

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

JANUARY 4, 2017

RE-ORGANIZATION 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 6, 2016 and posted in the Municipal Building.

Pledge of Allegiance

3. Welcome to guests. Give Oath of Office to new Board members:
4. Roll Call: Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Daniels, Mr. Freeman, Mr. Lopez, Ms. Berkley
5. Motions are needed for the following 2017 appointments:

Chairman
Vice Chairman
Secretary
Solicitor
Engineer

6. Approval of minutes – December 7, 2016

7. Resolutions: approval needed:

17-2016 Westampton Real Estate, LLC, Block 803, Lot 8 (112 Schoolhouse Road)-
site plan waiver, certificate of non-conforming use (noodle manufacturing/distribution)

18-2016 Jersey Premier Outdoor Media, LLC, block 201, Lot 8.01 (700 Highland
Drive) – use variance, site plan (digital billboard)

8. Old Business:

9. New Business:

- a. Christopher D'Alessandro, Block 109, Lot 13 (119 Second St.) – setback variance
(extension of existing back porch)

10. Informal Applications:

11. Correspondence:

a. 2017 Westampton Township Meeting Dates

12. Open meeting for public comment

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

14. Adjourn

DRAFT

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

DECEMBER 7, 2016 7:00 P.M.

MINUTES

The regular meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on December 7, 2016 at 7:03 P.M. The meeting was called to order by Chairman Dave Barger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 12, 2016 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Carugno, Ms. Coe, Mr. Daniels, Mr. Freeman, Mr. Lopez, Mr. Attaway, Ms. Berkley, Engineer Greg Valesi, Planner Tamika Graham, Solicitor Allen Zeller, Secretary Marion Karp

Absent: Mr. Carugno, Ms. Coe, Mr. Attaway, Mr. Lopez

Minutes of the 11/2/2016 meeting – were approved as corrected.

Board Solicitor Sandy Zeller swore in the Board Engineer and Board Planner.

Resolutions:

15-2016 Catholic Charities/Diocese of Trenton, Inc., Block 203, Lot 10 (595 Rancocas Road) – (use variance) - was memorialized

16-2016 Thomas W. & Monica Hand, Block 301.01, Lot 62 (66 North Hill Drive) – variance (color of roof shingles) – was memorialized

New Business:

Westampton Real Estate, LLC, Block 803, Lot 8 (112 Schoolhouse Road). The applicant was before the Board with an application for a site plan waiver; they had appeared before the Board last month informally. The property was formerly used as a fish processing/distribution plant. Ms. Anna Lu and Mr. Alain Bankier were sworn in before the Board by Board Solicitor Sandy Zeller.

Attorney Nick Suglia was representing the applicant. He spoke regarding the prior resolutions of approval that were attached to the property. Commercial use of the property dates back prior to the year 1980 and it is acknowledged in all resolutions in the property file that it is a pre-existing non-conforming use. The applicants wish to use

DRAFT

the property as a Chinese noodle processing/distribution facility. He stated that the intensity of use would not be great and certainly no greater than the fish processing facility that was previously occupying the building.

Mr. Bankier's company is known as 12 Schoolhouse Road, he purchased the property in February 2006. They continued the processing and distribution of seafood and specialty foods use that had gone on there before. They bought the property from Nash Cohen, who had been in operation there before the 1980s. They distributed their products to retail stores and restaurants; no retail sales ever took place there. They had 40 to 50 employees depending on time of year; they ran two shifts and an overnight clean up shift; which numbered about 5-7 employees. They stopped operations in late spring 2014. They decided to sell the property in the summer of 2014. Since then they had gone to contract with two different purchasers but those purchasers were unable to obtain financing and the sales didn't go through.

Everything at the property is still there; all of the refrigeration, the machinery, the truck, nothing has essentially changed at the property. The current owner does consent to the application.

Truck deliveries would come in the morning and the finished product would leave at the end of the day. It was probably just a few trucks per week; perhaps ten a week; Mr. Bankier wasn't quite sure. They owned two trucks that were used for deliveries; one is still there and is part of the transaction. It was asked how many parking spaces were on site; he wasn't quite sure although he also stated that there might be as many as 70 employees there at one time during a shift, depending on the season.

The accessory building on the property was first used as office space; then a new owner obtained a variance to use the building as a sound studio within certain hours. An office use is allowable, which is ancillary to the business. There is very little sound recording equipment remaining in that building. The new owners testified that they will not be using it as a sound studio.

