND TO THE NEXT QUESTION.

Is the applicant a corporation or partnership*?

YES X NO _____
limited liability company

IF YES:

1. List the names and addresses of all stockholders owning at least 10% of the applicant corporation's stock of any class or all individual partners owning at least a 10% interest in the partnership*, as the case may be (Use extra sheets if necessary).

Iron Mountains Partners, LLC and TJT Real Estate Investors, LLC

Does a corporation or partnership* own 10% or more of the stock of the applicant corporation or partnership*?

YES X NO _____

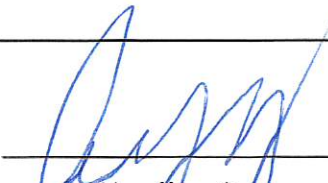
IF YES:

2. If a corporation or a partnership* owns 10% or more of the stock of the applicant corporation or a 10% or greater interest in a partnership*, that corporation or partnership* shall list the names and addresses of its stockholders holding 10% or more of its stock or a 10% or greater interest in the partnership*. This requirement shall be followed until the names and addresses of the non-corporate stockholders and individual partners exceeding the 10% ownership criterion established have been listed.

Iron Mountains Partners, LLC is owned by John Abene, Michael Abene and Mitchell Heisler

TJT Real Estate Investors, LLC is owned by James Botti, Sr., James Botti, Jr., Trevor Botti and Travis Botti

Date: 6/3/2019



(Applicant)
William F. Hyland, Jr., Hyland Levin Shapiro LLP
Attorneys for Applicant

*A partnership includes a Limited Liability Company (LLC).

D. Engineer/Surveyor: Edward P. Brady, PE, Taylor Wiseman & Taylor
Address 124 Gaither Dr., Suite 150, Mount Laurel, NJ 08054
Telephone Number 856 235 7200; e-mail: brady@taylorwiseman.com

2. INFORMATION REGARDING THE PROPERTY

- A. Street address of the property 2035 Burlington-Mt Holly Road
- B. The location of the property is approximately 0 feet from the intersection of Burlington-Mt Holly Rd and Irick Rd, NJ Turnpike
- C. Existing use of the property Farm
Proposed use of property See attached Rider.
- D. Zone in which property is located C - Commercial
- E. Acreage of property 24.762 +/- acres
- F. Is the property located on a County road? Yes X No ; State road? Yes X No ; 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 Alteration to Structure Expansion to Structure Change of Use Sign
- H. Name of business or activity (if any) Fountain Square Shopping Center
- I. Are there deed restrictions that apply or are contemplated? Yes - cross-easements (if yes, please attach a copy to application) to be provided as condition of final site plan approval

SUBDIVISION APPLICATIONS ONLY (ANSWER ITEMS ^{approval} J, K, L & M)

- J. Number of lots proposed 2
- 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)
to be provided as condition of final subdivision approval

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

All utilities to be installed on-site, except for sanitary main to cross County Route
541 and stormwater pipe to connect into NJ Turnpike drainage system.

O. List maps and other exhibits accompanying this application:

Boundary & Topographic Survey
Major Subdivision Plan
Preliminary and Final Site Plan
Stormwater Management Report

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.

See attached Rider.

4. CHECK LIST AND WAIVER REQUESTS

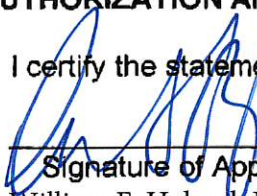
A. Please refer to the Ordinance for the specific submission requirements, which are listed in Chapters 196, 215 and 250 (Site Plan Review, Subdivision of Land and Zoning) from the Code of the Township of Westampton.*

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

See attached Rider. Testimony will be provided regarding the waivers requested.

5. AUTHORIZATION AND VERIFICATION

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



Signature of Applicant
William F. Hyland, Jr., Hyland Levin Shapiro LLP, Attorneys for Applicant

4/3/2019

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>

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

See attached Rider. Testimony will be provided regarding the waivers requested.

5. AUTHORIZATION AND VERIFICATION

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



Signature of Applicant

Date

William F. Hyland, Jr., Hyland Levin Shapiro LLP, Attorneys for Applicant



Signature of Owner

Date

Peter A. Tucci
Member 2035 Burlington Mt Holly Road LLC

6/3/2019

*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>

RIDER TO APPLICATION OF CROWN POINT ASSOCIATES LLC
2035 BURLINGTON-MT HOLLY RD A/K/A BLOCK 807, LOT 1
AMENDED PRELIMINARY SUBDIVISION, FINAL SUBDIVISION, AMENDED
PRELIMINARY SITE PLAN, FINAL SITE PLAN AS TO PHASE 1, AND BULK
VARIANCES

Proposed use:

Highview Homes, LLC, received preliminary major subdivision and preliminary major site plan approval for development of the subject property by Resolution 24-2018, memorialized January 9, 2019. Highview hereby amends the application to reflect the name of the applicant going forward as Crown Point Associates, LLC, a single-purpose limited liability company which shall develop the Westampton and Burlington Township components of the Fountain Square project. Highview Homes, LLC has assigned its contract to purchase the property to Crown Point Associates LLC. The principals involved in this project remain the same and an amended Disclosure Statement has been submitted. Crown Point Associates LLC now submits this application for amended preliminary subdivision, final subdivision, amended preliminary site plan, and final site plan approval for Phase 1 of the revised project. Applicant proposes to subdivide the property into two lots. Lot A will include retail stores, a bank and restaurants, as well as a child-care center. (The child-care center and additional retail space replace a hotel included in the prior approval). Lot B will contain a gas station with a convenience store. The project will be developed in Phases. Phase 1, Section 1 is the gas station and convenience store, Phase 1, Section 2 is the child-care center and stormwater basin, and Phase 2 is the shopping center consisting of multiple buildings containing retail, restaurants and a bank.

Variations:

The following variations were granted under the previous approval and are not changed by the amended application:

To allow a shopping center identification sign on Route 541 with a height of 25', an area of 126 SF and tenant panels, where a sign with a maximum height of 15', an area of 100 SF and without tenant panels is permitted (Section 250-25J and Section 250 Attachment 4);

To allow a shopping center identification sign on Route 637 (Irick Road) with tenant panels where no tenant panels are permitted (Section 250-25J);

To allow a gas station convenience store façade sign with a height of 5.2' and an area of 67.7 SF where a sign with a height of 3' and area of 40 SF is permitted (Section 250-26D(11)(a));

To allow two spanner signs under the gas pump canopy where none are permitted (Section 250-26D(11));

To allow four pad site monument identification signs 12.5' high and 42 SF where monument signs are not permitted (Section 250-25J(2) and (3));

To allow one gas station convenience store identification sign with a height of 20' where a height of 15' is permitted (Section 250-25G);

To allow landscaping along the County road frontage that may be insufficient by ordinance standards (Section 196-8B(3)(c));

The following additional variances are requested:

To allow an impervious coverage for Lot A of 64% (62% was approved) and Lot B of 63% where 60% is permitted (Section 250 Attachment 2);

To allow a fifth pad site monument identification sign 12.5' high and 42 SF similar to the previously approved pad site monument signs where monument signs are not permitted (Section 250-25J(2) and (3));

To allow one additional gas station convenience store identification sign with a height of 20' where a height of 15' is permitted (Section 250-25G);

To allow seven loading spaces for Lot B where 17 are required (Section 250-22R(1)).

Waivers:

Applicant requests waivers:

From providing the fire lane designation on the plan at this time. This will be provided after coordination with the fire official.

From providing a trash enclosure for the bank, where the use of an enclosure is not needed and trash is stored inside for secure pick up.

From providing a survey. A survey was provided with the prior subdivision and site plan application. Please advise if additional copies are required to be submitted.

From providing floor plans and elevations for the day care center and gas station with convenience store. These plans will be provided as soon as they are available.



