

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

OCTOBER 2, 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 October 2, 2019 at 7:05 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. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Eckart (arrived at 7:45 PM), Mr. Freeman, Mr. Guerrero, Ms. Haas, Mr. Myers, Mr. Odenheimer, Mayor Wisniewski, Solicitor Robert Swartz, Planner Barbara Fegley, Engineer Jim Winckowski, Secretary Marion Karp
Absent: Mr. Myers, Mr. Freeman

Approval of meeting minutes 9/4/2019 - were approved as written.

Resolutions: approval needed:

19-2019 Dolan Contractors, Inc., Block 203, Lot 7.03 (86 Stemmers Lane) – amended preliminary and final site plan approval (reduced size office/warehouse/distribution facility) – to be continued until the Board’s 10/2/19 meeting – was memorialized

20-2019 Crown Point Associates LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Rd.) – amended preliminary and final subdivision, site plan approval, bulk variances (construction of shopping center) – to be continued until the Board’s 10/2/19 meeting – was memorialized

21-2019 Crown Point Associates LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Rd.) – amended preliminary and final subdivision, site plan approval, bulk variances (construction of shopping center) – Solicitor Robert Swartz had brought it to the meeting; it was memorialized this evening.

Old Business:

Dolan Contractors, Inc., Block 203, Lot 7.03 (86 Stemmers Lane) – amended preliminary and final site plan approval (reduced size office/warehouse/distribution facility) – **to be continued until the Board’s 11/6/19 meeting.** No further notice will be required to be made by the applicant.

New Business:

Gilbert Gehin-Scott, Jr., Block 111, Lot 2 (104 Second Street) – application for a variance (construction of 44 foot by 30-foot pole barn). The applicant was present and was sworn in before the Board. He is seeking a variance to exceed the 600 square foot limit for a pole barn style garage. The property in question is in Rancocas Village and is approximately 1300 square feet in size. Side yards will range from 7 to 9 feet and the rear setback will be 10 feet. Gene Blair asked how he will reach the pole barn via a driveway. He stated that antique vehicles will be stored in the garage and there will not be much coming and going, perhaps to a show once in a while. He did not plan any more paving; no further impervious coverage is proposed. Next door is a 30 by 30 pole barn, two stories in height. His will be single story and the finish will be earth-tone in color and the architecture will match his neighbor's structure. HPC approvals are required; he has been before the Board and has received approval. The zone is in the R-2 zone.

Jim Winckowski looked at the survey and thinks it may put him over the 20% building coverage limitation for the R-2 zone. Side yard setbacks for accessory structures is 6 feet, therefore no variance is required for that. Jim advises getting the exact numbers so that it is clear in the resolution. Mr. Gehin-Scott advised that a ten by ten-foot shed would be demolished when this structure is built.

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

Solicitor Swartz advises including the possible additional variance for lot coverage just in case.

Gene Blair asked the applicant if he wanted to begin the construction process immediately; if he did, the Board could vote to approve an at-risk permit in order that he could start before the memorialization of the resolution. Mr. Gehin-Scott acknowledged that he wished to do so.

Ms. Haas made a motion to approve the variances; the motion was seconded by Mr. Barger. All voted yes.

Crown Point Associates LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Rd.) – amended preliminary and final subdivision, site plan approval, bulk variances (construction of shopping center). The applicants had continued this application from the Board's September 4th meeting. William Hyland, applicant's attorney was again present on behalf of the application. There were several items that they needed to clarify, thus requiring them to come back again. There were three items that they needed to address. Ed Brady had a revised site plan for signage; all the signs remain the same but were re-measured since the Board planner had had some questions about exactly how the size had been calculated. There were discussions regarding the trash enclosure; at the last meeting the Board engineer recommended moving it to the far

corner which the applicants agreed to do. They also discussed the pump house; a photo was submitted for the Board's consideration. There was discussion regarding the water tank; it will be 34 feet in height; 35 feet in diameter. It will be tan in color with a transition from darker to lighter. The shopping center is 35 feet in height; it won't be seen from Route 541. There is landscaping planned for around the tank; shade trees could grow to 50 feet and evergreens are planned as well. It is set back into the site about 100 feet and there is a large buffer along Irick Road. Barbara Fegley asked them to add some more landscaping; they agree to do so. Jim Winckowski stated that he thinks the resubmission items were responsive; there are some technical clean up items that they can take care of; he is comfortable with the application as it stands. Barbara Fegley is also comfortable with the application.

