

**RESOLUTION: 12-2022**

**WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD**

**APPLICANT'S NAME:** Rancocas Holdings, LLC  
**BOARD'S DECISION:** Denied Application for Preliminary and Final Site Plan Approval and Use Variance Relief  
**PROPERTY ADDRESS:** 598 Rancocas Road, Block 201, Lots 10 & 11  
**ZONING DISTRICT:** Business (B-1) Zoning District  
**DATE OF HEARING:** April 6, 2022

**WHEREAS**, Rancocas Holdings ("Applicant") filed an application with the Westampton Land Development Board ("Board") requesting preliminary and final site plan approval and use variance relief to permit a truck and trailer parking facility with parking for 134 trucks and trailers. The property is located at 598 Rancocas Road, Westampton, New Jersey, designated as Block 201, Lots 10 & 11 on the Township Tax Map ("Subject Property"). The Subject Property is within the B (B-1) Zone; and

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

**WHEREAS**, the Application became before the Board's regularly scheduled public meeting on April 6, 2022. Representatives of the Applicant and the Applicant's experts were sworn in to provide testimony as to the nature, purpose, location and description of the site plan and use variance relief; and

**WHEREAS**, the Board discussed the Application, the Application was open 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 testimony presented to the Board and all the testimony submitted at the April 6, 2022 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, represented by Pat McAndrew, Esquire presented four witnesses: Kevin Hetzel, a member of the Applicant's limited liability corporation, David Shropshire, traffic engineer, Kevin Shelly, professional engineer and Charles Heydt, professional planner all of whom were sworn in by the Board Solicitor.
2. Mr. Hetzel testified that the Subject Property is on the corner of Rancocas Road and Route 295. It is currently being used as an automobile service center with one functioning bay and five bays of storage. The Applicant's intended use is to develop the back portion of the Subject Property into a truck and trailer parking facility.

Mr. Hetzel further testified that the Subject Property is a good location for this type of use which would include parking for recreational vehicles, contractor trucks and vehicles of that nature with a monthly rental arrangement. The facility would not serve as a truck stop or a jockey lot for warehousing.

Mr. Hetzel further testified that there would be a gate into the parking facility and operated by a pass code or key card and that the facility would be manned by a single employee 8:00 a.m. through 5:00 p.m., five days per week. Mr. Hetzel also stated that the existing building on the site will ultimately become the site's administration building. There would be availability for 150 parking spaces, most spaces 75' to 55' long.

3. Mr. Shelly testified that the Subject Property is surrounded by small businesses and warehouses, including a retention basin between the parking area and Rancocas Road, together with landscaping and fencing. There is no signage planned.
4. Mr. Shopshire testified that the proposed use would have no substantial impact to traffic on nearby roadways or nearby signalized intersection. He testified that there is a wide variety of uses permitted by the zoning district that would be more intense than the applicant's proposed use. He further testified that the uses surrounding the Subject Property include industrial, commercial office and Lukoil.
5. Mr. Heydt testified that the Application meets the positive criteria for the two use variances, there were special reasons to approve the Application and that there was no detriment to the general welfare nor does the Application adversely affect the master plan and zoning ordinance.
6. Testimony was presented by the Applicant and the Applicant's experts, the matter was open to the public for comment.
  - a. After being sworn in, Brian O'Neal he had no objection to proposed use.
  - b. George Hayduchok was sworn and expressed concern for the Applicant's business to turn into another type of use and expressed concern about the of asphalt and the logistics going into and out of the Subject Property.
7. The evidence submitted and testimony presented by the Applicant and the Applicant's professionals, the Board finds that the Applicant has not sustained the burden of proof to support the use variances applied for as the Applicant does not meet the positive criteria variances cannot be without substantial detriment to the public good, and will substantially impair the intent and purpose of the zone plan and zoning ordinance. N.J.S.A. 40:55d-70.

**NOW, THEREFORE, BE IT RESOLVED**, by the Land Development Board of the Township of Westampton, that the within Application for preliminary and final site plan approval with use variance relief to permit a truck and trailer parking facility was and is hereby **DENIED**.

<u>ROLL CALL VOTE</u>	<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Recusal</u>
Alvarez	X			
Borger	X			
Carr				
Grace	X			
Guerrero			X	
Henley				
Karp	X			
Odenheimer			X	
Thorpe			X	

WESTAMPTON LAND DEVELOPMENT BOARD

BY: David M. Guerrero  
David Guerrero Vice Chairman

ATTEST: Jodie Termi  
Jodie Termi, Board Secretary

DATE MEMORIALIZED: 5/4/22