Westampton Township Emergency Services

Raising The Standard In Community Service

780 Woodlane Road Westampton, New Jersey 08060

Phone 609-267-2041 Fax 609-267-3305

LAND DEVELOPMENT BOARD REVIEW

Per NJ UFC & Township Fire Prevention Ordinance

- DATE:** July 16, 2019
- ADDRESS:** CR541 & Irick Rd (Fountain Square)
- PROPOSED USE:** Retail
- HYDRANTS:**
- 1) Add 2 additional fire hydrants (1 at each entrance from CR541)
 - 2) Located within 50' of FDC for sprinkled building.
 - 3) Water supply to construction site in service prior to construction
- FIRE PROTECTION SYSTEMS:**
- 1) FDC 5" Storz and dual 3" inlets for all suppressed buildings
 - 2) FDC Signage to be 6 inch letters with a 1 inch stroke of contrasting reflective colors.
 - 3) FDC required lighting capable of strobe upon activation per Twp. Ordinance
 - 4) Exterior horn/strobe for alarmed buildings
 - 5) Standpipes in service per floor prior to construction of additional floors for projects requiring same
 - 6) Map of Detection/Protection locations upon completion to be housed on site (PVC tube above door in FACP or Sprinkler Room



Westampton Township Emergency Services

Raising The Standard In Community Service

780 Woodlane Road Westampton, New Jersey 08060

Phone 609-267-2041 Fax 609-267-3305

APPARATUS ACCESS:

- 1) Fire Lanes around structure/hazards with appropriate signage (will go into further detail during Final Site Plan Review as it will be extensive for a project of this size)
- 2) Height clearances of 12 feet as required (fuel canopy)
- 3) Apparatus turning radius compliance
- 4) FD Access during construction (solid base prior to construction to allow emergency vehicles in and out of project in event of emergency).

BUILDING ACCESS:

- 1) Knox box installed on all buildings
- 2) Emergency contact list for property and tenants upon occupancy
- 3) Elevator has phase I/II standard Yale 3502 key (if applicable)

NOTES

- 1) Bollards for utilities and exterior hazards such as CG in compliance with NJ IFC 312
- 2) Exterior labeling of hazards (NFPA 704)
- 3) Truss/solar panel signage for those requiring
- 4) Address/Suite Name labeling rear of strip
- 5) Emergency Responder Radio Coverage in compliance with NJ IFC 510 to be determined prior to issuance of CO.
- 6) 2-dimensional signage above fire extinguishers housed in cabinets. Same to be of contrasting color.



Westampton Township Emergency Services

Raising The Standard In Community Service

780 Woodlane Road Westampton, New Jersey 08060

Phone 609-267-2041 Fax 609-267-3305

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



TIMOTHY W. GILLEN, PE, PP, CME
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

August 29, 2019

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

Attn: Marion Karp
Administrative Officer

**Re: *Crown Point Associates, LLC
Amended Preliminary and Final Subdivision
Amended Preliminary Site Plan and Final Site Plan (Phase 1)
With Bulk Variances – Review #2
Block 807, Lot 1
2035 Burlington-Mount Holly Road
Zone: C (Commercial)
Westampton Township, Burlington County, NJ
CME File: CWAL0807.02***

Dear Chairman and Board Members:

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

- Plans entitled, "Fountain Square Amended Preliminary Site Plan & Final Site Plan (Phase 1), Burlington-Mt. Holly Road (C.R. 541), Block 807, Lot 1, Tax Map Sheet 8," consisting of twenty six (26) sheets, prepared by Taylor Wiseman & Taylor, last revised August 14, 2019;
- Plans entitled, "Major Subdivision Plan, Fountain Square – Phase I", Burlington-Mount Holly Road (C.R. 541), Block 807, Lot 1, Westampton Township, Burlington County, New Jersey," consisting of one (1) sheet, prepared by Taylor Wiseman & Taylor, last revised August 15, 2019;
- A Stormwater Management Report, prepared by Taylor Wiseman & Taylor, dated September 12, 2018, last revised August 14, 2019;
- Drainage Area Maps, consisting of three (3) sheets, prepared by Taylor Wiseman & Taylor, dated September 7, 2018 and last revised January 15, 2019 and May 3, 2019;
- A Stormwater Management Operation & Maintenance Manual, prepared by Taylor Wiseman & Taylor, dated January 29, 2019, last revised May 22, 2019;
- An Updated Traffic Engineering Assessment for Fountain Square, prepared by Shropshire Associates, LLC, dated June 4, 2019;

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- Color renderings and location maps of the proposed signage package, consisting of ten (10) 11"x17" sheets, prepared by Massa Multimedia Architects, dated May 28th, 2019, unsigned
- Plans entitled "Wawa W50 FV_V.2018.01 – Store #8416," prepared by Cuhaci & Peterson, dated June 20, 2019;
- Plans entitled "Westampton Exhibit Kiddie Academy Concept Plan," prepared by Massa Multimedia Architecture, dated August 19, 2019;
- Revision response letter from Taylor Wiseman & Taylor, dated August 16, 2019;
- Completed application forms and project summary rider.

Site Description

The subject property is a 24.762+/- acre triangular parcel located at the south corner of Burlington-Mt. Holly Road (a.k.a. County Route 541) and Irick Road (a.k.a. County Road 637). The property is bound to the south by the New Jersey Turnpike. The parcel has approximately 1,166 feet of frontage along Burlington-Mt. Holly Road to the northeast and approximately 2,196 feet of frontage along Irick Road to the northwest. The property is situated in a C (Commercial) Zoning District and is currently unoccupied; two (2) existing structures and a dirt path remain. Access to the site is currently achieved from Irick Road via the aforementioned dirt path.

Current Proposal

The previous applicant, Highview Homes, LLC, received preliminary major subdivision and site plan approval for development of the site in January, 2019. The current applicant, Crown Point Associates, LLC has assumed ownership of the property and is submitting an amended preliminary and final subdivision application (phases I and II), an amended preliminary site plan application (phase I and II), and a final site plan application (for phase I only).

The amended subdivision plan proposes to relocate about 500 LF of Irick Road so that it aligns with Western Drive at the intersection with Burlington-Mt. Holly Road. The realignment will result in the creation of two (2) new lots, labeled as lots "A" and "B", from the remnants of Lot 1.

The amended site plan proposes the construction of eight (8) structures with the following uses: an eight (8) -pump gas station with 5,585 square-foot convenience store to be located on Lot "A", a 3,000 square-foot bank, a 2,400 square-foot fast-food restaurant with drive-thru, and five (5)



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retail buildings of various sizes totaling 94,500 square feet of retail space and 5,900 square feet of restaurant space to be located on Lot "B".

Associated site improvements include, but are not limited to: the construction of *six-hundred, forty-six (646)* parking spaces and associated drive aisles, access roads, landscaping, site lighting, storm sewer and utility upgrades, and a stormwater management (infiltration) basin. As mentioned above, the Applicant also proposes to relocate the eastbound approach of Irick Road (C.R. 637) with Burlington-Mt. Holly Road (C.R. 541) so that it aligns with Western Drive to create a new four-legged signalized intersection. The Right of Way (ROW) associated with the original alignment of Irick Road is proposed to be vacated and become part of proposed Lot A.

A traffic circle on Irick Road is proposed which will provide access to the development as well as to a separate future development behind Lot "B", which is located on Block 123, Lot 5 in Burlington Township. Additional access to this future development is also proposed to be provided on the north side of Lot "B" to Burlington-Mt. Holly Road by a right-in, right-out driveway. The parking lot of the gas station and convenience store is proposed to be connected to this driveway.

Based upon our review, we offer the following comments for the Board's consideration:

A. Major Subdivision

1. The Applicant should address how access to the solar field across Irick Road is to be a maintained. It appears the existing driveway associated with the solar field site extends from the portion of Irick Road to be vacated.
2. The procedure and approvals required for the vacation of Irick Road should be discussed. A portion of Irick road is located in Burlington Township while the right-of-way is owned by Burlington County.
3. The ownership and maintenance of the relocated section of Irick Road should be clarified. Storm sewer, street lighting and utility improvements may need to be separated from the private site facilities.
4. The Applicant is required to obtain official lot and block numbers from the Burlington County Tax Assessor's office for proposed Lots "A" and "B".
5. The western corner of Lot A near the roundabout does not match up with the subdivision plat.



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6. The right-of-way for the curvilinear portion of Irick Road as shown on the road improvement plans are not consistent with the Site Plan or subdivision plat.

