

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APRIL 6, 2016

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 12, 2016 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. Carugno, Ms. Coe, Mr. Daniels, Mr. Freeman, Mr. Lopez, Mr. Attaway, Ms. Berkley, Solicitor Allan Zeller, Engineer Jim Winckowski, Planner Robert Perry, Secretary Marion Karp
5. Approval of minutes – 3/2/2016
6. Swear in Board Professionals
7. Resolutions: approval needed:
 - 4-2016 Dolan Contractors, Inc., Block 203, Lot 1.03, 2 & 3 (32 & 40 Springside Rd.) final major site plan approval (construction of office/warehouse building)
 - 5-2016 Redevelopment Plan, Westampton Interchange, (Rancocas Park), Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03
 - 6-2016 Area in Need of Redevelopment Investigation, Westampton Interchange, (Rancocas Park) Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03
8. Old Business:
9. New Business:
 - a. Dolan Contractors, Inc., (American Tire, 111 Ikea Drive), Block 203, Lot 6.02 – amended preliminary & final site plan approval

b. Ikea Property, Inc., (100 Ikea Drive), Block 203, Lot 6.01 – preliminary & final site plan approval (loading dock expansion)

c. Rancocas Park 86, LLC, Block 203, Lot 7.03 (86 Stemmers Lane) – extension of approval to 6/30/2019 (200,541 sq. foot building)

d. Dolan Contractors, Inc., Block 203, Lot 6.04 (97 Stemmers Lane) – extension of approval to 6/30/2017 (69,000 sq. foot building)

10. Informal Applications:

11. Correspondence:

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

MARCH 2, 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 March 2, 2016 at 7:09 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. Barger, Mr. Blair, Mr. Daniels, Mr. Freeman, Mr. Lopez, Mr. Attaway, Ms. Berkley, Engineer Jim Winckowski, Solicitor Allen Zeller, Planner Bob Perry, Secretary Marion Karp

Absent: Mr. Applegate, Mr. Borger, Mr. Carugno, Ms. Coe

Minutes of the 2/3/2016 meeting – were approved as written.

Board Solicitor Sandy Zeller swore in Board Engineer Jim Winckowski and Board Planner Bob Perry.

Resolutions:

2-2016 Sarah & Victor Douglas, Block 701, Lot 15 (858 Rancocas Rd.) – bulk variances – was memorialized

3-2016 Crescent Temple, A.A.O.N.M.S., Block 201, Lot 8.01 (700 Highland Drive) – site plan waiver – was memorialized

At this point in the meeting, Chairman Dave Barger explained that he would be recusing himself from voting during the meeting. All of the applications this evening involve the same applicant. Mr. Freeman would be running the meeting in his place.

New Business:

Public Hearing, Area in Need of Redevelopment Investigation, Westampton Interchange (Rancocas Park), Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03. Jim Winckowski gave a brief history of this matter; this was something that the Board had voted on at a prior meeting, however, the report needed to be amended since the zones identified in the report were listed incorrectly and

misidentified. The Board did approve this and recommended that this area was in need of redevelopment. The needs study was revised and the existing zoning has been properly identified. Solicitor Zeller asked Jim if CME had prepared the need study report; Jim answered that they had. Jim explained that the study found that the area met the criteria for redevelopment. There are 4 properties in the OR3 zone and 8 in the I Industrial zone.

This was opened to the public for comment.

Shirley Jacob, 113 Sharpless Blvd. – needs a clarification if the lot that Dolan is seeking final site plan approval on this evening is included in the redevelopment area. She asked if this would have any impact upon what is being sought in the final approval. Jim explained not for the need study. It will change the front setbacks in the park; the private road would be made public, thus eliminating the need for that type of variance. It won't change permitted height, side setbacks or impervious coverage or anything like that. It won't change anything about this evening's site plan. Mr. Lopez commented that this was a very good question; redevelopment can be looked at as kind of a tool kit which can be used to attract the right kind of developers. Any development of any lots in the area will still have to conform to the zoning that is in place.

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

Mr. Blair made a motion to approve the need study; the motion was seconded by Mr. Freeman. Mr. Blair, Mr. Freeman, Mr. Attaway and Ms. Berkley voted yes; Mr. Lopez and Mr. Daniels abstained.

The Board will make a recommendation back to the Township Committee that this need study should be approved. The Township Committee will then make their determination.

Public Hearing, Redevelopment Plan, Westampton Interchange (Rancocas Park), Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 & 7.03. Jim Winckowski explained that the plan had been amended as had the need study regarding the incorrect identification of the zones. It is exactly consistent with the present zoning. The only changes recommended are front setbacks for Stemmers Lane. The majority of the buildings would become non-conforming if Stemmers was made a public road and dedicated to the Township. In the case of the OR3 zone, Ikea Drive would still have inadequate setbacks, be it a public road or not. There are no other changes. Mr. Lopez explained that the only reason we are aggressively seeking this is for traffic improvements. It also allows for the growth of under-developed areas.

Solicitor Sandy Zeller asked if CME prepared the redevelopment plan; they had. The Plan is consistent with the Township's Master Plan.

At this point, the meeting was opened to the public for comment. Nancy Burkley, Olive St., Rancocas – asked about the setbacks and asked if they would change for Springside Road. Jim answered that they would change only for Ikea Drive. There being no further comments from the public, the meeting was closed for public comment.

Mr. Blair made a motion to approve the need study; the motion was seconded by Mr. Attaway. Mr. Blair, Mr. Freeman, Mr. Attaway and Ms. Berkley voted yes; Mr. Lopez and Mr. Daniels abstained.

Dolan Contractors, Inc., Block 203, Lot 1.03, 2 & 3 (32 & 40 Springside Rd.). Russ Whitman, applicant's attorney was present. William Stevens, applicant's engineer and planner was present and was sworn in before the Board. It was noted that the member of Township Committee, Mayor Daniels and Deputy Mayor Lopez were recused from this portion of the hearing and would not be voting.

Solicitor Sand Zeller explained that since the application previously required a use variance the jurisdiction is before the zoning board component of the joint board. There will be four voting members this evening and a majority vote will be required (three votes). The preliminary site plan approval was granted in 2009 with a number of variances and some waivers; the approval is still a valid approval. The Board has to make a determination if there are any substantial changes from the preliminary approval. It is Solicitor Zeller's understanding that there are no new variances and the Board does not have to re-hear the preliminary approval. They simply have to determine if the plans conform to the final approval.

There are a few minor changes according to Russ Whitman; the changes were required largely to comply with requirements dictated by Burlington County. The application has been reviewed both by the Board Engineer and Planner. They are in a position to state that they will comply with the comments in both professional reports.

They had an aerial photograph of Rancocas Park which showed the location of the proposed building. They also had a site plan and architectural elevations which were marked into evidence. A landscaping plan and a grading plan were also marked into evidence.

The minor changes include: shifting of the project entrance to the north along Springside Road to facilitate better sight distance. This was required by the County. There are two small changes made to the storm water management system: they were required to get DEP approvals which changed the configuration of the storm water management system. The last change was the addition of another driveway access at the southerly end of the site which was suggested by the Land Development Board at the preliminary approval. It is in the southeastern corner of the site; a second access point was suggested to be added by the Board Engineer at that time. They concur and will comply with all conditions in the Board Engineer's report.

The Board Planner's report was reviewed; floor plans have been submitted to the Board. The architectural plans were discussed; it will be a concrete face structure with different colors and lines of elevation to break up the building. A colored rendering of the office portion of the building was distributed to the Board. There will be significant screening and berms to keep views of the building down. There is stone wainscoting around the entry doorways and a sill around the bottom of the building. The colors will be dark and light beige and grey. This is only for the office portion of the building along Springside Road.

Gene Blair spoke regarding the look of the Panasonic building, now occupied by Primepoint. They had discussions with residents and they would like to maintain the same color scheme along Springside Road. Gene suggested that it be replicated down the side of the building to break things up. Russ Whitman stated that the office corner is the only part that will be visible to those driving by due to the berms and landscaping. The other parts of the building will not be able to be seen. The main visual would be the elevation of the office portion, which they had brought to the Board tonight.

Mr. Freeman asked if there would be a problem changing the color of the building to match that of the Panasonic building. Mike Dolan was sworn in before the Board. He explained that the idea would be to introduce natural stone but that they would use brick if that was what the Board wanted. The loading docks would not be visible along Springside Road nor from the adjacent residential development.

The area of trees in the northeast portion of the property would be protected during construction as requested in the planner's report.

There are two inlets proposed between the backside of the berm and Gene was concerned if these were enough. Mr. Stevens stated that he discussed this with Jim Winckowski today and they agreed they would look at this to see what they needed to change and come up with what was the best solution. There will be landscaping on the downslope portion of the berm that faces the Spring Meadows development. The top of the retaining wall is a 9-10 foot drop off to the parking lot; one of the residents had brought up a safety issue. They asked if there should be a barrier or a fence to prevent someone from falling off the top. Mr. Stevens agreed that he would work this out with Jim; they don't want to see someone falling off this either. Jim also was concerned with the steep slope on the berm and what kind of ground cover treatment would be used. He had suggested they use a wildflower/prairie grass cover instead of regular grass, which would be hard to keep mowed. Jim thinks a natural looking ground cover is most appropriate.

Bill Freeman asked why it took so long to get from preliminary approval to final approval. Russ Whitman stated that we have been in a tremendous economic recession. It just hasn't happened that someone has wanted to make this kind of financial investment. There is a two year limit of time if they are granted approval that they have to commence construction. The law does provide them the option to ask for extensions.