Dave Barger asked about the delineation of the loading space and the drive aisle; Jim stated that they would work on this together; it hasn't been designed yet but he is okay with agreeing to work it out.

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

Mr. Blair made a motion to approve the application; the motion was seconded by Mr. Wisniewski. All voted yes, Mr. Odenheimer abstained.

Anna M. Jones, Block 1409, Lot 10 (600 David Street) – variance (insufficient front yard setback for construction of new porch). The applicant's daughter, Lilian Jackson was sworn in. She explained that she was appearing on behalf of her mother who owns the house; she has a power of attorney. She didn't have it with her and Mr. Swartz advised her to go and get it. Ms. Jackson returned with the power of attorney so Mr. Swartz could review it.

Ms. Jackson explained to the Board that she hoped to construct a second story deck on her mother's home; there is insufficient front yard setback which is the reason for the variance. Her mother would be able to go out of her dining room and sit outside without having to use stairs, as she is elderly. They are providing 25 feet of setback where 50 feet is required. The home has two street frontages since it is on a corner and is a hardship. The house is set 31 feet from both street frontages and thus does not meet the ordinance requirements. The deck will be open air and supported by posts and beams. There will be steps off the rear of the deck and will not further encroach into the setbacks. The deck will be composed of composite materials; there will be a roof over the deck but it will not be enclosed. The roof will not extend beyond the deck itself.

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

Gene Blair asked Ms. Jackson if she wished to proceed at risk; she indicated to the Board that she did.

Mr. Wisniewski made a motion to approve the variance; the motion was seconded by Mr. Applegate. All Board members voted yes.

Crown Point Associates LLC, Block 807, Lot 1 (2035 Burlington - Mt. Holly Rd.)- use and bulk variances (pylon sign). William Hyland was again present on behalf of a new application for the same property which proposes the construction of a 100-foot-high pylon sign which is 800 square feet in size. There was some question as to whether a use variance was required; it is Mr. Hyland's opinion that it is not necessary. They believe that only C variances are necessary and that this qualifies as an accessory use to the shopping center.

All witnesses were sworn in by the Board Solicitor; Creigh Rahenkamp; Douglas O'Hara, the sign company Vice President; John Abene; Giorgio Vasilis, real estate broker; Ed Brady, engineer and Dave Shropshire, traffic engineer.

Mr. Abene stated that they had secured some tenants for the site; they need a sign similar to the Cracker Barrel sign that is visible from the Turnpike. He explained that one of the tenants will only occupy the site if the sign is approved. The sign will be able to be seen from both the northbound and the southbound lanes of the Turnpike.

Ed Brady stated that the sign will be located 600 feet from Route 541; it is 100 feet high; 35 feet from the ROW line of the Turnpike. Trees there range from 35 to 50 feet in height. The bottom of the sign is 80 feet from the ground. Dimensions of the sign are 20 by 40 feet (800 square feet in area). The sign is LED internally illuminated at the top and in the middle and the words Westampton Township is constructed of LED letters; the entire sign is not illuminated.