B. Variances

1. The following variances were granted under the preliminary subdivision and site plan application approval obtained in January 2019 by the previous Applicant and have been identified by the Applicant to remain in the amended application:

a. Signage:

- (1) A variance to permit a shopping center identification sign on Route 541 with a height of 25 feet, an area of 126 square feet, and tenant panels, where a maximum height of 15 feet, and area of 100 square feet, and no tenant panels are permitted. (§250-25J and §250 Attachment 4)
- (2) A variance to permit a sign with tenant panels on Route 637 where no tenant panels are permitted. (§250-25J)
- (3) A variance to permit a store façade sign with a height of 5.2 feet and an area of 67.7 square feet where a maximum height of 3 feet and area of 40 square feet is permitted. (§250-26D(11)(a))
- (4) A variance to permit two (2) spanner signs beneath the gas pump canopy where none are permitted. (§250-26D(11))
- (5) A variance to permit four (4) pad site monument signs 12.5 high and 42 square feet in area where monument signs are not permitted. (§250-25J(2 and 3))
- (6) A variance to permit one gas station convenience store identification sign with a height of 20 feet, where 15 feet is permitted. (§250-25G)

- b. A variance to find acceptable the proposed landscaping as shown on the previously approved plan, relaxing the ordinance standards of §196-8B(3)(c).



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2. The following additional variances are requested by the Applicant:
 - a. A variance from the bulk requirements for impervious cover. 64% impervious cover is proposed for Lot A, and 63% is proposed for Lot B, where a maximum of 60% is permitted.
 - b. A variance to permit an additional pad site monument identification sign (a variance to permit four (4) was granted under the previous preliminary application) with a height of 12.5 feet and an area of 42 square feet. (§250-25J(2 and 3))
 - c. A variance to permit an additional gas station convenience store identification sign with a height of 20 feet where a height of 15 feet is permitted. (§250-25G)
 - d. A variance to permit a total of seven (7) loading spaces for Lot B where seventeen (17) would be required to meet the ordinance. (§250-22R(1)) The variance request (and associated truck loading table on the Overall Site & Phasing Plan) should be revised to identify a total of ten (10) loading spaces to be proposed whereas nineteen (19) are required.
3. The Applicant may require the following additional variances/design waivers:
 - a. §250-22(R)(6): No off-street loading and maneuvering areas shall be located in any front yard however one (1) appears to be proposed in the front yard of Lot B along Irick Road and two (2) appear to be located in the front yard of Lot B along the NJ Turnpike frontage.
 - b. §250-22(G) requires a maximum average light intensity of 0.5 foot-candles over the entire area, whereas the plans indicate an average intensity of 1.1 foot-candles. The applicant should revise the lighting design to meet this requirement or request a waiver from this design standard.
 - c. §196-8(A) requires that parking and loading areas are a minimum distance of twelve (12) feet from all buildings. The Applicant should request a waiver from this requirement for both Lot A and Lot B.



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C. General

1. The proposed subdivision line for Lot A appears to create a 1-2 foot setback for the trash enclosure associated with the retail convenience store. It appears variance relief may be required for accessory structure setback, location of the accessory structure within a front yard setback and/or encroachment of the structure within required 20-foot landscape buffer along the front property line. We also have concerns regarding the enclosures impact on site distance for vehicles entering the roundabout. A revised location for the trash enclosure is recommended.
2. Details regarding the proposed water features proposed at the entrance and along the driveways should be provided including architectural features and operations. The Applicant should clarify how the fountains will be utilized during the winter months.
3. The Applicant has indicated that the development is to be approved and constructed in two (2) phases. The plans indicate that the first phase includes the reconstruction of Irick Road, the construction of the gas station and convenience store and associated improvements, and the construction of the infiltration basin. The Applicant should provide testimony detailing what additional infrastructure, if any, is intended to be constructed as part of Phase I to support the operation of the facilities to be constructed as part of Phase I. A Phase 1 specific Site Plan, Grading Plan, and Utility Plan should be provided.

D. Parking & Circulation

1. The Applicant shall coordinate with the Fire Marshall to identify any required fire lanes. Additionally, we defer to the Fire Marshall to designate an appropriate design vehicle for emergency services.
2. The Applicant is proposing six-hundred (600) parking spaces on Lot B where five-hundred, seventy-six (576) parking spaces appear required. The Applicant is proposing fifty-two (52) parking spaces on Lot A, where twenty-three parking spaces are required.
3. All standard parking spaces are proposed to be 10' x 20' except for the parking spaces on the perimeter of Lot A which are proposed to be 9' x 20'. Accessible parking spaces are proposed to be 8' x 20'.



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4. The parking table identifies 599 parking spaces and 31 handicap spaces on Lot B. Applicant's Engineer should verify the amount of handicap spaces in Lot B. Our office counted 32 spaces which would bring the overall amount of spaces to 600.
5. It appears that the Applicant is proposing flush curb around the entire convenience store. If that is the case, the note identifying Type 7 curb ramps can be removed since curb ramps will not be necessary and concrete wheel stops or bollards should be provided in front of each parking space and to separate pedestrian traffic from vehicle traffic.
6. A bus stop is proposed in front of the development on Burlington-Mt Holly Road.
7. Double yellow centerline stripes should be provided from each stop bar for the convenience store.
8. The Site Plan should show signage at each approach to the traffic circle. While signage has been indicated graphically, no call-outs are shown to depict what type of sign they are.
9. The column locations for the kidding academy awning should be coordinated on the site plan with the location of the proposed sidewalk.
10. The Applicant should address the need for the drive aisle on the north site of retail building closest to Irick Road. Considering the driveway access at the rear of the site along Irick Road, the connecting drive aisle should be eliminated.

E. Traffic

1. Our office has concerns regarding the convenience store site access driveways proposed along Irick Road, especially the full movement driveway immediately adjacent to the round-about. Left turn egress movements must cross three lanes of conflicting traffic and thru movements four lanes of traffic. Limited vehicle storage space is provided on-site for exiting vehicles or for the left turn lane for vehicles entering the site after the round-about. Consolidating the two convenience store driveways to right-in and right-out only should be considered, especially considering the full movement driveway provided on the opposite frontage.
2. The Applicant should clarify whether left turns will be permitted from Irick Road into the shopping center at the main driveway across from the convenience store. No dedicated



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left turn movement is provided so vehicles will have to stop and queue within the through lane entering the round-about.

3. The applicant should advise on the status of the plans for the proposed realignment of Irick Road and associated improvements to Burlington-Mt. Holly Road.
4. The Traffic Impact Report should be revised to address the following:
 - a. The use of internal capture trips should be excluded from the analysis in order to provide a conservative approach.
 - b. A summary table should be provided to identify the LOS to be provided at each studied intersection overall and for each lane approach.
 - c. The traffic impact this project has on the intersection of Irick Road and Woodlane Road should be addressed.
 - d. The study should include a vehicle queue analysis and summary table to identify the anticipated 95th percentile vehicle queue length for each approach for each studied intersection.
5. Irick Road should be provided with a center left turn lane for the site driveway intersections. The separation between the access driveways, the roundabout, and Burlington-Mount Holly Road is also a concern.
6. Sight distance for the Lot B approach to the round-about should be reviewed and shown on the plans. The curvature of Irick Road in combination with the proposed berms and landscaping may reduce visibility of traffic traveling northbound on Irick Road.
7. Our office is also concerned that the roundabout directs vehicles into the site directly in front of the retail store where pedestrian conflicts are likely to be significant. In addition to the safety aspect, vehicles waiting for pedestrians to cross may queue at this location and backup traffic movement on the roundabout.
8. Elimination of the seven (7) parking spaces immediately in front retail A should be considered to provide a longer driveway throat for vehicles entering the site.
9. The Applicant's Engineer should provide testimony detailing the need for the dedicated right-turn ramp from westbound side of Irick road to the access road for the future



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development in Burlington Township, bypassing the roundabout. The lane which will be provided the right-of-way at the merge of the by-pass lane and round-about exit should be clarified. The impact of vehicles yielding and any associated backup may have on the round-about should be examined.

10. Road marking and other traffic control items for the proposed roundabout should be depicted on the plans.
11. The Traffic Engineering Assessment mentions that the Westbound Western Drive has one (1) left-turn lane and one (1) through lane. Site plans show two (2) left-turn lanes. Applicant should revise accordingly.
12. The Traffic Engineering Assessment depicts southbound CR 541 as one (1) left-turn lane, two (2) through lanes, and one (1) through/right-turn lane. The Site Plan show the through/right-turn lane as a right turn only. Applicant should revise accordingly.