Mr. Bankier stated that there was never any intent to abandon the processing use; that is why they left all the equipment; they hoped to sell it to someone for a similar use.

Ms. Lu is one of the prospective purchasers of the property. They have been manufacturing rice noodles for approximately 20 years and currently operate in Chinatown, Philadelphia. Their current space is too small and they need to expand. Noodle processing requires basically one machine. They will be delivering their product to restaurants and supermarkets, hotels and casinos. They have another location for retail sales; there will be no retail sales at this new location. Rice is delivered approximately once a week, perhaps twice since they have more room here. They currently have about ten employees but they would like to hire about 5 more. Hours of operation now are 6:30 AM to 5 PM, 7 days a week.

The machinery cannot be heard outside of the facility; it is relatively quiet. It cannot be

DRAFT

heard even within the building, such as in the front offices.

They cannot take their old machinery to the new location; the new machinery will use fewer employees but will increase their output per hour. They won't need all the office space; the machine itself is approximately 30 feet long; Ms. Lu thinks they will be using the entire manufacturing area. She thinks employees may double in the next few years, to about 20 or 30 employees in total. A tractor trailer will make deliveries and pickups approximately once or twice a week. They will fix up and restore the recording studio but it would remain vacant. Improvements to the exterior will include repairs to the roof, etc. but no big changes are being proposed. The parking lot will be updated, ADA signage will be redone and the lot will be re striped as it currently is.

Jim Winckowski explained that typically this type of application needs a site plan review in order to bring the current property up to date. It is dated and it has been vacant for two years.

Most of the testimony given has been geared to a certificate of non-conforming use; the site plan waiver aspect has several questions that remain unanswered. Rather than doing a site plan waiver, Jim suggested perhaps doing a site visit.

Their attorney said that Westampton Township doesn't have a specific application for a certificate of non-conformity; it was discussed at the Board's last meeting and this is why they presented their application this way.

The Board basically wants to establish/document the use. Gene Blair thinks the use is in line with what has been going on the building for years. If they want to improve the site they would need to come back to the Township; it should be able to function in the manner that it has been used, it is a continued use. They are here to document that it is a pre-existing non-conforming use.

Mr. Freeman had questions about lighting that the applicant couldn't answer; he has concerns about aesthetics and being a good neighbor.

Any modifications to the site would require minor site plan approval according to Jim Winckowski. The site plan waiver was the vehicle to get before the Board since there is no application of non-conformity, according to Sandy Zeller. The Board will be acknowledging that this use is consistent with the prior pre-existing non-conforming use.

They would probably be able to be operational within approximately six months; they could close on the property very soon.

The meeting was opened to the public for comment. No comment was made and the meeting was closed.

Mr. Applegate made a motion to approve; the motion was seconded by Mr. Borger. Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger and Ms. Berkley voted yes; Mr. Freeman

DRAFT

voted no.

Jersey Premier Outdoor Media, LLC, Block 201, Lot 8.01 (700 Highland Drive, Crescent Shrine). Tim Prime, applicant's attorney was present for a use variance and site plan application that proposes the construction of a billboard sign. The property is occupied by the Shriners, a charitable entity. His client will lease a small portion of the property. It is a two sided sign; property taxes will be paid on this portion of the site, it will generate some tax revenue. In order for it to be visible from Route 295 it has to be 89 feet in height, therefore a variance is necessary. A setback variance is also being requested. The sign complies with all State regulations. It is a multi message sign as proposed by the applicant, state of the art and digital. It provides a public benefit as it is accessible to the Township, Police and EMS Department, who can use it for things such as an Amber alert. Spacing requirements as required by the State are much larger for this type of sign; for static billboards the spacing is 1000 feet; for a multi message billboard there must be 3000 feet of separation. The Shriners site is ideal for this type of application.

Andrew Feranda, applicant's traffic engineer, was sworn in by the Board solicitor. He testified that the site is in the Industrial zone, 14 by 48 feet in size. There is a five foot setback from the property line; it will be 89 feet in height, above the tree line. Some trees will be removed. It is in the northeast corner of the property. The billboard message will be directed towards the roadway and will project messages both to the northbound and southbound side of Route 295. The nearest residence is more than 3500 feet away which is more than half a mile. They won't see the lighting from the billboard. There is minimal signage along this stretch of the roadway. It is his opinion that relief can be granted without substantial detriment to the health or welfare of the public.

Studies have been conducted that show that these billboards are no more distracting than a static sign; drivers are seeing only two messages by the time they get to the board and then pass it. This is part of the DOTs approval process according to Mr. Feranda.