Mr. O'Hara had come to the Township building to research the other large signage in the area for the Cracker Barrel, Applebee's and Best Western. Those signs are 100 feet in height with slightly smaller square footages. The sign is attractive and will provide good visibility. DOT approval is not required according to Bill Hyland. Jim Winckowski asked for a letter of no interest from the DOT but Mr. Hyland isn't certain he can get one; he would try to. Mr. O'Hara also referenced billboards that were recently approved along Route 295 that were larger in size than this proposed sign. The Wawa will not be included on the sign. Only tenants in the Westampton portion of the shopping center will be featured on this sign. Jim asked if any of the pad site tenants could be on this sign; they answered that it was possible. There is no external lighting on the sign.

Mr. Wisniewski asked about using the words "Township of Westampton" instead of "Westampton Township"; they stated that they wanted to be consistent with the other signage in the area that used the words Westampton Township.

Dave Barger thinks a consistent background color would look better than different color blocks for each tenant; Mr. O'Hara stated that this should not be a problem. The Board agrees to have a consistent color scheme.

Barbara Fegley asked how many of the tenants on the sign are definite; the intent is to have six at most, or less. They would not have more than six tenants on the sign.

Dave Shropshire testified regarding traffic issues; he stated that the sign needed to be this large due to the 65-mph speed limit on the Turnpike as well as the 60-foot-high trees. It is 125 feet off the southbound side of the Turnpike. The sign will qualify as a "moderate" distraction, with a glance of less than 1 second. He believes there is no safety detriment to the public nor to the zoning plan.

Mr. Rahenkamp, applicant's planner gave testimony regarding the sign. He stated that the sign is not a billboard but is an accessory use like any other pylon or monument sign. He stated that this sign is necessary for this shopping center to be successful. He thinks they are appropriate variances to grant.

Barbara Fegley wanted him to address how the sign is customary and reasonable for the shopping center. He explained that the function of the sign is the same but the size is dictated by the speed limits on the turnpike.

Gene Blair wanted to discuss Bill Hylands' letter of September 24, he does agree with him that the sign does not require a D1 variance as he originally stated; however, in the event the Wawa does want to go on the sign, it will require one since the Wawa is to be located on a separate lot.

Mr. Hyland summarized by saying the sign was a permitted use that needed bulk variances both for height and size but he believed there were reasons that supported these variances.

Dave Guerrero asked how far someone would travel to get to one of these stores; he was told about 15 to 20 miles. He wanted to know how far apart these stores are from each other. He wanted to know why someone on the Turnpike would travel to this location instead of going to one near their home. They explained that tenants these days are pushing for signage on major highways. There is a strong retail presence at Exit 4 of the Turnpike; the signage is trying to establish that this is in competition; it is creating an awareness that there is a retail shopping area here. Dave thinks the signage is overkill since most around here only use the Turnpike when traveling further distances than just for shopping. Mr. Rahenkamp explained it will enhance the market service area.

The meeting was opened to the public for comment. Nancy Burkley asked if the sign could be seen from Route 295; it cannot. She asked if it could be seen from Route 541; she was told that there are probably a few areas where it could be. There are no residents that will be able to see the sign from their homes. She asked if the Board

could be a bit more proactive regarding the proliferation of signs that is sure to come with the new hospital and new businesses wanting to locate here.

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

It was determined that this sign was not off-site advertising but it still needs to be determined if this is an accessory use to the shopping center. If the Board believes it is an accessory use there is no need for a use variance. The Board discussed this and does believe the sign to be an accessory to the principal use; therefore, no use variance is necessary.

Mr. Wisniewski made a motion to approve the sign variance; the motion was seconded by Ms. Haas. All voted yes, Mr. Guerrero voted no.

Correspondence:

Kingdom Church – the Board had received a letter regarding the sidewalk issue. Jim Winckowski asked to table this for another month; he is waiting for a response. He thinks the church hasn't done their due diligence in getting the guy wires moved. He thinks he will have a definitive answer in a month and thinks it will be favorable. This would be continued until next month.

Open Meeting for public comment

No comment was made.

Comments from the Board

Mr. Wisniewski – thinks the Board sometimes gets a little lost when these issues are discussed and believes the Board needs to stick to the relevant information to streamline things.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board