F. Grading

1. Additional spot grades and ridge lines shall be provided at key locations along curbs including curb tangents and midpoints, ridges, building corners, and building entrances to aid in constructability.
2. Contour south of the 9,000 SF Retail W/ End Unit Drive Through is not labeled.
3. Applicant's Engineer should review the contours near MH #1 and south of the "B" Inlet #208.
4. Preliminary grades for the proposed realignment and improvements to Irick Road should be added to the plans. Proposed spot grades and contours have been provided for the roadway improvements from the circle to Burlington-Mt. Holly Road but have not been provided from the circle to the south entrance to the site.
5. The grades at the main entrance driveway to the site from the Irick circle appear to indicate a cross slope of just under 5%, which combined with the proposed running slope of 3.33% results in a combined slope of 6.7%. The Applicant's Engineer should review the design of the roundabout and driveway to see if the cross slope and running slopes can be reduced by raising the south side of the roundabout.



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6. ADA accessible pathways need to be further developed at all proposed locations. The plans shall be revised to provide spot grades at the corners all ADA accessible parking areas as well as at the base and top of the proposed ramps and along the accessible pathway to the appropriate building entrance.
7. Lot A - Proposed retail store and fueling area
 - a. There appears to be a missing contour line at the right-in entrance to the Lot. The spot grades at this location would indicate a 6% slope from the roadway to the gas station parking lot. The entrance drive grade should not exceed 5%.
8. Lot B - Proposed 3000 SF bank
 - a. Additional spot grades shall be provided within the drive-thru area at critical locations such as the drive-thru window and at any proposed ridgelines or grade breaks.
 - b. Elevations at curb tangents, midpoints, grade breaks, etc. should be identified to ensure design intent.
 - c. Additional spot grades should be provided at the drive-thru pad corners.
9. Lot B - Proposed 8,900 SF mixed use building
 - a. Additional spot elevations should be provided access routes for the accessible parking stalls are ADA compliant.
 - b. The contours and spot grades surrounding the building should be reviewed and revised as needed to confirm design intent. There is a 6.6% grade through the loading zone as well as a 7.9% grade heading towards "B" Inlet #209 from the north.
10. Lot B - Primary access drive to Burlington-Mt. Holly Road (CR 541)
 - a. Contour lines and spot grades should be provided up to the limits of construction.
11. Lot B - Proposed 2,400 SF restaurant with drive-thru
 - a. The elevation 80 contour and adjacent spot grades to the north of the building should be reviewed and revised as necessary to ensure proposed slopes are less than 5%.



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- b. Additional spot grades shall be provided within the drive-thru area at critical locations such as the drive-thru window and at any proposed ridgelines or grade breaks.
 - c. Elevations at curb tangents, midpoints, grade breaks, etc. should be identified to ensure design intent.
 - d. The Applicant's Engineer should connect the sidewalk to the building.
12. Lot B - Proposed 9,000 SF retail building with end-unit drive-thru.
- a. The contours in the east corner of the parking lot suggest a slope of greater than 7%. The plans should be reviewed and revised to limit slopes in parking areas to less than 5% when feasible.
 - b. The contours surrounding Inlet #206 appear to be mislabeled and should be reviewed as needed to ensure design intent. Applicant's Engineer should review slopes on the east side of the Inlet.
 - c. The pavement slope entering Inlet #215 should be reviewed.
 - d. The Applicant's Engineer should connect the sidewalk to the building.
13. Lot B - Proposed 63,750 SF retail buildings
- a. Additional spot grades should be provided for the proposed accessible parking spaces on the northeast side of the shopping center to ensure that the parking spaces and accessible pathways meet ADA requirements. Due to the scale of the plans it may be advisable to provide a separate detail of the required grades at a larger scale.
14. Lot B - Proposed 20,360 SF retail building
- a. The elevation 80 contours in the front of the building should be revised to correctly depict the parking areas to be higher in elevation than the adjacent drive aisles.

G. Stormwater Management

- 1. Test pits #10 through #13 are not identified in the plans. The new test pits (#15 – 17) should be shown on the site plan as well.



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2. The proposed drainage map does not include the runoff from CR 541 north of the intersection with Irick Road which will drain into 'B' Inlet #108A.
3. Roof leader collection system designs should be shown on the plans.
4. The top of structure and invert elevations of the proposed headwalls should be identified on the Grading Plan.

B. Utilities

1. Testimony should be provided to describe to the Board how public water and sewer service will be provided for the site.
2. The Applicant has not identified any connections to electric or communication utilities, although both will be necessary. The Applicant should provide will serve letters for all utility services and begin coordination with the electric utility prior to submitting the Final Site Plan application. Additionally, the anticipated location of any required electrical transformers should be identified on the plans along with any required screening.
3. The Applicant should clarify the location of HVAC equipment for the various buildings.
4. Oil and grease separators shall be identified on the plans if and where necessary. External grease traps may be required for the restaurants and other significant grease generating facilities.

C. Environmental

1. The Applicant should indicate whether a Phase 1 Environmental Assessment was prepared for this site. A copy should be provided.

D. Landscaping

1. We defer to Board Planner.
2. A note has been added to the landscape plans stating the bicycle racks, benches and trash receptacles will be provided at the time of Final Site Plan submission for Phase 2.



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E. Lighting

1. The Applicant is proposing thirty (30) foot pole mounted LED light fixtures with a color temperature of 4000K.
2. A detail for the proposed 20-foot tall pole to be used with fixtures B8 and B9 should be provided or the provided pole detail should be modified as needed to work for both mounting heights.
3. Building mounted lights should be considered for the loading areas of the 63,750 SF retail building for security and safety during nighttime operations.
4. Street lighting should be provided for Irick Road.

F. Construction Details

1. Surfacing off-tract parking areas, loading and unloading areas, interior drives and aisles shall be paved with not less than four inches of compacted base course of plant-mixed bituminous stabilized base course, constructed in layers not more than two inches' compacted thickness (stab base) and a top course of a minimum two-inch-thick compacted wearing surface of bituminous concrete (FABC). The parking lot paving details shall be revised accordingly.
2. All concrete curbing and sidewalks onsite shall be 4,500 psi.
3. Where bollard mounted H/C parking signage is to be provided should be specified on the plans.
4. The OCS plugged orifice is 6" on the utility plan and 8" on the construction detail.
5. Additional detail for road markings and striping related to parking spaces, double-yellow lines (e.g. road centerline markings), and hatched areas for no parking zones shall be provided. Dimensions, colors, and materials shall be specified. Our office recommends that lane lines and parking space lines should be thermoplastic or epoxy resin.
6. Parking Space Lettering Detail has a "P.A. ONLY" text with it.



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G. Outside agency permits and/or approvals

1. Burlington County Planning Board
2. Burlington County Soil Conservation District
3. Mounty Holly Utilities Authority
4. NJDEP – Treatment Works and Bureau of Safe Drinking Water
5. Westampton Fire Marshall

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

Enclosure (Stormwater Summary)

cc: Gene Blair, Construction Code Official
Robert Swartz, Esq, Board Solicitor
Barbara Fegley, PP, Board Planner
Peter Tucci, Esq., Highview Homes LLC, Applicant
Edward P. Brady, P.E., Taylor Wiseman & Taylor, Applicant's Engineer
William F. Hyland, Jr., Esq., Hyland Levin LLP, Applicant's Attorney

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#88018 01

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

Attn: Marion Karp, Secretary Land Development Board

Re: Fountain Square Shopping Center, Crown Point Associates, LLC
Block 807, Lot 1
2035 Burlington-Mount Holly Road (CR 541)
Amended Preliminary Subdivision and Site Plan, Final Subdivision, Final Site
Plan (Phase 1), Bulk Variances and Design Waivers

Dear Members:

An application was received for Amended Preliminary Subdivision and Site Plan, Final Subdivision, Final Site Plan (Phase 1), Bulk Variances and Design Waivers for the above referenced site. The site is located in the triangle between Burlington-Mount Holly Road, the New Jersey Turnpike, and Irick Road in the central part of the Township within the Commercial (C) zone. The area north of the parcel, opposite Burlington-Mount Holly Road contains a number of commercial uses in Westampton Township's Commercial zone. The New Jersey Turnpike is located to the south and Irick Road and a solar farm and agricultural lands are located to the west.