At this point the meeting was opened to the public for comment.

Nancy Burkley asked how tall the building is; it is less than 50 feet according to Mike Dolan. It will be the tallest building in the park. The building is a couple thousand feet away from Rancocas Road. At its closest point the building is 122.5 feet from Springside Road. The parking lot along Springside Road is closer. She asked if the plantings on the berm would take 20 years to grow enough to hide the building. She talked about the VCS building and how the landscaping that is installed does nothing to screen or hide it since it is so small and takes so long to grow to hide a large building.

Jim Jacob, 113 Sharpless Blvd. – asked if the berm portion will precede the construction itself or will the building be constructed first. Mike Dolan stated that the dirt work will commence first. Mr. Jacob's home is on Lot 28; he wanted to know what kind of view he would have from his home. The top of the berm appears to fall at the center of his home according to Mr. Stevens. He should not be able to see the building from his house. He thinks he may be able to see trucks coming in and out for loading due to the grading change on the plan. He wanted to know if the peak height of the berm could be continued more east so that his view is blocked better. Jim stated that there is a small gap, the applicants agreed to look at this and it probably only needs to be extended about 20 feet. Extra landscaping may effectively take care of this problem. Mr. Jacobs is also concerned about the impact that tractor trailers will make traveling on Springside Road. He wonders why an entrance/exit onto Ikea Drive isn't made. Jim stated that Ikea isn't a public road and we can't force them to; they have been approached and they have said no. If the redevelopment plan proceeds and the Township takes over Ikea Drive could this happen at a later date. Mr. Lopez commented that these are all conversations that they have had with Mike Dolan and the engineers. There will be ongoing conversations on this and there is mutual interest. Jim thinks the Springside Road access is a safe access and it is built for this. All traffic will be heading to Route 295 and not down Springside Road.

Mike Eaton, 115 Sharpless Blvd. – thinks the driveway is a major change and that the warehouse will lower their property values. He thinks the Township should use their powers of eminent domain and take over the road and make access via Ikea Drive. He thinks there are warehouses that exist that aren't occupied and unless we have a specific tenant it shouldn't be approved. It shouldn't be built on speculation.

Janet Curran, 123 Main Street – remembers the discussions before the Board that happened in 2009 with the residents. She has been attending the County Freeholder meetings and wants to know what we will do about the increase in traffic. She thinks the building will be an eyesore; no matter what color they make the building, no one wants it in their backyard.

Dave Guerrero, 121 Sharpless Blvd. – asked if left turns only could be required when exiting the site. The trucks that do turn right usually end up turning right on Woodlane Road which in his opinion is a dangerous road with no shoulders. Mr. Freeman thinks

this is the responsibility of the County. The applicant has received County approval for the project. The County believes that the trucks will be turning left when exiting this property. Mr. Lopez stated that you have our word that we will be aggressive in outreach to whoever occupies this building; it could be a request of the Township. Dave Guerrero asked if there are any prospective tenants at this time. Mike Dolan stated their approval in 2009 was a year after the economic collapse; it put them in a better position to have at least a partial approval. In bad economic times it takes sometimes 5 to 10 years and they didn't want their approvals to expire; that is why they didn't go for final site plan approval at that time. The permit extension act is running out now; there are no vacancies in the Township. Interest has been rising but prospective tenants want buildings that are ready to go and to commence construction quickly. They are only looking at things that are fully approved at this time. Jim explained that the Board could impose a right turn restriction if they wanted to. They could at least request of the applicant that they ask for this of the tenant that will occupy the building.

Dave Guerrero – this will be the second largest building in town; it is important to have something to break up the elevation; the top half of the building is really important. They get a lot of water without the berm now; he is concerned with pooling and ponding of water after the berm is built and doesn't want it increased.

Garfield Harper, Woodlane Road – he takes it as an insult because he has a tractor trailer. Drivers have no interest in coming through a neighborhood and tearing it up. Put a sign there and an officer there for a few days and trust him, it will stop. If it wasn't for tractor trailers, you wouldn't be able to have food in your house. They make a lot of sacrifices to their families to deliver things and do their jobs. He is sick of taxes that keep going up and certain people in this town don't want things to change. This Township is on the verge of a problem, revenue wise. We need to bring ratables in. He is sick of everyone complaining about taxes and then not wanting a good ratable to come into town.

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

Russ Whitman thanked the Board for their consideration; they will certainly cooperate with the Township in bringing in a satisfactory tenant for this building.

Solicitor Zeller – none of the changes made are substantial in nature. The conditions attached to the preliminary approval are to remain attached until they are satisfied. He went through the conditions with the Board.

Fire Officials report – the applicants agree to comply with the comments in the report.

Russ Whitman – thinks that having the condition imposed to limit right turns out of the exit may not be permissible. If the site is restricted in that way, it might prohibit a prospective tenant from occupying the building. It was agreed that the Township would work with any prospective tenant to see if they could come to an agreement. This could

be done as part of a tenant/user agreement. They could also put up an advisory sign encouraging truck drivers to make left hand turns out of the site. The Board agrees to this condition.

Mr. Lopez – asked Mr. Zeller to explain why the Board is essentially required to move forward with this approval, as long as there is no substantial deviation from the preliminary plan. Mr. Zeller gave a history of the application. The applicant is entitled to a final approval in this matter. Unless there is a substantial change, the Board is limited in its decision making. If the Board were to deny a final approval, it is likely that the applicant would file in Court and the Court would overturn the Board's denial. Notwithstanding, Mr. Dolan has met with the Mayor and himself and has taken the resident's concerns under consideration. That is a good neighbor and a smart way of developing. Thanks to Mike Dolan and to Mr. Guerrero, Mr. and Mrs. Jacobs. They addressed as many of the concerns as they could within the limits and the confines.

Mr. Blair made a motion to approve the final site plan; the motion was seconded by Mr. Attaway. Mr. Blair, Mr. Attaway and Ms. Berkley voted yes; Mr. Freeman abstained.

Informal Applications:

None

Correspondence:

None

Public Comment

The meeting was again opened to the public for comments. No comments were made.

Comments from Board Members

Planner Bob Perry – is looking forward to working with the Board.

Mr. Blair – thanked the Board members, it was a tough application this evening.

Mr. Lopez – thanked his colleagues and the residents for being active and for sharing their concerns. That is what this process is about. He thinks they can still do better and they will do better.

Mayor Daniels – echoes Mr. Lopez's comments; there is much that he doesn't know about this Board. It has diminished the learning curve meeting with the residents; he thanked everyone for their work on this. Even though this approval was somewhat perfunctory, there was a lot of due diligence that happened.

Solicitor Zeller – tonight was difficult for the Board to pick up on an application that was

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heard years ago; most weren't present to hear the application from the beginning. He thinks the Board did an excellent job and looks forward to working with everyone.

Mr. Freeman –thanks to Mr. Zeller and Gene Blair for their help tonight running the meeting. They try to do the best they can with these difficult applications for both the residents and the Township. The public's input is very important.

Mr. Barger – appreciates all of everyone's efforts; the public's input is very valuable.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board

Resolution # 4-2016

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

Applicant: Dolan Contractors, Inc.

Property Address: 32 and 40 Springside Road, Block 203, Lots 1.03, 2 and 3

Zoning District: OR-3 – Office Research

Board Decision: Granting of Final Major Site Plan

Date of Hearing: March 2, 2016

WHEREAS, the Applicant, Dolan Contractors, Inc., as owner of the premises in the Township of Westampton, County of Burlington, State of New Jersey, located at 32 and 40 Springside Road and designated as Block 2.03, Lots 1.03, 2 and 3 on the tax maps of the Township of Westampton, has filed an application for final major site plan approval. The Applicant proposes to construct a 682,708 square foot building containing office space and warehouse uses. No new variances are required.

WHEREAS, after a public hearing held on March 2, 2016, the following initial findings of facts were made, to wit:

1. In April 2009, the Applicant's predecessor, Dolan Group I, LLC and Concordia Group, LLC received preliminary major site plan approval to construct a 682,708 square foot building, containing 5,000 square feet of office space and 677,708 square feet of warehouse use under Resolution 4-2009. Said approvals also included a "d" variance to allow a floor area ratio of 37.1% where maximum floor area ratio of 20% is permitted, as well as several bulk "c" variances and waivers. Said bulk variances included impervious coverage of 65.9%, where a maximum of 55% is allowed; office floor space within the warehouse building of 1% of the total space (5,000 square feet), where a minimum of 20% of the total floor space must be used for office space; buffer/green space of 25 feet between a non-residential uses where less than a 25 foot buffer is proposed; a reduction of the width of non-employee parking spaces to 9.5 feet where at least one-third of all parking spaces must be 10 feet wide; the elimination of a sidewalk on the Springside Road and Ikea Drive frontages where sidewalks are required; the loading and maneuvering areas and truck parking in the front yard where same is not permitted; installation of an 8 foot high solid fence in the front yard where 50% of the front yard fences are required to have open area. As well, a waiver was also granted for a drive isle width in the southern parking area of 23 feet, where a minimum isle width of 24 feet is required. The preliminary plan approval also allowed the building to be 45 feet high, contain 143 truck docks, 158 trailer parking stalls and 363 car parking spaces, together with other site improvements including landscaping, lighting and storm water management.
2. The Preliminary Site Plan Resolution, Resolution #4-2009, described in detail the history of this application, the terms and conditions of the preliminary approval and

made reference to and incorporated the comments and conditions of the Land Development Board's professional consultants, including the following review letters.