Gene Blair stated that our ordinance prohibits changeable copy signs; other applications have come before the Board for much smaller signs and they have not been approved. Mr. Prime stated that most municipalities are concerned with the smaller more frequently changing signs such as those employed by CVS or Walgreens, etc. Gene wanted them to understand the history of these signage requests with the Township.

Jim Winckowski asked what trees were being taken down; Tim Prime explained that the State has jurisdiction over this; they aren't sure at this point. He doesn't have a specific tree removal plan yet.

William Atkins was sworn in by the Board solicitor; the State VCM must issue a permit. The site plan depicts a large triangular area; are they cutting all the trees? Jim asked if there will be a gap in the buffer now. Mr. Atkins stated that as far as he can tell there

aren't very many tall trees in the area. The plan shows clear cutting to a height of 6 inches over a large area; the Board is concerned with this. Jim asked if the sign will be visible from the Westampton Sports Complex. They were also concerned if residents of Rancocas Village could see the sign.

Jay Sims, applicant's engineer and planner was sworn in before the Board. He testified on the suitability of the site for the proposed billboard. He stated that the Sports Complex has sight lighting on poles approximately 80 feet in height that are much closer and that have more impact on the residential neighbors than the sign would. He spoke regarding the benefits the sign would have for the public good. They have no desire to clear cut the buffer along Route 295; they only wish to do the minimum necessary. They are proposing to trim and prune the trees and not cut them down. There is no up lighting or down lighting on the sign; the catwalks are inside.

Sandy Zeller asked how the Township would be able to use the sign; Mr. Atkins stated that they would be able to use the sign every other minute if they wanted to. Fire and Police Departments love the sign. They would set up a contact from within the Township who would be trained. The proposed lease is for 60 years. It would also be a condition in the resolution that if they don't use the sign, it would be taken down. The sign requires very little maintenance; most things are done from a remote control room.

The meeting was opened to the public for comment.

Nancy Burkley spoke regarding the billboards that were approved last year by the Board on the Turnpike. Route 295 has more traffic than the Turnpike does; there are constant accidents in that area especially since Centerton Bridge was closed. She thinks the signs will cause more accidents.

Henry Haughey of Crescent Shrine stated that 100% of what they make goes to transport children or to their hospitals for children. The more money they make, the more they can take care of children. They could advertise their hospital on the sign. They have 1550 members at this location; they really support the installation of this sign. He thinks the digital sign will have many benefits.

There being no further comment, the meeting was closed.

Dave Barger spoke about the potential for distraction for drivers. Tim Prime stated that the 8 seconds was picked by the DOT for this reason in particular, since their studies show it won't be a distraction if changed this often.

Mr. Prime wanted to know if he should withdraw the application since there were only 6 voting members this evening. He wanted to know if they could take a straw vote. This usually isn't done; we could have a group comment/discussion session instead, as suggested by Sandy Zeller. Ms. Berkley thinks the sign is a worthy thing; Mr. Borger thinks it is more a benefit than a detriment; Mr. Applegate has a small problem with the sign not being a static sign but thinks in this location it is okay; Mr. Freeman thinks it is

acceptable and won't present a lighting issue, he welcomes this kind of technology. He supports it. Mr. Barger is concerned about the proliferation of billboards along Route 295 in Westampton; he isn't convinced it is more of a benefit than a detriment. Mayor Daniels is in favor of the sign although he cannot vote on the application. Mr. Blair thinks the technology today is fantastic; he thinks the Board may want to eliminate the ban against digital signs in the future. The Board should understand that if granted, it doesn't set a precedent as each application stands on its own merits.

The applicants would confirm that the sign wouldn't interfere with FAA regulations for the nearby Inductotherm airport.

Mr. Freeman made a motion to approve; the motion was seconded by Mr. Borger. Mr. Applegate, Mr. Blair, Mr. Borger, Mr. Freeman and Ms. Berkley voted yes; Mr. Barger voted no.

A five minute recess was taken.

New Beginnings Community Church, Block 201, Lot 6 (315 Bridge Street, Friends Academy). Richard Roy, applicant's attorney was present on behalf of the applicant. They are seeking a change of use as well as a waiver of site plan.

Sandy Zeller pointed out that the owner of the property hasn't signed the application; however, Mr. Roy indicated that they would immediately obtain the consent of the owner. Any approvals or action taken has to be conditioned upon the owner's consent.

George Kotch is a member of the Board of the Friends Academy of Westampton. He didn't sign off on any application and hasn't given his consent. He was in attendance at the meeting this evening.