The site received approval to subdivide an existing 24.762 acre farm into two (2) lots identified as proposed Lots A and B together with Preliminary Major Site Plan approval on December 5, 2018 (Resolution 24-2018 Memorialized on January 9, 2019). Lot A comprised 2.933 acres and was approved to contain a 5,585 SF Wawa convenience store with gas station. Lot B comprised 21.248 acres and was granted Preliminary Major Site Plan approval to construct a 3,660 square foot bank with drive-thru tellers; a 4,800 square foot drive-thru restaurant; a 2,400 square foot drive-thru restaurant; a 9,000 square foot retail building with 6,900 square foot of retail space and a 2,100 square foot drive-thru restaurant; a 4-story, 125-room hotel with a 16,100 square foot footprint; a 40,000 square foot retail building and an attached 22,500 square foot retail building and an infiltration basin for the development on both lots.

Stacey Arcari, PE, PP, CME, PTOE
G. Jeffrey Hanson, PE, CME
Timothy Kaluhiokalani, LLA, PP, CPSI
Matthew V. Litvinas, PE, CME

C. Jeremy Noll, PE, CME
John L. Scott, Jr., PLS
Charles L. Walton, PE, LS, PP

Benjamin R. Weller, PE, CME, CPWM, S-3, C-3
Harry R. Fox, NICET III, CPSI
John T. Potts, W-2, T-2

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The applicant is now seeking Amended Preliminary Major Subdivision, Amended Preliminary Site Plan, Final Site Plan (Phase 1) and bulk variance approval to construct a gas station with convenience store, bank, restaurants, retail shopping and day care along with associated site improvements on two lots to be created by an Amended Subdivision. The project also proposes relocation of a portion of Irick Road.

Phase 1, Section 1 includes the gas station and convenience store (Lot A) and Phase 1, Section 2 includes the day care center (Lot B). On Lot B, the Amended Site Plan eliminates the 125-room hotel and replaces it with a 20,000 square foot Retail Building "C" (per the Overall Site & Phasing Plan or 20,360 square feet per the Site Plan) and a 10,500 square foot Kiddie Academy in the same general area as the hotel. The previously proposed 4,800 square foot drive thru restaurant has been replaced with 8,900 square foot Retail Building "E" which includes a 3,500 square foot restaurant, a 2,400 square foot restaurant and two 1,500 square foot retail spaces. The previously approved bank has been reduced in area from 3,660 square feet to 3,000 square feet. The amended plan proposes a water treatment building and water storage tank. The proposed round-a-bout associated with relocated Irick Road and its interconnection with Block 123, Lot 5 in Burlington Township has been modified to provide additional turning movements. The modification has reduced the area of proposed Lot A to 2.812 acres and proposed Lot B to 21.245 acres as indicated on the Subdivision Plan and Site Data Chart. The remainder of the previously approved 22,500 square foot retail building (Retail Building "A"), 40,000 square foot Retail Building "B" (per the Overall Site & Phasing Plan or 41,250 square feet per the Site Plan) and a 9,000 square foot retail building with end unit restaurant (Retail Building "D") approved on Lot B remain the same as approved, if Retail Building "B" remains at 40,00 square feet, as are the Wawa gas station and 5,585 square foot convenience store proposed on Lot A.

The applicant is proposing to construct the project in two phases. Phase 1 will include construction of the Wawa gas station and convenience store on proposed Lot A, the Kiddie Academy day care center, the water treatment building, and the water storage tank. A note on the Overall Site & Phasing Plan states, "Phase 1 site improvements to include grading, underground utilities, storm drainage, stormwater basin, curb base paving and lighting for entire site and County Roads (Route 541 and Irick Road). Sidewalks, building pads and associated pad landscaping to be installed after final approval for each building are granted."

The following documents have been received with this application:

1. Amended Preliminary Site Plan and Final Site Plan (Phase 1) Fountain Square, prepared by Taylor Wiseman & Taylor of Mount Laurel, NJ, dated 5/24/19 and revised to 8/14/19 containing:
 - a. Title Sheet, Sheet 1 of 26
 - b. Overall Site and Phasing Plan, Sheet 2 of 26.
 - c. Site Plan, Sheet 3 of 26.

- d. Site Plan, Sheet 4 of 26.
 - e. Grading Plan, Sheet 5 of 26.
 - f. Grading Plan, Sheet 6 of 26.
 - g. Utility Plan, Sheet 7 of 26.
 - h. Utility Plan, Sheet 8 of 26.
 - i. Soil Erosion & Sediment Control Plan, Sheet 9 of 26.
 - j. Soil Erosion & Sediment Control Plan, Sheet 10 of 26.
 - k. Soil Erosion Details & Notes, Sheet 11 of 26.
 - l. Soil Compaction Mitigation Plan, Sheet 12 of 26.
 - m. Soil Compaction Mitigation Plan, Sheet 13 of 26.
 - n. Landscape Plan, Sheet 14 of 26.
 - o. Landscape Plan, Sheet 15 of 26.
 - p. Lighting Plan, Sheet 16 of 26.
 - q. Lighting Plan, Sheet 17 of 26.
 - r. Signage Plan, Sheet 18 of 26.
 - s. Profiles, Sheet 19 of 26.
 - t. Construction Details, Sheet 20 of 26.
 - u. Construction Details, Sheet 21 of 26.
 - v. Construction Details, Sheet 22 of 26.
 - w. Construction Details, Sheet 23 of 26.
 - x. NJTA Construction Details, Sheet 24 of 26.
 - y. WB-40 Circulation Plan, Sheet 25 of 26.
 - z. WB-62 Circulation Plan, Sheet 26 of 26.
2. Signage Location Plan and details prepared by MMA dated 5/28/19 and consisting of 10 sheets.
 3. Major Subdivision Plan, prepared by Samuel S. Previtera, PLS, of Taylor Wiseman & Taylor of Mount Laurel, NJ, dated 9/11/18 and revised to 8/15/19.
 4. Wawa Architectural Floor Plan, Elevations & Perspective prepared by Richard W. Luke, Architect dated 6/20/19.
 5. Kiddie Academy architectural plans prepared by prepared by Massa Multimedia Architecture, PC dated 8/19/19 including:
 - a. First floor Plan, Sheet A1.
 - b. Exterior Elevations, Sheet A2.
 - c. Exterior Elevations, Sheet A3.
 6. Tank Details, Sheets 2 and 3 of 6, prepared by Dynamic Engineering dated 01/11/19.
 7. Application Cover Letter, prepared by Patricia G. Wood, Paralegal, to William F. Hyland, Jr., Esq., of Hyland Levin LLP, of Marlton, NJ, dated 6/03/19.
 8. Township of Westampton Site Plan Application dated 6/03/19.
 9. August 16, 2019 letter from Ryan P. Havey, EP of Taylor Wiseman Taylor addressing Board Engineer and Planner review letters.
 10. Lithonia Lighting Pole and LED Area Luminaire cut sheets.

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

Previously Approved Bulk Variances and Design Waivers

The Land Development Board granted the following variances for the proposed shopping center at the December 5, 2018 meeting:

1. Bulk variance from Ordinance §250-25J and Section 250, Attachment to permit the shopping center identification sign on Route 541 with a height of 25' and an area of 126 square feet and tenant panels, where a sign with a maximum height of 15' and an area of 100 square feet without tenant panels is permitted.
2. Bulk variance from Ordinance §250-25J(2) to permit a shopping center identification sign on Route 637 (Irick Road) with tenant panels where no tenant panels are permitted.
3. Bulk variance from Ordinance §250-25J(2) and (3) to allow four tenant pad site monument identification signs on Route 541 which are 12.5 feet high and 42 square feet where no tenant pad site monument identification signs are permitted. Using the most conservative interpretation of §250-25E(1) which states, "The area of a sign shall mean and shall be computed as the area to the outside of the frame surrounding the sign or by the edge of the sign if no frame exists. Where no frame or edge exists, the area shall be defined by a projected, enclosed parallelogram drawn to include all figures, letters, pictures and graphics on such sign," the four tenant pad site monument signs would actually be 65 square feet in area. The issue with interpretation of sign area continues throughout this application.
4. Bulk variance from Ordinance §250-25G to allow one gas station convenience store identification sign on Burlington-Mt. Holly Road (County Route 541) with a height of 20' where a height of 15' is permitted.
5. Bulk variance from Ordinance §250-26D(11)(a) to allow a gas station convenience store façade sign with a height of 5.2' and an area of 67.7 square feet where a sign with a height of 3' and an area of 40 square feet is permitted.
6. Bulk variance from Ordinance §250-26D(11) to allow two spanner signs under the gas pump canopy where none are permitted.
7. Bulk variance from Ordinance §250 Attachment 2 to permit 62.0% impervious coverage on Lot A where 60% is permitted.