- a. Louis Glass Associates, Planning Consultants - letters dated August 26, 2008, February 23, 2009 and December 22, 2009;
- b. Land Engineering and Surveying Company, Inc. - letters dated August 27, 2008 and February 18, 2009;
- c. Litwornia Associates, Inc. - letter dated April 2, 2009.

The Land Development Board Resolution, Resolution No. 4-2009 as well as all of said review letters are incorporated herein by reference and made a part hereof.

3. The subject property is comprised of three (3) lots with a total area of approximately 42.22 acres. The site has approximately 1,870 feet of frontage along the westerly side of Ikea Drive and approximately 1,720 feet of frontage along Springside Road (County Route 635). Adjacent properties to the north contain single family residential uses. The property across Springside Road to the west contains the Francis House of Prayer, as well as other farming uses. The property across Ikea Drive to the east contains a warehouse use and the adjacent property is vacant. Currently, the subject property is used for farming and contains several clusters of trees.
4. The Applicant has proposed access to the site via a full movement ingress/egress drive extending from the easterly side of Springside Road approximately 1,320 feet from the intersection with Valley Farm Road.
5. The property is located in the R-3 Office Research Zone. The proposed use is permitted in said zone by virtue of the Applicant being granted a prior "d" variance by the Board.
6. The Applicant has proposed two (2) infiltration basins and one (1) retention pond/wet pond for storm water management purposes.
7. The Applicant has proposed to construct a 30 foot high landscaped earthen berm adjacent to the parking area and warehouse floor elevation along the northerly property line is proposed to serve as a visual buffer to residential properties to the north. The Applicant also proposes an asphalt bike path along Springside Road.

8. The proposed Final Major Site Plan application is consistent with the Preliminary Major Site Plan approval granted by the Board in April 2009 with several minor exceptions:
 - a. The alignment of the site access drive from Springside Road has been shifted slightly to the north by approximately 70 feet as required by the Burlington County Planning Board. The driveway is now approximately 120 feet from the northerly track boundary where previously it was 190 feet.
 - b. The footprint of the proposed storm water management basin and the southerly portion of the site has been reduced to limit the encroachment into the environmentally contained areas to the south and the basin has been changed to a wet pond instead of an infiltration basin.
 - c. Two (2) infiltration basins are proposed at the southern corners of the warehouse to collect and infiltrate a portion of the stormwater runoff from the roof.
 - d. An additional internal drive isle has been added to the parking area in the southeasterly corner of the proposed warehouse for passenger vehicles.
9. The Applicant was represented by Russ Whitman, Esquire.
10. The Applicant presented the testimony of William Stevens, P.E., P.P., who is licensed in New Jersey, and Michael Dolan, Principal of the Applicant.
11. No new variances or waivers are proposed by the Applicant.
12. A complete list of the plans and documents submitted by the Applicant in support of its application are specified on page 1 of the review letter dated February 25, 2016, issued by James Winckowski of CME Associates, the Board Engineer. In addition, the Applicant marked the following exhibits in evidence in this matter:
 - a. A-1 - aerial photo of Rancocas Park – Building C
 - b. A-2 - site plan revised January 23, 2015
 - c. A-3 - architect rendering of elevations
 - d. A-4 - Landscape Plan
 - e. A-5 - Grading Plan
 - f. A-6 - Color rendering of office portion
13. James Winckowski, P.E. of CME Associates, the Board Engineer, submitted a comprehensive review letter dated February 25, 2016 and a technical engineering review #1 letter dated February 25, 2016 and Robert Perry, P.P. of Remington & Vernick Engineers, the Board Planner, submitted a comprehensive review letter dated

February 19, 2016. Said letters are on file with the Board Secretary and are incorporated by reference herein.

14. The Board presented the testimony of James Winckowski, P.E., the Board Engineer and Robert Perry, P.P., the Board Planner. Mr. Winckowski and Mr. Perry testified with regard to their respective review letters.
15. Public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12.
16. Several residents and/or members of the public testified at the public hearing in this matter, including Nancy Burkley, Jim Jacob, Mike Eaton, Janet Curran, Dave Guerrero and Garfield Harper.
17. The Board Solicitor, Allen S. Zeller, Esquire, explained that since this application previously required a "d" variance pursuant to N.J.S.A. 40:55D-70(d), jurisdiction of the application continued with the Zoning Board component of the Land Development Board. As such, since Mayor Daniels and Deputy Mayor Lopez do not sit as members of the Zoning Board component on this Board, they are thus not eligible to vote on this application.
18. Mr. Zeller instructed the Board that as this is an application for final major site plan approval, the Municipal Land Use Law provides that the Board may not deny an application for final approval unless it finds that there are substantial deviations from the preliminary site plan which was previously granted preliminary major site plan approval.

WHEREAS, the Applicant provided testimony that the preliminary major site plan approval was granted to this development in April 2009 under Resolution No. 4-2009 and that said approval is still valid.

WHEREAS, the Applicant provided testimony that the Applicant was delayed in submitting for final approval due to the downturn in the economy beginning in about 2008 and that this concern was recognized by the New Jersey Legislature which adopted the Permit Extension Act, N.J.S.A. 40:55D-136, et seq.

WHEREAS, the Applicant provided testimony that no substantial changes have been made to the approved 2009 plans, that no changes have been made to the building or the location, no changes have been made to the landscaping and that no further variances or waivers are required. The only changes that were made were required by the Burlington County Planning Board and/or NJ DEP.

WHEREAS, the Applicant provided testimony that these minor changes related to the shifting of the entrance to the north along Springside Road to better facilitate site

distance; there were two (2) changes made to the storm water management system which were required to get New Jersey DEP approval and a change was made to add another driveway access at the southerly end of the site as recommended by this Board at the time of the preliminary approval public hearing.

WHEREAS, the Applicant testified that floor plans had been submitted to the Board and that the architectural plans have also been submitted.

WHEREAS, the Applicant testified that the proposed building will be a concrete face structure with different colors and lines of elevation to break up the building and that there will be significant screening and landscaping along the berm installed which will minimize the impact of the building from the adjoining roadways and residential properties.

WHEREAS, the Applicant testified that there will be stone wainscoting around the entry doorways and around the bottom of the building. It is anticipated that the colors will be dark and light beige and gray on the office portion of the building along Springside Road.

WHEREAS, the Applicant testified that it will work with the Board professionals to determine the appropriate color palette.

WHEREAS, the Applicant testified that it will provide tree protection during construction and that it will work with the Board engineer with regard to any drainage issues along the proposed berm.

WHEREAS, the Applicant testified that the landscaping plan provides for substantial landscaping adjacent to the residential properties and along the berm, however, the Applicant stated that it will work with the Board professionals to resolve any landscaping issues.

WHEREAS, the Applicant testified that it will comply with and satisfy all of the conditions contained in the prior approvals relating to this matter as set forth in Resolution No. 4-2009 unless said conditions have specifically been changed or amended by this Resolution.

WHEREAS, the Applicant testified that it has agreed to comply with all of the conditions and comments contained in the Remington & Vernick review letter dated February 19, 2016 and the CME Associates review letter and technical engineering review #1 letter both dated February 25, 2016.

WHEREAS, the Applicant testified that it will comply with all of the proposed conditions requested by the Board which are set forth in detail below.

WHEREAS, the following members of the public testified and commented with regard to the within application:

1. Ms. Nancy Burkley inquired as to the height of the building and whether it was less than 50 feet in height and suggested that the landscaping be installed to provide mature screening for the building so that the residents would not have to look at a building for many years before the screening serves its intended purpose.
2. Mr. Jim Jacob inquired as to when the berm portion will be constructed and requested that it be constructed first. He also wanted to know what type of view he would have from his home, which adjoins this development, and whether the height of the berm would provide an adequate buffer. Mr. Jacob was also concerned about the impact of the tractor trailers traveling on Springside Road and inquired as to whether an additional entrance onto Ikea Drive would be installed.
3. Mr. Mike Eaton testified that he believes that moving the driveway by 70 feet constitutes a major change and that the warehouse will reduce the property values of the homes in the surrounding area.
4. Ms. Janet Curran testified that she was concerned about the increase in traffic and that the building will be an eyesore no matter what color they make the building.
5. Mr. David Guerrero requested that vehicles be required to make a left turn when exiting the site onto Springside Road so as to eliminate traffic toward the residential properties. He also stated that he is concerned about the berm and the pooling and ponding of water in that area.
6. Mr. Garfield Harper testified that he is in favor of appropriate commercial development in the Township since it will provide additional tax revenue.

WHEREAS, Mr. James Winckowski, the Board engineer, testified with regard to his review letter dated February 25, 2016 and stated that the changes associated with the final site plan submitted as compared to the preliminary site plan are minor in nature and were required by other outside agencies.

WHEREAS, the development plans have been reviewed by the Board Engineer and Board Planner (whose findings and reports are incorporated herein and made a part hereof) and have been found to be in compliance with the development regulations of the Township excepted as noted in their respective reports of February 25, 2016 and February 19, 2016.