Mr. Roy stated that he didn't anticipate a member of the Board showing up objecting to the application. He asked if the Board would consider continuing the application until the January meeting. The Board voted in favor of this. The application is adjourned until the Board's January 4, 2016.

Informal Applications:

None

Open Meeting for Public Comment:

Nancy Burkley – spoke regarding the discussion/straw vote on the billboard that happened. She didn't think it was right and she has a problem with it.

There was no further comment from the public and the meeting was closed.

DRAFT

The Board made a motion to go into closed session to discuss their 2017 professional appointments. Motion made by Mr. Freeman; seconded by Mr. Blair. All voted yes.

Motion made to come back into open session at 10:18 PM.

Comments from Board Members

Ron Applegate – Happy Holidays

Jim Winckowski – Happy Holidays

Dave Barger – has several ordinance revisions that have been brewing in his mind. He was concerned with the architectural controls within the R-4 zone. He asked Planner Tamika Graham to comment on this.

Tamika Graham – this is only her second meeting with the Board; however she would comment. She thinks it is in conflict with some of the other sections.

Gene Blair explained that it is usually habitual issues that come before the Board for relief that the Board may want to recommend for changes or revision to the Committee. The Hand application has probably been only one of two applications and doesn't necessarily mean a change needs to be made to the ordinance.

Dave Barger commented that the OR-2 zone contains the Westampton Sports Complex; we might consider changing the zone to a recreational zone.

Jim Winckowski advised Dave that these changes would take place during a review of the Master Plan. The Planner could take note of these issues and then they could be addressed at that time.

Andre Daniels – thanked everyone for their service, Happy Holidays and Merry Christmas to everyone.

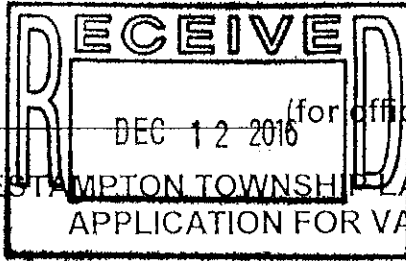
Gene Blair – Happy Holidays, thanks to everyone for their efforts.

Solicitor Sandy Zeller – wished everyone a happy healthy holiday during this festive season.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board



DATE FILED: _____ (for office use only)

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD
APPLICATION FOR VARIANCE OR APPEAL

To the Westampton Township Land Development Board:

The petition of CHRISTOPHER D'ALESSANDRO
who resides at 119 SECOND ST,
respectfully shows:

1. A variance is requested with respect to land designated on the Westampton Township Tax Map as Block 109, Lot(s) 13.
2. The property is located 119 SECOND ST
Phone # 973-747-9864 in
a R-2 zone district, the street number is 119 SECOND.
- 2a. A variance is sought from Section(s) 250-7 SCHEDULE OF YARD, AREA & BULK REQUIREMENTS of the Zoning Ordinance to permit EXTENSION OF AN EXISTING BACK PORCH THAT WILL BE 40' FROM OLIVE ST; NOT THE REQUIRED 50' PER ORDINANCE.

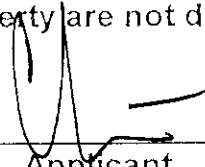
Applicant appeals from the decision of N/A
on _____, based upon
Sections _____ of the Zoning Ordinance
for the reasons outlined on paragraph 9.

3. CHRISTOPHER D'ALESSANDRO, who resides at 119 SECOND ST, is the present owner of the property. Applicant's interest in the property is HE IS THE HOMEOWNER - PERSONAL ENJOYMENT.

No variance, conditional use, or special permit has ever been granted with respect to this property, except N/A

5. The last previous use or occupancy of the property was by A PRIVATE OWNER - HOME,
 who used the property for PERSONAL RESIDENCE
6. The dimensions of the property are SEE ATTACHED SURVEY
 a. Frontage: _____ b. Depth: _____
 The total area of the property is _____
7. The property is now occupied by (a) building(s). Said building(s) occupy _____% of the lot(s) as nearly as can be determined. The height of said building(s) is _____ feet and _____ stories. (Please give the maximum if more than one building.) The setback from the nearest street is _____ feet. SEE ATTACHED SURVEY
8. The percentage of coverage, height and setback of the proposed building(s) are SEE ATTACHED SURVEY
9. The petitioner advances the following reasons why the application should be approved:
- 9a. Describe how the proposed variances would promote the public welfare:
THE NEW PORCH REPLACES THE EXISTING ONE THAT HAD STRUCTURAL PROBLEMS. IT IMPROVED THE FUNCTIONALITY OF THE PORCH.
- 9b. Demonstrate that the proposed variance would do no substantial damage to the Westampton Township Plan: THE EXISTING PORCH WAS VIRTUALLY UNNOTICEABLE AND EXTENDING 7' WILL NOT DETRACT FROM THE PLAN
- 9c. Provide details of the future use of the property and structures if the variance is granted: THE PORCH IS USED DURING WARM WEATHER FOR OUR FAMILY'S ENJOYMENT.
- 9d. Describe any changes in traffic and/or parking patterns: NONE