8. Bulk variance from Ordinance §250-22R(1) to allow the shopping center to have 12 loading spaces where 22 loading spaces are required.
9. A Design Waiver from Ordinance §196-8B(1) to allow insufficient landscaping by ordinance standards along County road frontage.

Additional Bulk Variances Required

1. Ordinance §250 Attachment 2 permits a maximum impervious coverage of 60% in the Commercial zone. The Overall Site Plan indicates that Lot A will have an impervious coverage of 67.3%. Lot B will have impervious coverage of 63%. **Bulk Variances are required.** *(Note: The Board granted a bulk variance to allow Lot A an impervious coverage of 62% with the Preliminary Site Plan approval granted on December 5, 2018.)*
2. Ordinance §250-22R(1) requires commercial uses to have one dedicated off-street loading space having a minimum size of twelve (12) feet by 35 feet for the first 5,000 square feet of gross floor area of commercial space, or fraction thereof, and then one (1) additional off-street loading spaces for each additional 7,000 square feet of gross floor area of commercial space, or fraction thereof. The Overall Site and Phasing Plan identifies that Lot B will only have 8 loading spaces, where 17 are required. **A Bulk Variance is required.** *(Note: The Board granted a bulk variance to allow Lot B to provide 12 loading spaces where 22 were required by ordinance with the Preliminary Site Plan approval granted on December 5, 2018.)*
3. Ordinance §250-16D requires a minimum front yard of 50' whereas the plan proposes a trash enclosure servicing the gasoline station and convenience store to be located 7' from the property line adjacent to the round-about right of way of relocated Irick Road. **A Bulk Variance is required.**
4. Ordinance §250-16F(1) requires a front yard buffer to a minimum planted depth of 20' from the front yard line whereas the plan proposes a trash enclosure servicing the gasoline station and convenience store to be located 7' from the proposed Irick Road right of way. **A Bulk Variance is required.**
5. Ordinance §250-26D(11)(a) permits motor vehicle stations one facade sign for each entrance with a maximum height of 3' and maximum area of 40 square feet whereas the applicant is proposing facade signs with a height of 5.5' and area of 67.70 square feet for the front door and a height of 4.06' and area of 36.82 square feet for the rear door of the Wawa convenience store. **Bulk variances are required for sign height and number of signs.** *(Note: The Board granted a bulk variance to allow a height of 5.2' and an area of 67.7 square feet for the front door facade at the December 5, 2018 board hearing).* The Signage Plan indicates the rear door Wawa sign is 67.37. The table should be corrected.

6. Ordinance §250-26D(11)(c) permits motor vehicle stations 1 freestanding sign per street frontage, not to exceed 60 square feet, which may also include fuel grades and prices. The Site Plan depicts one motor vehicle service station freestanding sign (A1) on Burlington-Mount Holly Road. The Sign Schedule lists a sign area of 73 square feet for Wawa Project ID Sign A1, the detail lists 59.75 square feet and using a conservative size as previously discussed, Ordinance §250-25E(1) could define it as 84.83 square feet. Similarly, the Sign Schedule lists an area of 62 square feet for Wawa Project ID Sign A2, the detail lists 46.87 square feet and the Ordinance could defines it as 64.37 square feet or 73.5 square feet. If the blank panels the applicant considers as part of the base are considered by the Board as part of the sign, the sign area will increase. The correct areas should be noted in the sign schedule and on the details. **Bulk Variances are required.**

7. Ordinance §250-25G permits gas station convenience stores one identification sign per street frontage with a height of 15' where 20' is proposed. **A Bulk Variance is required** for the 20' high sign (A2) on Irick Road. *(Note: The Board granted a bulk variance for the sign on Burlington-Mount Holly Road to be 20' in height with the Preliminary Site Plan approval granted on December 5, 2018.)*

8. Ordinance §250-26D(11)(c) permits motor vehicle stations 1 freestanding sign per street frontage, not to-exceed 60 square feet, which may also include fuel grades and prices. The gas station retail project signs each depict a solid panel that appears to comprise approximately 65.27 square feet for sign A2 and 59.76 square feet for sign A1. The panels appear to be aesthetic in nature, however, the applicant should provide testimony regarding the purpose of the panels and indicate whether they will provide any future content. **Bulk Variances** for exceeding sign area on the two freestanding Wawa signs have been discussed in item #6 above.

9. Ordinance §250-25G(1)(a) limits the base of signs to a maximum height of four (4) feet. The panels cited in #8 above are not dimensioned but the top of sign A2 when added to the 3.5' high stone veneer base have an approximate height of 12.25'. The top of the panel on sign A1 has an approximate height of 13.42'. If the panels are considered part of the base then **Bulk Variances** will be required for base height.

10. Project ID Signs B1 and B2 proposed on Lot B will be affected in a similar manner as the freestanding Wawa signs described in #9 above and will require **Bulk Variances** for base heights of 9' and 4.5' respectively, according to the Signage Plan schedule. Insufficient measurements are provided to check the dimensions on the signs. Additional dimensions should be provided on Signs B1 and B2, specifically, the sign base should be dimensioned.

11. The Sign Schedule lists a panel area of 126 square feet for Project Sign B1, however, using the sign area as defined in ordinance §250-25E(1), the sign area is approximately 287 square feet. Similarly, the sign area for Project ID Sign B2 is 105.8 square feet instead of the 69 square feet listed in the Sign Schedule. Ordinance §250-25J(2) permits a maximum area of 100 square feet for project identification signs. **Bulk Variances are required.**
12. The applicant is requesting a fifth pad site monument sign with a height of 12.5' and an area of 65 square feet whereas ordinance §250-25J(2) and (3) do not permit pad monument signs. **A Bulk Variance is required.** (Note: The Board granted bulk variances to permit four 12.5' high, 42 square foot monument signs on Lot B with the Preliminary Site Plan approval on December 5, 2018). As indicated in #3 above under **Previously Approved Bulk Variances**, a conservative area of the sign would be 65 square feet.
13. Ordinance §250-25G(2) requires all signs to be set back a minimum of 10' from all property lines. Wawa Project ID sign A2 is not dimensioned but appears to be set back approximately 7 feet from the Irick Road right of way. **A Bulk Variance is required.** Project ID Sign B2 is not dimensioned to the property line but it appears to be set back approximately 11'. A dimension should be provided on the plan.
14. Ordinance §250-25E(3) prohibits the area of directional signs from exceeding 4 square feet whereas the plan proposes three (3) directional signs on the gas station and convenience store site, each with an area of 6.0 square feet. **Bulk Variances are required.**
15. Ordinance §250-25I permits child care facilities one (1) identification, building mounted sign not exceeding 32 square feet in area. A "Facade Sign Building Copula, Kiddie Academy Internally Lit Box Sign" that is 28 square feet (14' in length x 2' in height) in size is proposed. **A Bulk Variance may be required** from Ordinance §250-25D(4) which states, "No advertising sign or device may be erected or used on top of any building." The Ordinance does not define "top of building" or "cupola," however, a cupola is usually defined as a small, dome-like, structure *on top of a building* that usually crowns a larger roof or dome. The sign on the cupola is situated above the building roof ridge height of 24' 10" and below the cupola peak height of 32' 7". The building and sign height are below the maximum permitted building height of 35' but the sign on the cupola could be considered to be on top of the building.
16. Ordinance §250-25I permits child care facilities one (1) freestanding sign not exceeding 32 square feet with a maximum height of six (6) feet. The applicant is requesting two facade signs, however, the "Community Begins Here" sign does not appear to be located on the facade but on freestanding columns with brick or stone bases. The "Community Begins Here" sign is 40 square feet in size and 10' 10" in height. **Bulk variances are required** for sign area and height.