WHEREAS, from the submissions made by the Applicant, the testimony and evidence presented by the Applicant, the testimony and evidence of all interested parties, and based upon the entire record, the following findings of facts and conclusions of law were made:

1. All of the initial findings of facts as set forth in paragraphs 1 - 18 are hereby incorporated by reference herein as further findings of facts.
2. The Board specifically finds that the changes associated with the final site plan as submitted as compared to the preliminary site plan previously approved are minor in nature and said changes were previously required by either the Burlington County Planning Board or New Jersey DEP.
3. The Applicant testified that the preliminary major site plan approval was granted to this development in April 2009 under Resolution No. 4-2009 and that said approval is still valid.
4. The Applicant testified that the Applicant was delayed in submitting for final approval due to the downturn in the economy beginning in about 2008 and that this concern was recognized by the New Jersey Legislature which adopted the Permit Extension Act, N.J.S.A. 40:55D-136, et seq.
5. The Applicant testified that no substantial changes have been made to the approved 2009 plans, that no changes have been made to the building or the location, no changes have been made to the landscaping and that no further variances or waivers are required. The only changes that were made were required by the Burlington County Planning Board and/or NJ DEP.
6. The Applicant testified that these minor changes related to the shifting of the entrance to the north along Springside Road to better facilitate site distance; there were two (2) changes made to the storm water management system which were required to get New Jersey DEP approval and a change was made to add another driveway access at the southerly end of the site as recommended by this Board at the time of the preliminary approval public hearing.
7. The Applicant testified that floor plans had been submitted to the Board and that the architectural plans have also been submitted.
8. The Applicant testified that the proposed building will be a concrete face structure with different colors and lines of elevation to break up the building and that there will be significant screening and landscaping along the berm installed which will minimize the impact of the building from the adjoining roadways and residential properties.

9. The Applicant testified that there will be stone wainscoting around the entry doorways and around the bottom of the building. It is anticipated that the colors will be dark and light beige and gray on the office portion of the building along Springside Road.
10. The Applicant testified that it will work with the Board professionals to determine the appropriate color palette.
11. The Applicant testified that it will provide tree protection during construction and that it will work with the Board engineer with regard to any drainage issues along the proposed berm.
12. The Applicant testified that the landscaping plan provides for substantial landscaping adjacent to the residential properties and along the berm, however, the Applicant stated that it will work with the Board professionals to resolve any landscaping issues.
13. The Applicant testified that it will comply with and satisfy all of the conditions contained in the prior approvals relating to this matter as set forth in Resolution No. 4-2009 unless said conditions have specifically been changed or amended by this Resolution.
14. The Applicant testified that it has agreed to comply with all of the conditions and comments contained in the Remington & Vernick review letter dated February 19, 2016 and the CME Associates review letter and technical engineering review #1 letter both dated February 25, 2016.
15. The Applicant testified that it will comply with all of the proposed conditions requested by the Board which are set forth in detail below.
16. The following members of the public testified and commented with regard to the within application:
 - a. Ms. Nancy Burkley inquired as to the height of the building and whether it was less than 50 feet in height and suggested that the landscaping be installed to provide mature screening for the building so that the residents would not have to look at a building for many years before the screening serves its intended purpose.
 - b. Mr. Jim Jacob inquired as to when the berm portion will be constructed and requested that it be constructed first. He also wanted to know what type of view he would have from his home, which adjoins this development, and whether the height of the berm would provide an

adequate buffer. Mr. Jacob was also concerned about the impact of the tractor trailers traveling on Springside Road and inquired as to whether an additional entrance onto Ikea Drive would be installed.

- c. Mr. Mike Eaton testified that he believes that moving the driveway by 70 feet constitutes a major change and that the warehouse will reduce the property values of the homes in the surrounding area.
- d. Ms. Janet Curran testified that she was concerned about the increase in traffic and that the building will be an eyesore no matter what color they make the building.
- e. Mr. David Guerrero requested that vehicles be required to make a left turn when exiting the site onto Springside Road so as to eliminate traffic toward the residential properties. He also stated that he is concerned about the berm and the pooling and ponding of water in that area.
- f. Mr. Garfield Harper testified that he is in favor of appropriate commercial development in the Township since it will provide additional tax revenue.

17. Mr. James Winckowski, the Board engineer, testified with regard to his review letter dated February 25, 2016 and stated that the changes associated with the final site plan submitted as compared to the preliminary site plan are minor in nature and were required by other outside agencies.

18. The development plans have been reviewed by the Board Engineer and Board Planner (whose findings and reports are incorporated herein and made a part hereof) and have been found to be in compliance with the development regulations of the Township excepted as noted in their respective reports of February 25, 2016 and February 19, 2016.

NOW, THEREFORE, based upon the foregoing findings of facts and conclusions of law, including all of the testimony presented at the hearing, **BE IT RESOLVED** by the Land Development Board of the Township of Westampton, New Jersey that the application by Dolan Contractors, Inc. for final major site plan approval to construct a 682,708 square foot warehouse building including 5,000 square feet of office space is hereby **GRANTED** by a vote of three (3) in favor, none (0) opposed and one (1) abstention, for the reasons set forth on the record in this matter and subject to the following conditions:

- 1. All agreements, conditions and/or representations which were made by or on behalf of the Applicant are imposed upon the Applicant as set forth in this matter, as contained in the "WHEREAS" recital paragraphs of this Resolution or as contained in the prior Resolution # 4-2009, which is attached hereto and incorporated herein;

must be fully satisfied by the Applicant in accordance with their terms unless specifically revised or amended by this approval.

2. The Applicant shall revise its plans to satisfactorily address all of the comments and conditions set forth by CME Associates, the Board Engineer, in its review letter of February 25, 2016 and Remington & Vernick, the Board Planner, as set forth in its review letter of February 19, 2016.
3. The Applicant shall work with the Board Engineer and Construction Code Official in determining the appropriate colors and materials for this building.
4. The Applicant shall work with the Board professionals and Construction Code Official with regard to any issues relating to drainage along the berm, landscaping and the landscaping along the berm.
5. The Applicant shall consolidate the three (3) lots in question, Lots 1.03, 2 and 3 into one (1) lot and it shall submit a proposed Deed of Consolidation to the Board Engineer and Board Solicitor for their advance review and approval.
6. The Applicant shall comply with all of the comments and conditions contained in the Fire Marshall's review letter issued in this matter.
7. The Applicant shall install a sign at the egress of the site onto Springside Road for advisory purposes only stating that left turns only are permitted at said egress.
8. The Applicant shall address the comments and conditions imposed by the prior Board Planner, prior Board Engineer, prior Board Traffic Engineer and the Township's Advisory Committee as specifically contained in their respective review letters for the preliminary site plan approval, unless the conditions were specifically changed by this approval. The prior review letters from the previous Board Planner, Engineer and Traffic Engineer are hereby incorporated by reference herein.
9. The Applicant shall revise the plans to include a note that soil logs must be conducted in the basin area and must be submitted to the Board Engineer for review and approval and must also include a note stating that the permanent water elevation of the wet pond is established at the seasonal high water table elevation and not the static ground table elevation.
10. The Applicant shall revise the plans to reflect that the routing of the wet pond should address tail water effects due to the flood hazard/floodway line associated with the existing ditch on the opposite side of Springside Road.
11. The Applicant shall revise the plans to include an aerator for the proposed basin.

12. The Applicant shall revise the plans to include a 4 foot wide decorative stone ground surface cover in the basin centered on the permanent pool elevation of the proposed wet pond.
13. The Applicant shall revise its plans to include a storm water management maintenance plan along with an updated cost estimate of maintenance tasks and a sample blank maintenance log sheet.
14. The Applicant shall work with the Board Engineer to provide greater slopes within the concrete drainage pipes.
15. The Applicant shall revise the plans to reflect that erosion control fabric or other similar control measures be provided for temporary stabilization on the northerly portion of the berm and to reflect that fescue/wild flower type seed mix will be considered for maintenance purposes.
16. The Applicant shall revise the plans to include at least one additional drainage inlet be provided in the drainage swales along the northerly property line and that the grading and/or inlet gate elevations are adjusted to provide a minimum slope of 2% within the swales. The Applicant shall also provide underdrains between the inlets as necessary.
17. The Applicant shall immediately submit to the Board and Board Engineer plans detailing the complete structural computations of the proposed retaining wall prior to the signing and sealing of the final plans.
18. The Applicant shall submit a tractor trailer circulation plan to demonstrate that a tractor trailer can adequately negotiate the curve at the southeasterly corner of the building due to the reduced width of the drive aisle.
19. The Applicant shall revise the plans to provide additional plantings or a solid wood fence between the access driveway and adjacent residential tract.
20. The Applicant shall revise the plans to add landscaping in the northeast corner of the site to eliminate a gap between the berm and eastern track boundary.
21. The Applicant shall revise the lighting plan and site plan to verify compliance with Section 250-22.F of the Township Code, to show the average light intensity at ground level and to provide a point-by-point lighting plan.
22. The Applicant shall revise the plans to show that the location of the site identification sign setback is a minimum of 10 feet as required by Section 250-25G(2), or the Applicant shall return to the Board to request appropriate variance relief.

23. The Applicant shall submit a copy of the review and/or approval letters issued by the Burlington County Planning Board to the Board and Board Engineer including any requirements imposed for road widening, acceleration or deceleration lanes, curbing or dedicated left turn ingress.
24. The Applicant shall comply with the comments and conditions contained in the Board Engineer's Technical Engineering Review #1 letter dated February 25, 2016.
25. The Applicant shall make payment to the Township of all required affordable housing fees consistent with the requirements of the statutes, ordinances, regulations and any court orders in effect at the time of this approval.
26. The Applicant is hereby notified that prior to the issuance of any zoning or building permits:
 - a. All taxes and assessments shall be paid on the property for which this application is made. The Applicants shall submit proof that no taxes or assessments for local improvements are due or delinquent on the property for which the application is made.
 - b. Any and all conditions that are made a part of this approval, including those noted by the consultants to the Board, must be satisfied by the Applicants.
 - c. The Applicants shall pay all required escrows, costs and professional fees associated with the application to the Township prior to the signing of the plans by the Township. Any inspection escrow and performance bonds required for this application and an estimate for all on/off site improvements including structures shall be reviewed and approved by the Board engineer.
 - d. Zoning approval must be obtained by the Applicant.
27. The plans may be subject to the review and approval of one or more of the following outside agencies, including, but not limited to:
 - a. Burlington County Planning Board;
 - b. New Jersey Department of Environmental Protection;
 - c. Burlington County Soil Conservation District;
 - d. Willingboro Municipal Utilities Authority;
 - e. Any other outside agency approvals that are required.
28. The failure of the Applicant to comply with any of the conditions contained in this Resolution will permit the Board, at its sole option, to rescind the approvals being granted by this Resolution and/or to advise the Township to revoke any permits which have been issued to the Applicant.