- 9e. Describe impact on neighbors if variance is granted for use described in 9c: WE WILL FIT MORE OF THEM ON THE PORCH FOR BARBEQUES. OTHER THAN THAT, THERE IS NO EFFECT/IMPACT
10. Twelve (12) copies of each of a certified survey/plot plan; one copy of proof of publication, proof of service of notice, or such of them as are required by the Board are submitted herewith.
11. Proof that taxes and assessments upon the property are not delinquent is attached hereto.



Applicant

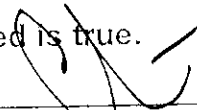
STATE OF NEW JERSEY :

ss.

COUNTY OF BURLINGTON :

CHRISTOPHER D'ALESSANDEO, of full age, being duly sworn according to law on his/her oath deposes and says:

I am the applicant named in the foregoing application and on my oath declare that each and every allegation therein contained is true.

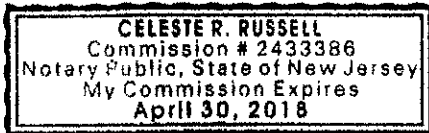


Applicant

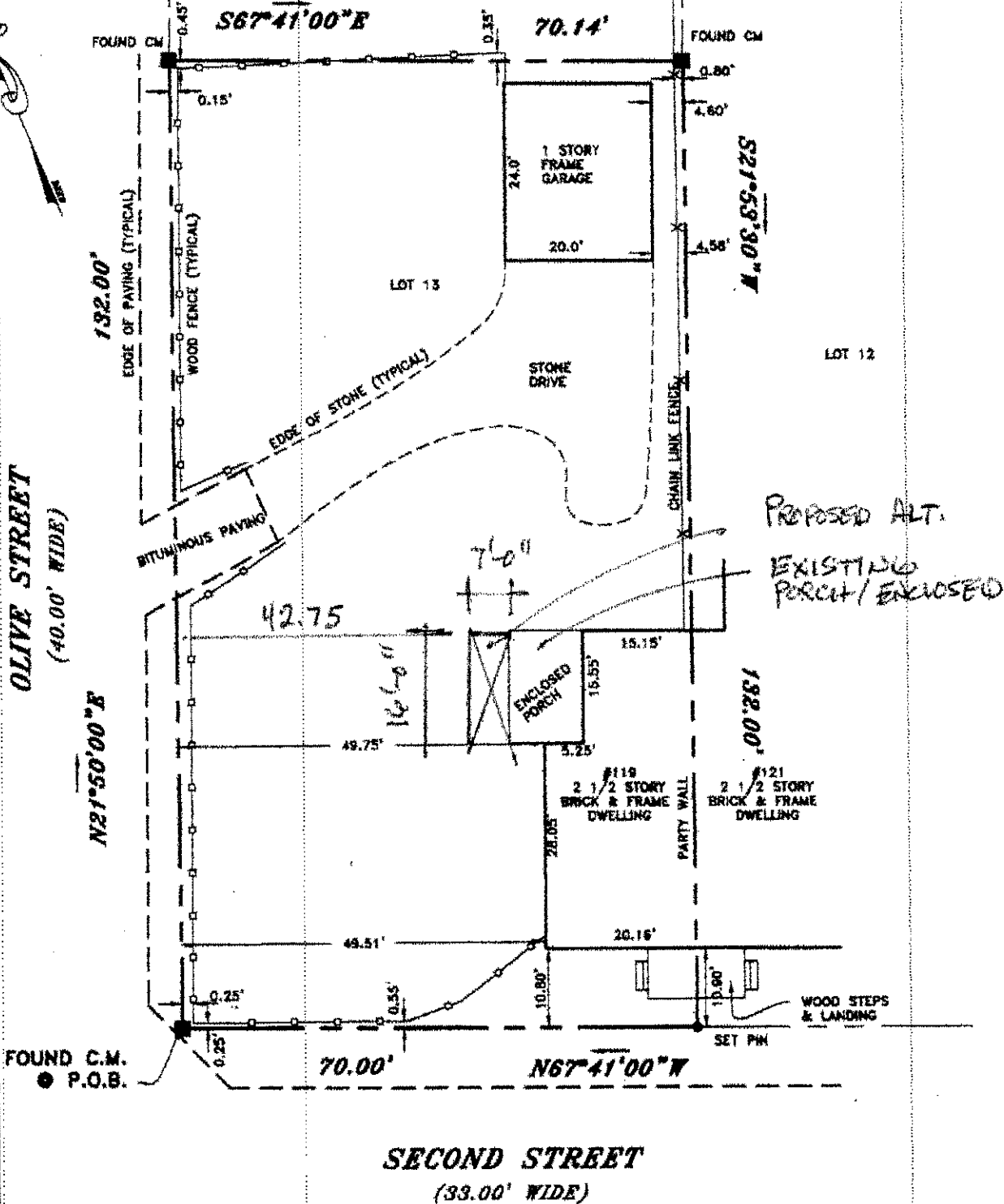
Sworn to and Subscribed :
before me this 8th day :
of December , 2014.