Design Waivers

1. The applicant is requesting a design waiver from providing a trash enclosure for the 3,000 square foot bank. This Design Waiver was previously discussed but it does not appear that Resolution 24-2018 specifically identifies it.
2. Ordinance §250-22G requires light intensity at ground level to average a maximum of 0.5 footcandles over the entire area whereas the statistics chart indicates an average footcandle intensity of 1.1. The applicant is requesting a Design Waiver.
3. Ordinance §196-10 requires fire lanes to be provided on Site Plans. The applicant is requesting a submission waiver from designating fire lanes until they can be coordinated with the fire marshal. The applicant is seeking Final Site Plan approval for the gas station and convenience store and the day care facility as well as site improvements associated with them. If the Board grants final approval it should be conditioned upon designating and obtaining fire marshal approval for any required fire lanes.
4. The applicant has requested a submission waiver from providing a property survey as one was submitted with previous applications.
5. The applicant has requested a delay from providing floor plans and elevations for Phase 2 buildings until Final Site Plan approval is sought. Floor plans and elevations have been provided for the Phase 1 buildings.
6. Ordinance §196-8A requires a minimum of 12' of separation between a parking/loading area and a building whereas the proposed parking for the Wawa site appears to be approximately 6' from the side of the building and the loading area is adjacent to the building. The Site Plan indicates a 6' separation between parking spaces and the rear of the convenience store. The side setback dimension should be indicated. The applicant has requested a Design Waiver.
7. Ordinance §250-22Q(5) requires site plans to show the location and design of building entrances and exits. The Site Plan does not provide this information for every building. The applicant has requested a waiver This information should be provided prior to Final Site Plan approval.

Site Design

1. There are a number of measurement issues concerning the signs. Applicant should be prepared to discuss how measurements were calculated and why the bottom panels of the Wawa freestanding signs are considered to be part of the base.

2. The Site Plan notes the area of the gas station and convenience store lot as 2.09 acres. The site data on the Overall Site Plan and the Major Subdivision Plan list it as 2.812 acres. The inconsistency should be reconciled.
3. The Site Plan depicts improvements proposed to the existing Irick Road driveway that will serve as a secondary egress from the gas station and convenience store site. If improvements to the Burlington Township site will occur subsequent to development of the subject tract we recommend that a temporary barricade be incorporated into the plan.
4. Floor plans and elevations of the proposed water treatment building and water storage tank should be provided.
5. The Site Plan proposes a 7' high chain link fence around the concrete pad that contains a pump station valve enclosure and backflow preventer enclosure. We recommend that the chain link fence be shown as black vinyl coated.
6. There is no photometric data provided in the area housing the pump station, water treatment system and water storage tank. The applicant should discuss security lighting requirements.

Landscaping

1. The Landscape Plan proposes buffer plantings within the right of way of the proposed round-a-bout to screen a trash enclosure located on the gas station and convenience store property. The plantings will require County approval. Maintenance of the plantings should be addressed.
2. There are no landscape treatments proposed around the foundations of Phase 2 buildings occupying the pad sites, however, Note 2 on the Landscape Plan indicates that additional landscaping near the buildings will be provided at the time of final submission. We have no issue with deferring additional planting details until Final Site Plan submission.
3. The Landscape Plan depicts what is labeled on the Site Plan as a "Water Features with Fountains" along the frontage of both proposed lots. The detail provided is limited to providing proposed dimensions. Additional detailing will be required at the time of Final Site Plan submission for Phase 2.

General Comments

1. Updated testimony should be provided on known tenants for each of the proposed uses, including projected:
 - a. Hours and days of operation,
 - b. Activities and services,
 - c. Number of employees,
 - d. Types and volumes of solid wastes and recyclables generated, and

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- e. Truck types, truck scheduling, and trip frequency for deliveries and waste removal.
2. The applicant should provide testimony on the status of vacating Irick Road as well as Burlington County Planning Board review of its proposed improvements.
3. Testimony should be provided regarding permitting required for the proposed water treatment facility as well as the status of required permits.
4. The application did not provide any Architectural Designs or Details for Phase 2. These should be provided when available, or at least with the Final Site Plan application.
5. The application did not provide a Demolition Plan. These should be included in the Final Site Plan application.
6. The application did not provide copies of cross-access, parking, and drainage easements, as needed. These should be included in the Final Site Plan application.
7. The Site Plan proposes to vacate and relocate Irick Road, which is owned by Burlington County (CR 637). Irick Road is also is the municipal boundary between Westampton and Burlington Townships. Any Land Development Board approval should be conditional upon approval of the vacation of Irick Road by the Burlington County Board of Chosen Freeholders and by Westampton and Burlington Townships, as provided by law (N.J.S.A. 27:16-28), as well as the relocation of Irick Road, as proposed by the Board of Chosen Freeholders. The Applicant should provide testimony about this matter.

Outside Agency Approvals

8. Any approval granted by the Board should be conditioned on the Applicant obtaining the following approvals:
 - a. Burlington County Planning Board.
 - b. Burlington County Soil Conservation District.
 - c. Construction Code Official.
 - d. Fire Chief/ Official.
 - e. 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, PP
Township Planner

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**Cc: Gene Blair, Construction Code Official, via email
Louis Capelli, Esq., Board Solicitor, via email
Robert Swartz, Esq., via email
James Winckowski, PE, CME, Board Engineer, via email
Jennifer Bupp, Secretary, Burlington Township Planning Board, 851 Old York
Road, Burlington Township, NJ 08016
Crown Point Associates, LLC, 280 Route 35 South, Suite 150, Red Bank, NJ 07701
William F. Hyland, Jr., Esq., Hyland Levin LLP, via email
Edward P Brady, PE, Taylor Wiseman & Taylor, via email
Cecilia Byrne-Schmidt, LLA Taylor Wiseman & Taylor, via email**

Description of the Community of Hope on Holly Lane, Westampton Twp.

Architectural and Site Design: The proposed project is to develop a partially vacant parcel of ground that is a part of Block 1208, Lot 11, a 2.6 ac. Tract that can provide sufficient room to locate five single-family style and sized structures, each providing six self-contained, independent micro-housing units for a total of 30 dwelling units. The buildings are designed to look like typical Cape Cod style single-family homes that will be placed in an attractive and functional setting creating a community in a village-like atmosphere. This clustering of units will help us provide an increased level of supportive services to residents who are homeless and always at risk of homelessness without the availability and accessibility of those services being close, accessible and affordable.

Micro-housing with supportive services: Like many other non-profit and for-profit developers across the country who are developing small, independent living units for the general public including seniors, the disabled and low-income people trying to make it in a world where housing costs are rising faster than incomes, the micro-housing model offers an alternative that is particularly attractive today. We believe that a micro-housing community that is comprised of a sufficient number of units offers us a unique opportunity to serve the whole person through supportive housing. Our challenge is to avoid creating what might become a homeless 'ghetto' if it were to become too large. So, we believe the number of 30 self-contained dwelling units is a reasonable goal.

Big House concept: The concept of a larger structure providing a variety of smaller housing units but giving the appearance of a typical suburban McMansion was developed and promoted by Humphrey & Partners in Dallas with 11 offices all across the USA. They call the concept the "Big House", which breaks the model of typical attached town-house style or row homes that dominate the LIHTC project across the USA, including Burlington County. Freedom Village in Westampton is a good example.

Designed for a special population: Our proposed site, the site layout, the unit type and mix, coupled with programmatic responses to the plethora of conditions that the homeless bring to any service provider offers a challenge to those of us who understand that Jesus instructed his followers to serve the "least of these my brothers and sisters". His challenge to the faithful today cannot be just lip-service. Our model takes micro-housing and incorporates it into a more traditional dwelling design so that it blends with the existing architectural style of the neighborhood in Westampton Township so as to be compatible with the physical style of the surrounding buildings and neighborhood as well as offer the highest level of supportive services and care. The reality of community as opposed to just housing is important for socialization and mutual support as formerly homeless people work to become self-reliant and independent in the context of respect and love.

Total person philosophy: As an operational program, we believe in spiritual, mental, emotional and physical transformation -- life changes that can and should be sought through an integration of religious and secular disciplines --

bringing the best of each together in holistic ministry. Like Jesus, we seek to bring healing and wholeness to the body, mind and spirit, offering reconciliation, hope, joy and peace to those whose lives have been broken, troubled and abused. Operating out of the social work model of 'trauma-informed care' we will receive residents as they are, work with them in a client-centered therapeutic approach and seek to reintegrate them into a world that is diverse and challenging, but one that will offer life that is rich and full, bringing a renewed sense of being fully human as God designed life to be for all of us.