29. The Applicant shall submit to the Board Secretary, Board Engineer and Board Attorney copies of all approvals and/or denials received from the outside agency.
30. The Applicant must obtain all other construction or municipal permits required with respect to the relief granted by this application.

BE IT FURTHER RESOLVED, that this Resolution will be published within 10 days of the date of the adoption of this Resolution in the Burlington County Times, which is designated as the official newspaper of the publication of the Township of Westampton Land Development Board.

Roll Call Vote

| | Ayes | Nays | Abstentions | Recusals |
|-------------|------|------|-------------|----------|
| Mr. Barger | | | | X |
| Mr. Blair | X | | | |
| Mr. Freeman | | | X | |
| Ms. Berkley | X | | | |
| Mr. Attaway | X | | | |

Westampton Land Development Board

By:

William Freeman, Acting Chairman

Attest:

Marion Karp, RMC, CMR
Westampton Township Land
Development Board Secretary
Date Memorialized: _____

Resolution # 5-2016

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

RESOLUTION OF THE WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD
RECOMMENDING TO TOWNSHIP COMMITTEE THE ADOPTION OF A PROPOSED
AMENDED REDEVELOPMENT PLAN FOR THE REHABILITATION OF THE
WESTAMPTON INTERCHANGE (RANCCOCAS PARK)
BLOCK 203, LOTS 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 AND 7.03

WHEREAS, on July 14, 2015, the Township Committee of the Township of Westampton (Township) adopted a resolution, Resolution No. 100-15, authorizing and directing the Land Development Board (Board) to conduct a preliminary investigation to determine whether certain properties, identified as Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 and 7.03 (Property) meet the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (Law) and whether said Property should be designated a Non-Condensation Redevelopment Area as defined by the Law.

WHEREAS, pursuant to the Township's resolution, the Board conducted a preliminary investigation of the Property and the Board caused its engineer to prepare an amended Area in Need of Redevelopment Investigation Study (Study) which Study included a map showing the boundaries of the proposed redevelopment area and the location of the Property for the Board's consideration and review.

WHEREAS, on September 16, 2015, with proper notice being given to the public, pursuant to the Law, N.J.S.A. 40A:12A-6(b)(3), the Board held a public hearing, approved the Study and made favorable recommendations to the Township as to the adoption of the Redevelopment Plan and the Study.

WHEREAS, at a public hearing held on September 22, 2015, the Township accepted the recommendations from the Board and found that the Property, together with Lots 2 and 8, should be deemed a Non-Condensation Redevelopment Area consistent with the Law and adopted a resolution, Resolution No. 123-15, confirming same.

WHEREAS, in November 2015, the Township determined that further clarification and specification of the zoning districts of the Property should be included in the engineer's Study and directed the Board to review its prior recommendations and determine whether the corrected zoning district designations warranted any changes to its prior recommendations.

WHEREAS, pursuant to the Township's request, the Board conducted another preliminary investigation of the Property and the corrected zoning districts and the Board caused its engineer to prepare an Amended Area In Need of Redevelopment Investigation Study (Revised Study) which Revised Study included a map showing the boundaries of the

Redevelopment Area, the location of the Property and the zoning districts of the Property for the Board's consideration and review.

WHEREAS, N.J.S.A. 40A:12A-7 authorizes the Board to review and recommend proposed redevelopment plans as to their appropriateness and make recommendations to the governing body consistent with the statutory requirements.

WHEREAS, the MLUL, N.J.S.A. 40:55D-26, and the Law, N.J.S.A. 40A:12A-7, authorizes the Board to issue and report a recommendation to the governing body prior to the adoption of a development regulation, revision or amendment thereto.

WHEREAS, a public hearing was held on March 2, 2016 by the Board with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3) and N.J.S.A. 40:55D-12.

WHEREAS, James Winckowski, P.E. of CME Associates, the Board Engineer, testified and provided the background, prior history and procedure followed as set forth in the above "WHEREAS" paragraphs.

WHEREAS, Mr. Winckowski introduced the Revised Study dated February 2016 which was prepared by his firm, CME Associates, and introduced the Redevelopment Plan dated February 2016 (Redevelopment Plan). A copy of the Revised Study was marked into evidence as Exhibit LDB-1 and is attached hereto as Exhibit A and a copy of the Redevelopment Plan was marked into evidence as Exhibit LDB-2 which is attached hereto as Exhibit B. Said Revised Study was made a part of the record herein as was the proposed Redevelopment Plan.

WHEREAS, Mr. Winckowski testified that the Revised Study and Redevelopment Study corrected the zoning districts of the Property and determined that the Property and the study area is located in both the I Industrial Zone (Lots 6, 6.02, 6.03 6.04, 7, 7.01, 7.02 and 7.03) and the OR-3 Office Research Zone (Lots 1.02, 1.03, 2 and 3) and further testified as to the regulations and permitted uses of both zones.

WHEREAS, Mr. Winckowski testified that the only changes recommended by the Revised Study and Redevelopment Plan related to front setback for Stemmers Lane, that the majority of the buildings will become non-conforming if Stemmers Lane were made a public road that is dedicated to the Township and that this proposal allows for the growth of an undeveloped area.

WHEREAS, one member of the public, Ms. Nancy Burkley, testified and inquired whether there would be any change to the setbacks on Springside Road and was advised that it would not affect Springside Road.

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 record, the following findings of facts and conclusions of law were made:

1. All of the facts as set forth in the foregoing "WHEREAS" paragraphs are hereby incorporated by reference herein as the Board's findings of facts and conclusions of law.
2. The Board has accepted the testimony and report of James Winckowski of CME Associates, the Board Engineer as well as the Revised Study marked as Exhibit LDB-1 attached hereto and incorporated herein as Exhibit A and the Redevelopment Plan marked LDB-2 which is attached hereto and incorporated herein as Exhibit B.
3. The Board has concluded that there is sufficient evidence to satisfy the criteria set forth in the Law for designating the Property as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of said Property and is consistent with the Township's Master Plan.
4. The Board has determined that it is in the best interest of the Township to adopt the Revised Study and Redevelopment Plan and the Board concludes that this resolution, the report and testimony of Mr. Winckowski shall be and hereby constitutes the report of the Board as required by N.J.S.A. 40A:12A-7(e) and N.J.S.A. 40:55D-26.

NOW, THEREFORE, based upon the foregoing findings of fact and conclusions of law, including all of the testimony and evidence presented and based upon the reports submitted to the Board; BE IT RESOLVED by the Land Development Board that it is hereby recommended to the Township Committee as follows:

1. That the Township adopt the Revised Study (Exhibit A) and the Proposed Redevelopment Plan (Exhibit B) for Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 and 7.03 as a designated Non-Condensation Redevelopment Area.
2. That this Resolution, including the testimony, the reports and Exhibits A and B, shall be considered the report of the Board to the Township as required by N.J.S.A. 40A:12A-7(e).

BE IT FURTHER RESOLVED, that this Resolution will be published within ten (10) days of the date of the adoption of this Resolution in the Burlington County, which is designated as the official newspaper of publication of the Township of Westampton Land Development Board.

Roll Call Vote

| | Ayes | Nays | Abstentions | Recusals |
|-------------|------|------|-------------|----------|
| Mr. Barger | | | | X |
| Mr. Blair | X | | | |
| Mr. Attaway | X | | | |
| Mr. Daniels | | | X | |
| Mr. Freeman | X | | | |
| Mr. Lopez | | | X | |
| Ms. Berkley | X | | | |

Westampton Land Development Board

By: _____
William Freeman, Acting Chairman

Attest:

Marion Karp, RMC, CMR
Westampton Township Land
Development Board Secretary
Date Memorialized: _____

Resolution # 6-2016

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

RESOLUTION OF THE WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD
RECOMMENDING TO TOWNSHIP COMMITTEE THE ACCEPTANCE OF THE
WESTAMPTON INTERCHANGE AREA IN NEED OF REDEVELOPMENT STUDY,
REVISED 2016, FOR BLOCK 2.03, LOTS 1.02, 1.03, 2, 3, 6, 6.02,
6.03, 6.04, 7, 7.01, 7.02 AND 7.03

WHEREAS, at a public hearing conducted by the Land Development Board (Board) on March 2, 2016 which was duly noticed pursuant to N.J.S.A. 40:55D-12 and N.J.S.A. 40A:12A-6(b)(3), the following initial findings of facts were made, to wit:

WHEREAS, on July 14, 2015, the Township Committee of the Township of Westampton (Township) adopted a resolution, Resolution No. 100-15, authorizing and directing the Board to conduct a preliminary investigation to determine whether certain properties, identified as Block 203, Lots 1.02, 1.03, 2, 3, 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 and 7.03 (Property) meet the criteria set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (Law) and whether said Property should be designated a Non-Condemnation Redevelopment Area as defined by the Law.