Notary Public of



LANDS N/F KEITH H. BOWKER
LOT 14



NOTES:

1. BEING KNOWN AS LOT 13, BLOCK 109, PLATE I ON THE OFFICIAL TAX MAP OF WESTAMPTON TOWNSHIP.
2. CONTAINING 9,248.91 S.F.

CERTIFIED TO:

FIRST AMERICAN TITLE INSURANCE COMPANY
INFINITY TITLE AGENCY, INC.

CITY BANK N.A., ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY APPEAR.

REV.	DATE	DESCRIPTION	INITIALS ENGINEER/SURVEYOR
SURVEY OF PREMISES			
#119 SECOND STREET			

2017 WESTAMPTON TOWNSHIP MEETING DATES

ALL MEETINGS ARE HELD IN THE WESTAMPTON TOWNSHIP MUNICIPAL BUILDING, 710 RANCOCAS ROAD, WESTAMPTON TOWNSHIP

TOWNSHIP COMMITTEE

The Township Committee of Westampton Township, County of Burlington and State of New Jersey will hold two regular meetings each month at 7:00 P.M. on the first and third Mondays (Tuesday when a holiday); one meeting in July and August; Workshops or Executive Sessions if needed, will be held at 6:00 P.M. prior to the regular meeting.

January 2, 2017	July 17, 2017
January 17, 2017	August 7, 2017
February 6, 2017	September 5, 2017
February 21, 2017	September 18, 2017
March 6, 2017	October 2, 2017
March 20, 2017	October 16, 2017
April 3, 2017	November 6, 2017
April 17, 2017	November 20, 2017
May 1, 2017	December 4, 2017
May 15, 2017	December 18, 2017
June 5, 2017	January 2, 2018 - Reorganization
June 19, 2017	

LAND DEVELOPMENT BOARD

The Land Development Board will meet the first Wednesday of each month at 7:00 P.M., providing applications have reached the Secretary fifteen (15) working days prior to meeting date. The meeting will be canceled fourteen (14) working days prior to meeting date if no applications have been received. Meeting dates:

January 4, 2017	July 5, 2017
February 1, 2017	August 2, 2017
March 1, 2017	September 6, 2017
April 5, 2017	October 4, 2017
May 3, 2017	November 1, 2017
June 7, 2017	December 6, 2017

January 3, 2018 – Reorganization

HISTORIC COMMISSION

Meetings held the fourth Wednesday of each month at 7:00 P.M., providing applications have reached the Secretary 10 days prior to the meeting.

January 25, 2017	July 26, 2017
February 22, 2017	August 23, 2017
March 22, 2017	September 27, 2017
April 26, 2017	October 25, 2017
May 24, 2017	November 22, 2017
June 28, 2017	December 27, 2017

RECREATION COMMITTEE

Meetings held second Wednesday of each month at 7:00 P.M.

January 11, 2017	July 12, 2017
February 8, 2017	August 9, 2017
March 8, 2017	September 13, 2017
April 12, 2017	October 11, 2017
May 10, 2017	November 8, 2017
June 14, 2017	December 13, 2017

NOTE: The Municipal Building will be closed on the following dates in 2017:

January 2, 16	May 29	October 9
February 20	July 4	November 10, 23, 24
April 14	September 4	December 25, 26