Previous Land Use approval: This site was previously approved by the Land Use Board to allow the construction of a two-story mixed-use structure with 7,000 +/- SF of office space on the first floor and fourteen units of housing on the second floor, like the structure that was built in 1989 where we currently have our organization's offices, lease to a day care center and have five second floor apartments. It also approved the subdivision of the undeveloped portion of the property that we intend to build on so that it can be financed independently from the existing improvements.

Our research: Over the past 12 years, our thinking as a part of a county-wide collaborative that has travelled from coast to coast visiting and researching effective and progressive programs and facilities, we have learned how best to provide for some of the neediest in our society. The thinking of this group, called Citizens Serving the Homeless, Inc., has matured to utilize the micro-housing unit as a critical first step toward self-reliance and independence for those who are chronically homeless, have virtually no work skills, are plagued by long-term disabilities and are financially destitute. We have found that shared housing for single adults is fraught with difficulties at best and at worst is a management nightmare for the owners and unhealthy for residents. Having totally independent living space complete with private baths and kitchens together with a combination living / sleeping space is a marked improvement over the alternatives offered by the marketplace.

Site uniqueness: This site is ideal for the kind of development proposed in that it models itself like the purely residential structures to the south in the area known as Holly Hills. The site provides a user-friendly location and with nearby services for those without independent transportation. The NJ Transit 413 bus stops at the corner of Holly Lane and 541, is within walking distance of eight restaurants, three banks, two pharmacies, and a wide variety of other businesses that provide supportive services, shopping and food resources.

Neighborhood suitability: Our site is in a thriving Township whose residents earn more than 50% of all other Census Tracts in the Philadelphia/Camden MSA. This helps make it a fundable site for lower income housing. It is convenient to a wide variety of other social service agencies and providers of supportive services including America Works, Oaks Integrated Care, the County's Veterans Service Center, the Burlington County Board of Social Services, etc.

Goal to end homelessness: We believe that this small-scale supportive housing development will help address the continued crisis of affordable and suitable

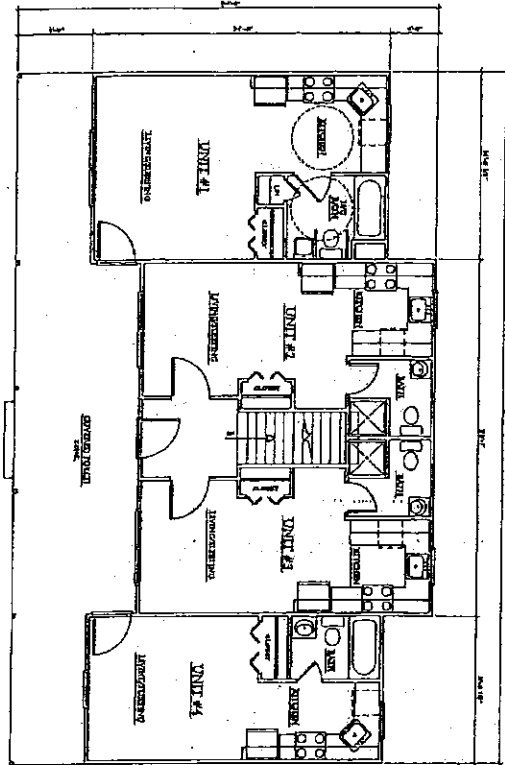
housing for chronically homeless people and those with disabilities that would limit their long-term stability and constantly put their independence and self-reliance at risk.

Applicant's history: The Salt and Light Company, Inc. pioneered the way in Burlington County in 1986 utilizing existing housing as an alternative to the then exclusive use of roadside motels to provide temporary housing for homeless families and individuals. We presently provide five units of housing on our site at 1841 Burlington-Mt. Holly Road, two units in a converted single-family dwelling on Fort Drive that was approved by the township Land Use Board years ago and two other dwellings, one town house on Winstead Dr. and a condo in Westampton Courts. All of these have been successfully owned and managed by the applicant helping the Township satisfy its State-mandated affordable housing responsibly.

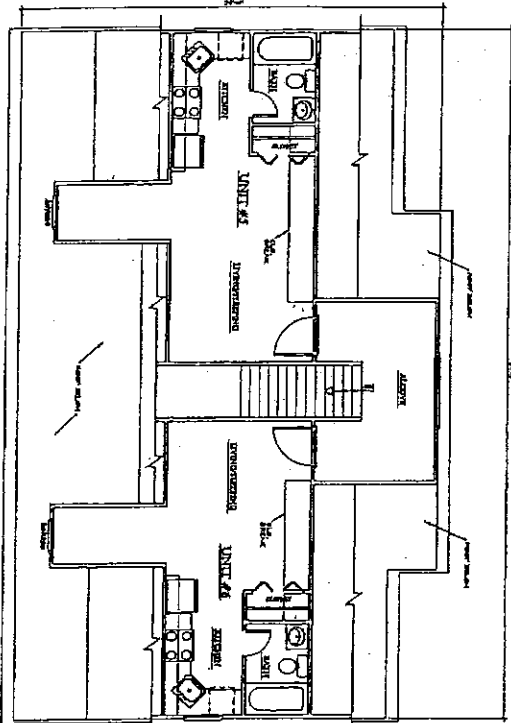
Asking for your support: With all these factors considered, we believe that Westampton can again help us lead the way to breaking down the barriers to affordable housing for some of the neediest in our society and helping end the scourge of homelessness in our lifetime. With your support we can literally and figuratively break new ground in the battle to end homelessness. With your approval of this development we believe that it will serve as a model or prototype for other towns and municipalities in not only New Jersey but a wider area as leaders realize we must change the paradigm in order to move forward in the future as housing costs rise and homelessness increases.

Questions and Suggestions: We welcome your questions and comments. We want to be responsible and accountable in all that we do. Thank you.

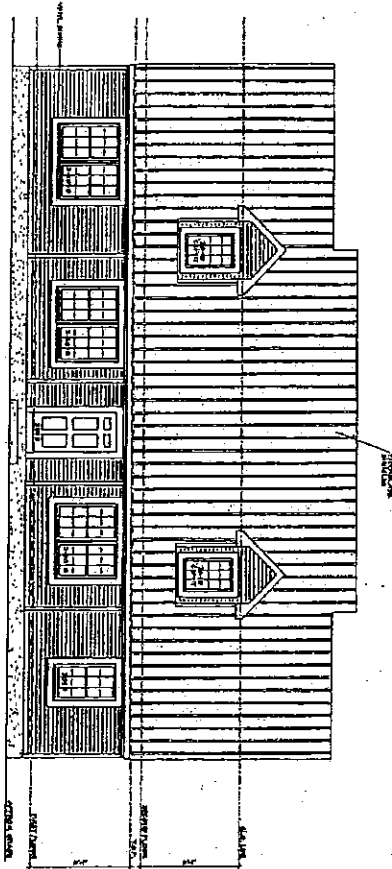
FIRST FLOOR PLAN



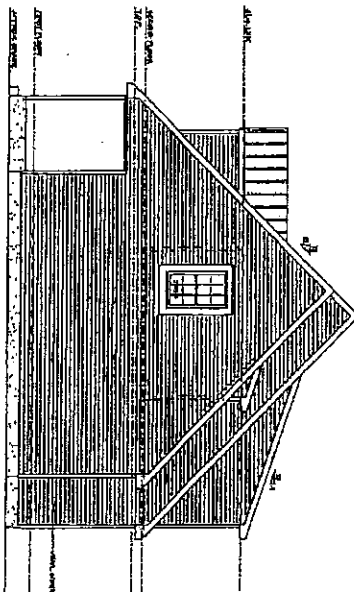
SECOND FLOOR PLAN



FRONT ELEVATION



RIGHT SIDE ELEVATION



DATE: 10/15/88

AI

NO.	REVISION	DATE

NEW HOUSING
 100 SANSY ROAD
 DUBLIN, OH 43017

OWNER:
 AFFORDABLE HOUSING GROUP
 10-18 EARLINGTON HT. HOLLY ROAD
 WESTAMPTON, NJ 08862

ARCHITECTURAL MANAGEMENT, INC.
 ARCHITECTS
 100 SANSY ROAD
 DUBLIN, OH 43017