WHEREAS, pursuant to the Township's resolution, the Board conducted a preliminary investigation of the Property and the Board caused its engineer to prepare an amended Area in Need of Redevelopment Investigation Study (Study) which Study included a map showing the boundaries of the proposed redevelopment area and the location of the Property for the Board's consideration and review.

WHEREAS, on September 16, 2015, with proper notice being given to the public, pursuant to the Law, N.J.S.A. 40A:12A-6(b)(3), the Board held a public hearing, approved the Study and made favorable recommendations to the Township as to the adoption of the Redevelopment Plan and the Study.

WHEREAS, at a public hearing held on September 22, 2015, the Township accepted the recommendations from the Board and found that the Property, together with Lots 2 and 8, should be deemed a Non-Condemnation Redevelopment Area consistent with the Law and adopted a resolution, Resolution No. 123-15, confirming same.

WHEREAS, in November 2015, the Township determined that further clarification and specification of the zoning districts of the Property should be included in the engineer's Study and directed the Board to review its prior recommendations and determine whether the corrected zoning district designations warranted any changes to its prior recommendations.

WHEREAS, pursuant to the Township's direction, the Board requested that the Board Engineer, CME Associates, prepare an amended and revised Westampton Interchange Area In Need of Redevelopment Study (Revised Study).

WHEREAS, CME Associates duly prepared a Revised Study dated February 2016 which included a map showing the boundaries of the redevelopment area, the location of the Property and the specific zoning districts of the Property. Said Revised Study was marked into evidence as Exhibit LDB-1.

WHEREAS, Mr. James Winckowski, P.E. of CME Associates, the Board Engineer, testified and provided the background, prior history and procedure previously followed as set forth in the above "WHEREAS" paragraphs.

WHEREAS, Mr. Winckowski testified that the Property included tracts which were located in the I Industrial Zone (Lots 6, 6.02, 6.03, 6.04, 7, 7.01, 7.02 and 7.03) as well as tracts located in the OR-3 office Research Zone (Lots 1.02, 1.03, 2 and 3).

WHEREAS, Mr. Winckowski testified that this needs study report, Exhibit LDR-1, determined that the Property met the statutory criteria set forth in Sections D, H and E of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12-A-1, et seq. and that the report concluded that the Property, if included in a redevelopment area, would spur economic development, provide industrial warehouse space within convenient proximity to major highways and would improve Township ratables.

WHEREAS, Mr. Winckowski recommended, based upon his professional experience and expertise that the Revised Study and its conclusions be accepted by the Board.

WHEREAS, one member of the public, Ms. Shirley Jacob, testified and requested clarification as to whether the Dolan property that is on the Board's agenda for final major site plan approval, was included in the redevelopment area and whether this matter would have any impact on the Dolan application.

WHEREAS, Mr. Winckowski testified that the proposed Redevelopment Plan and Revised Study only related to changes in the front setbacks so that if the existing private road, Stemmers Lane, were to be made a public road in the future, it would avoid the need for variance relief in this area.

WHEREAS, from the submissions made to the Board, including all of the testimony and evidence presented and based upon the entire record, the Board finds as follows:

1. All of the facts as set forth in the foregoing "WHEREAS" paragraphs are hereby incorporated by reference herein.
2. The Board has accepted the testimony and Revised Study of CME Associates and Mr. James Winckowski as the required report pursuant to N.J.S.A. 40A:12A-7(e) and as the basis for its determination in this matter.

NOW, THEREFORE, based upon the foregoing findings of fact and conclusions of law, including all of the testimony and evidence presented and based upon the Revised Study submitted to the Board; it is hereby recommended that the Revised Study dated February 2016 be accepted by the Board, that said Revised Study, attached hereto and incorporated herein as Exhibit A be

considered the report of the Board as required by N.J.S.A. 40A:12A-7(e) and that said report be referred to the Township.

BE IT FURTHER RESOLVED, that this Resolution will be published within ten (10) days of the date of the adoption of this Resolution in the Burlington County Times, which is designated as the official newspaper of publication of the Township of Westampton Land Development Board.

Roll Call Vote

| | Ayes | Nays | Abstentions | Recusals |
|-------------|------|------|-------------|----------|
| Mr. Barger | | | | X |
| Mr. Blair | X | | | |
| Mr. Attaway | X | | | |
| Mr. Daniels | | | X | |
| Mr. Freeman | X | | | |
| Mr. Lopez | | | X | |
| Ms. Berkley | X | | | |

Westampton Land Development Board

By: _____
William Freeman, Acting Chairman

Attest:

Marion Karp, RMC, CMR
Westampton Township Land
Development Board Secretary
Date Memorialized: _____

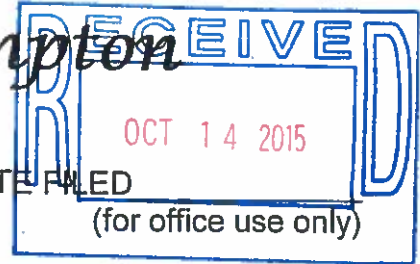


Township Of Westampton

Amended

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

DATE FILED



BLOCK 203 LOT 6.02

1. GENERAL INFORMATION

A. Applicant Name Dolan Contractors, Inc.
Address 94 Stemmers Lane, Westampton, New Jersey 08060
Telephone Number (609) 871-6200 Facsimile: (609) 871-8345

B. The Applicant is a:
Corporation* X
Partnership* _____
Individual _____
Other (specify) _____

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

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

Purchaser under contract _____
Owner _____
Lessee _____
Other (specify) General Contractor/Affiliate

Name Dolan Contractors, Inc.
Address 94 Stemmers Lane, Westampton, New Jersey 08060
Telephone Number (609) 871-6200 Facsimile: (609) 871-8345

D. Engineer/Surveyor: Bill Stevens, P.E. Professional Design Services, LLC
Address 1245 Airport Road, Suite 1A, Lakewood, NJ 08701
Telephone Number (732) 363-0060 Facsimile: (732) 363-0073

2. INFORMATION REGARDING THE PROPERTY

- A. The street address of the property 111 Ikea Drive
- B. The location of the Property is at the intersection of Ikea Drive and Stemmers Ln.
- C. Existing use of the property office/warehouse/distribution center
Proposed use of the property office/warehouse/distribution center
- D. Zone in which property is located I-Industrial
- E. Acreage of property 9.6 acres
- F. Is the property located on a County road? Yes No X; State road?
Yes No X; or within 200 feet of a municipal boundary? Yes No X

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

- G. The type of proposal is: New Structure Expanded Area X Improved
Parking Area X Alteration to Structure Expansion to Structure X
Change of Use Sign
- H. The name of the business or activity (if any) same as present: American Tire Distributors, Inc.
- I. Are there deed restrictions that apply or are contemplated? no
(if yes, please attach a copy to application)

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

- ~~J. Number of lots proposed~~
- ~~K. Was the property subject to a prior subdivision? Yes No
(If so, list dates of prior subdivisions and attach resolutions)~~
- ~~L. Number of lots created on tract prior to this application~~
- ~~M. Are there any existing or proposed deed restrictions, easements, rights
of way or other dedication? Yes No (if yes, attach a copy)~~
- N. List all proposed on site utility and off-tract improvements:
All utility connections are existing. Relocate and add fire hydrants.

O. List maps and other exhibits accompanying this application:

Site plan set and elevation, 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.

N/A

4. CHECK LIST AND WAIVER REQUESTS

- A. Please refer to the ordinance for the specific submission requirements, which are listed in Chapters 196, 215 and 250 (Site Plan Review, Subdivision of Land and Zoning) from the Code of the Township of Westampton.*
- B. Please list which sections of the Ordinance applicant requests a waiver from and the reasons therefore.

N/A

5. AUTHORIZATION AND VERIFICATION

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

Michael J. Dolan
Signature of Applicant

10/13/15
Date

Michael J. Dolan
Signature of Owner

10/13/15
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>

Applicant (Dolan Contractors, Inc.) is a New Jersey corporation. The following persons have 10% or greater interest in the corporation:

Michael J. Dolan
3 Sanctuary Drive
San Antonio, TX 78248

Local address
720 South Warren Ave
Malvern, PA 19355

SENIOR PRINCIPALS

Edward Vernick, PE, CME, President
Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME (deceased 2006)
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

PRINCIPALS

Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME, CPWM, CEP
Alan Dittenhofer, PE, PP, CME
Leonard A. Faiola, PE, PP, CME
Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME

SENIOR ASSOCIATES

Charles E. Adamson, PLS, AET
John J. Cantwell, PE, PP, CME
Richard B. Czekanski, PE, CME, BCEE
Annina Hogan, PE, RA, CME, CPWM, LEED-AP
Kenneth C. Ressler, PE, CME
Frank J. Seney, Jr., PE, PP, CME, NBIS
Gregory J. Sullivan, PE, PP, CME, CEA

March 28, 2016

Township of Westampton
Land Development Board
David Barger, Chairman
710 Rancocas Road
Westampton, New Jersey 08060

Attention: Marion Karp, Board Secretary
mkarp@westampton.com

Re: Amended Preliminary & Final Site Plan (Planning)
Dolan Contractors, Inc. - American Tire
111 Ikea Drive
Block 203, Lot 6.02
Our file #0337-P-002

Dear Board Members:

We have reviewed a Final Site Plan submission, received March 10, 2016, consisting of the following:

| Sheet | Title | Date | Latest Revision Date |
|-------|--------------------------------------|---------|----------------------|
| CS | Cover Sheet | 8-17-05 | 9-16-15 |
| C2 | Site Layout Plan | 8-17-05 | 9-16-15 |
| C3 | Grading, Drainage & Utility Plan | 8-17-05 | 9-16-15 |
| C4 | Lighting & Landscaping Plan | 8-17-15 | 9-16-15 |
| C5 | Site Details | 8-17-15 | 9-16-15 |
| SE1 | Soil Erosion & Sediment Control Plan | 8-17-05 | 9-16-15 |
| SE2 | Soil Erosion Notes & Details | 8-17-05 | 9-16-15 |

The Plans were prepared by William A. Stevens, P.P., P.E., Professional Design Services, LLC., 1245 Airport Road, Suite 1, Lakewood, New Jersey 08701, (732) 363-0060.

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers

232 Kings Highway East
Haddonfield, NJ 08033
(856) 795-9595

**Remington, Vernick
& Vena Engineers**

9 Allen Street
Toms River, NJ 08753
(732) 286-9220

3 Jicama Boulevard, Suite 300-400
Old Bridge, NJ 08857
(732) 955-8000

**Remington, Vernick
& Walberg Engineers**

845 North Main Street
Pleasantville, NJ 08232
(609) 645-7110

4907 New Jersey Avenue
Wildwood City, NJ 08260
(609) 522-5150

Melford Plaza I, Suite 400
16701 Melford Boulevard
Bowie, MD 20715
(240) 544-5382

**Remington, Vernick
& Beach Engineers**

922 Fayette Street
Conshohocken, PA 19428
(610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
(412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
(302) 266-0212

**Remington, Vernick
& Arango Engineers**

The Presidential Center, Lincoln Building
Suite 600, 101 Route 130,
Cinnaminson, NJ 08077
(856) 303-1245

300 Penhorn Avenue, 3rd Floor
Secaucus, NJ 07094
(201) 624-2137

I. GENERAL INFORMATION

Applicant: Dolan Contractors, Inc.
94 Stemmers Lane
Westampton, New Jersey 08060
(609) 871-6200

Proposal: Applicant proposes to construct a 60,582.46 s.f. addition to the existing building including site improvements. These include an enlarged truck maneuvering area, a redesigned basin, expansion of an existing parking area on the Southern side and creation of a new parking area on the Northern end of the facility.

Zoning: I - Industrial

II. ZONING

Based on the Board's previous approval memorialized with Resolution #47-2005, we request the applicant be prepared to outline all variances and waivers previously granted.

A. **Use:** The applicant's proposed use is in conformance with the permitted principal uses of the (I) Industrial Zone.

B. **Yard, Area & Bulk Requirements**

| Item | Required | Proposed | Status |
|------------------------------------|----------|------------|--------|
| Minimum Lot Area | 5 acres | 9.60 acres | C |
| Minimum Lot Width at Building Line | 300 ft. | 572 ft. | C |
| Minimum Front Yard (Building) | 100 ft. | 100 ft. | C |
| Minimum Rear Yard | N/A | N/A | |
| Minimum Side Yard | 50 ft. | 52 ft. | C |
| Maximum Building Height | 35 ft. | 35 ft. | C |
| Maximum Floor Area Ratio | 43% | 41.35% | C |

| Item | Required | Proposed | Status |
|-----------------------------|--|---|--------|
| Maximum Impervious Coverage | 80% | 70.37% | C |
| Off Street Parking | <p>1 space / 250 s.f. of gross office & shop area. 3,000 s.f. = 12 spaces</p> <p>1 space / 5,000 s.f. of gross distribution center & warehouse area. 169,923 s.f. = 34 spaces</p> <p>Required by Ordinance 46 spaces</p> | 133 spaces (includes 5 handicapped spaces) | C |
| Off Street Loading | <p>1 space / 8,000 s.f. gross floor area. 172,923 s.f. = 22 spaces</p> | 46 spaces | C |

C - Compliance

III. PERFORMANCE STANDARDS

A. Waivers

1. Ordinance 250-18F(1). It appears the revised length of the trailer parking backing up to Stemmers Lane has increased. A waiver or design change is necessary.
2. Ordinance 250-18F(3). The parking lot turn around space encroaches into the 50 ft. landscape buffer. A waiver or design change is necessary.
3. Ordinance 250-22R(6). This ordinance prohibits off-street maneuvering areas to be located in front yards. The new loading area encroaches approximately 12 ft. A design waiver is necessary.
4. Ordinance 196-8A. This ordinance requires a minimum distance of 12 ft. from parking areas to the building. The proposed Northern parking area will encroach. A design change is necessary.

5. Ordinance 196-8A. This ordinance requires 50 ft. from parking to a residential zone. The turnaround area at the rear of the Northern parking area encroaches. A design change is necessary.
6. Ordinance 196-8B(1). This ordinance requires a minimum of 50 ft. from a residential district for a landscape buffer. The turnaround area at the rear of the Northern parking area encroaches. A design change is necessary.
7. Ordinance 196-8B(1). This ordinance requires a minimum front yard buffer width of 50 ft. The expanded trailer spaces encroaches into this area. A design waiver is necessary.
8. Ordinance 196-8C(2). This ordinance requires landscape islands in parking areas. The applicant should be prepared to present if this requirement was previously waived.
9. Ordinance 196-8C(3)(c). This ordinance requires various plant types and numbers for the new building addition and parking area buffers. The applicant has shown additional planting buffers, but they do not meet the ordinance requirements. Testimony should be provided to outline any previous waivers that have been granted in the border buffer areas. Further discussion is necessary to revise the plans or seek waivers from the board for these landscape buffer requirements. Adequacy of existing vegetation should also be presented.

IV. OUTSIDE AGENCY APPROVALS

This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Planning Department and this office prior to the final signature of plans:

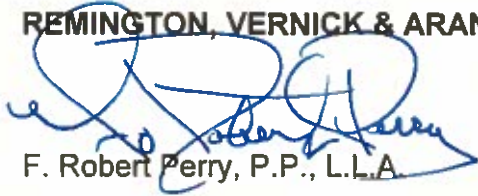
1. Burlington County Planning Board.
2. Burlington County Soil Conservation District.
3. Westampton Township Code Official.

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Township of Westampton
March 28, 2016

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMINGTON, VERNICK & ARANGO ENGINEERS, INC.



F. Robert Perry, P.P., L.L.A.

FRP/kn

cc: Dolan Contractors, Inc.
William Stevens, P.E.
Allen Zeller, Esq., Board Solicitor, Zeller & Wieliczko, 120 Haddontowne Court, Cherry Hill, NJ 08034,
azeller@zwattorneys.com
Jim Winckowski, CME Associates, 1 Greentree Center, Suite 201, Marlton, NJ 08053,
jwinckowski@cmeusa1.com



JOHN H. ALLGAIR, P.E., P.P. (1983-2001)
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
BEHRAM TURAN, P.E.
TREVOR J. TAYLOR, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.

October 30, 2015

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

Attn: Marion Karp
Administrative Officer

Re: **Dolan Contractors, Inc.**
111 Ikea Drive
Amended Site Plan - Review #1
Block 203, Lot 6.02
Westampton Township, Burlington County, NJ
Our File: HWAL0203.11

Dear Chairman and Board Members:

In accordance with your authorization, our office has performed a review of the above referenced Amended Site Plan application, including but not limited to the following:

- Site Plan entitled, "Building Expansion for Dolan Group VI, prepared William A. Stevens, PE, of Professional Design Services, consisting of seven (7) sheets, dated August 17, 2005, revised through;
 - Stormwater Management Report for Dolan Contractors, Inc, prepared by Professional Design Services, LLC, dated October 9, 2015; and,
 - Application Forms.
- 1) The Applicant previously received Preliminary and Final Site Plan approval to expand an existing 112,324 square feet (sf) warehouse (includes a 3,000 office) by 60,599 square feet for a total footprint area of 172,023 sf. Site improvements including expansion of off-street parking and loading areas were also approved.
 - 2) The Applicant is proposing to further amend the approved site plan for this site in order to construct an additional off-street parking area on the north side of the property. The proposed parking area will contain 60 parking spaces, thereby increasing the total off-street parking supply to 133 spaces. The amended site plan also provides for 2 additional trailer parking spaces, thereby increasing the total number of trailer parking spaces to 22. The loading area is proposed to increase in size to provide access to an increased number of overhead door loading ramps accessing the warehouse. The number of overhead door loading ramps will increase from 21 to 26. No significant change to the area of the building is proposed. A modification to the existing stormwater management basin located along Stemmers Lane is proposed in order to mitigate the increase in stormwater runoff associated with the increased impervious coverage.





Westampton Township Land Development Board
Re: 111 Ikea Drive
Amended Site Plan - Review #1

October 30, 2015
Our File: HWAL0203.11
Page 2

- 3) The subject 9.60 Acre parcel is located in the Dolan Industrial Park and has frontage along Ikea Drive and Stemmers Lane. The site currently contains an existing 109,324 sf warehouse with attached 3,000 square foot office facility, along with associated parking and loading areas. The site is located in the I-Zone District. Residential properties (R-4 Zone) border the Applicant's parcel to the west.
- 4) The Applicant previously received the following variance and/or design waiver relief for the original warehouse addition site plan application:
 - a. Section 250-15.D – Floor Area Ratio (FAR). A variance was granted to allow an increase of the FAR to 41.35%. The code has since been amended to allow an FAR up to 43% for warehouses. No changes to the FAR are proposed.
 - b. Section 250.22.O – Frontage on a Public Street. A variance was granted to allow the construction of a principal building on a site without frontage on a public street. The site is located within the Dolan Industrial Park, with access provided by Stemmers Lane and Ikea Drive, both of which are located within an access easement and are privately owned and maintained. No change is proposed.
 - c. Section 250-20 (F) – Buffers. The Applicant received relief from providing a 25 foot wide landscaped screen buffer along the front and side property lines adjoining a non-residential use. No change is proposed.
 - d. Section 215.19.A (5) – Sidewalk. The Applicant received a waiver to eliminate the need to provide sidewalks across the project frontages. No change is proposed.
- 5) It appears a portion of the proposed access driveway extending from Stemmers Lane will pass through adjacent Block 203, Lot 6.03. It is unclear whether an access easement exists to allow for this encroachment. If not, it appears an access easement maybe required. It should also be clarified as to whether Lot 6.03 should be included as part of the application.
- 6) A portion of the access driveway and modification to the existing stormwater management basin appears to be located within an access easement within Block 203, Lot 6.05. It should be clarified as to whether Lot 6.05 should be included as part of the application.





Westampton Township Land Development Board
Re: 111 Ikea Drive
Amended Site Plan - Review #1

October 30, 2015
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7) Buffering

- a. It appears a +/- 2 foot portion of the portion of the proposed parking area (turn around area) extends into the site perimeter buffer adjoining the adjacent residential track to the rear of the site. Variance and/or design waiver relief may be required from Section 250-20 (F). We defer to the Board Planner and Board Solicitor further comment.

8) Parking & Circulation

- a. The Westampton Code requires nonemployee spaces to be 10 feet wide by 20 feet deep. Employee parking spaces may be reduced to 9 feet wide by 18 feet deep. The Applicant is proposed parking spaces that are 9.5 feet wide by 18 feet deep.
- b. The Applicant should discuss the purpose or clarify the need for the additional parking. A total of 46 parking stalls are required by code, whereas 133 are now proposed.
- c. The need to provide handicap parking in the proposed parking area should be discussed.
- d. The reverse curve design of the access driveway is a concern. The Applicant's engineer should consider providing a tangent segment between the horizontal curves. The PT/PC of each curve should be clearly delineated on the site plan.
- e. A Turning Template or Vehicle Circulation Plan should be provided to demonstrate emergency vehicles can adequately negotiate the reverse curve access driveway for the proposed parking lot.
- f. A concrete walkway connection between the proposed parking area and the loading area, across the front of the warehouse, should be considered.
- g. A double-yellow stripe should be provided along the centerline of the access driveway for the proposed new parking lot extending from Stemmers Lane.
- h. A guide rail should be considered along the top of the retaining wall due to the close proximity of the wall and tractor trailers or other vehicles maneuvering to and from the proposed loading docks.
- i. Sight distance lines for the proposed driveway should be depicted on the Grading and Landscaping Plans.





Westampton Township Land Development Board
Re: 111 Ikea Drive
Amended Site Plan - Review #1

October 30, 2015
Our File: HWAL0203.11
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- j. The flexible pavement construction detail proposes the use of a 2" HMA surface course and a 2" or 3" HMA base course for vehicle or truck traffic, respectively. Section 250-22 (V) of the Westampton Code requires off-street parking and loading areas consist of not less than 2" HMA surface course and 4" of HMA base course. The detail should be revised or design waiver relief requested.

9) Grading

- a. The 57-foot contour within the basin should be adjusted in the area of the proposed flume to account for the top-of-flume spot elevation of 56.75.
- b. It appears a steep slope (>3V:1H) is to be provided in between the expanded loading area and the access ramp to the building. The Applicant should clarify whether a retaining wall and railing will be provided in this location.
- c. Proposed grading of the lawn area located to the north of the proposed parking area should be reflected on the site plan.

10) Stormwater Management – The project meets definition of major development and therefore must comply with the Westampton Township stormwater management control ordinance.

- a. Pre & post drainage area maps showing all contributory drainage areas for the site should be provided. All drainage areas and include Tc paths, CN values used in the pre & post developed peak flow calculations should be labeled.
- b. Appendix D of the stormwater report indicates a number of two tested permeability rates of 18 in/hr and 13.5 in/hr. The applicant uses a permeability rate of 18 in/hr in the routing calculations. The applicant should use half of the lowest tested permeability rate to provide a factor of safety of two in the routing calculations as per the BMP Manual.
- c. The Applicant should demonstrate the outlet control structure can adequately convey the 100-year storm assuming no basin infiltration.
- d. The Applicant should clarify the existing downstream manhole receiving stormwater discharge from the proposed modified basin. The inverts and pipe sizes noted appear to indicate the manhole is a low point in the system. Existing design plans or as-builts of the receiving storm sewer network should be provided for review and clarification. Any tailwater effects associated with the existing storm sewer system will have on the proposed modified stormwater basin should be considered.





Westampton Township Land Development Board
Re: 111 Ikea Drive
Amended Site Plan - Review #1

October 30, 2015
Our File: HWAL0203.11
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- e. It appears that the Applicant uses a combination of infiltration and detention to address water quality (ie. a portion of the water quality storm is discharged through the outlet control structure). The Applicant must demonstrate the entire water quality storm is infiltrated in order provide 80% TSS removal.
- f. The applicant indicates that a minimum volume of 0.63 acre-feet is required to be infiltrated to address groundwater recharge. The applicant should provide calculations to show that the volume is provided below the primary outlet in basin#1.
- g. It appears that a roof leader collection system is proposed to convey roof runoff directly to the drainage system. The roof leader collection system should be included in the pipe design calculations in Appendix C of the report.
- h. A trash rack for the 6-inch orifice in basin #1 should be provided.
- i. A note should be provided for the "INFILTRATION BASIN DETAIL" indicating that all grading and excavation within the basin shall be performed by light-duty rubber tired equipment to prevent over-compaction of the basin bottom.
- j. An access drive should be provided for Basin #1.
- k. An operation and maintenance manual for the proposed stormwater management system should be provided.

11) Lighting

- a. The Applicant is proposing wall mounted light fixtures on the façade of the propose warehouse addition with mounting heights of 25 feet to illuminate the proposed parking area. A point-by-point foot-candle coverage lighting plan should be provided for the proposed parking area to ensure adequate, and not excessive, lighting levels are provided.
- b. Whether the site lighting will be on a timer or reduced setting during overnight hours should be clarified.

12) Landscaping

- a. While we defer review of the proposed landscape plan to the Board Planner, we would recommend additional landscape buffering be provided to the northwest of the proposed parking area in order to adequately shield the adjacent residential properties from site lighting and vehicle headlight glare.





Westampton Township Land Development Board
Re: 111 Ikea Drive
Amended Site Plan - Review #1

October 30, 2015
Our File: HWAL0203.11
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- 13) The Applicant remains responsible to receive all required outside agency permits and approvals, including but not limited to:
- a. Burlington County Planning Board
 - b. Burlington County Soil Conservation District
 - c. Westampton Township Fire Marshall
 - d. Willingboro MUA

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
Office of the Land Development Board Engineer

JW:mmm

cc: Gene Blair, Construction Code Official
Lou Cappelli, Esq., Board Solicitor
Barbara Fegley, Board Planner
Mike Dolan, Dolan Contractors, Inc via email Mike@dolancon.com





Westampton Township Emergency Services

780 Woodlane Road

Westampton, New Jersey 08060

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

www.westamptonfire.org

LAND DEVELOPMENT BOARD REVIEW

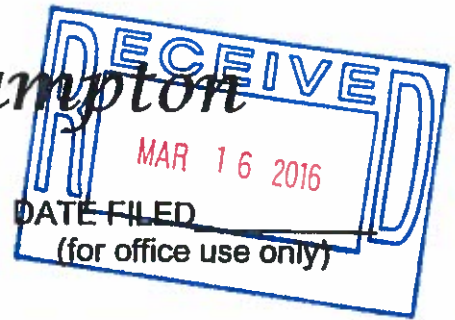
| | |
|--|--|
| <u>DATE:</u> | October 29, 2015 |
| <u>ADDRESS:</u> | 111 Ikea Drive |
| <u>PROPOSED USE:</u> | American Tire Distributors |
| <u>HYDRANTS:</u> | N/A |
| <u>FIRE PROTECTION SYSTEMS:</u> | N/A |
| <u>APPARATUS ACCESS:</u> | N/A |
| <u>BUILDING ACCESS:</u> | N/A |
| <u>NOTES</u> | Previous changes made by Fire Official Augustino appear to be valid. I see no need for additional changes. |

Respectfully,

Craig R. Farnsworth, II
Deputy Fire Chief / Fire Official
Township of Westampton



Township Of Westampton



SITE PLAN REVIEW APPLICATION ☒
SUBDIVISION APPLICATION _____
MINOR _____ MAJOR ☒
PRELIMINARY _____ FINAL _____ CONSOLIDATED ☒

BLOCK 203 LOT 6.01

1. GENERAL INFORMATION

A. Applicant Name IKEA Property, Inc.

Address 420 Alan Wood Road, Conshohocken, PA 19428

Telephone Number 610-834-0180 x 5609

B. The Applicant is a:

Corporation* ☒
Partnership* _____
Individual _____
Other (specify) _____

*If the applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a 10% interest or more in the corporation or partnership. None

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

Purchaser under contract _____
Owner ☒
Lessee _____
Other (specify) _____

Attorney Ellen McDowell, McDowel Riga & Posternock PC

Address 46 West Elm Street, Maple Shade, NJ 08052

Telephone Number 856-482-5544

D. Engineer/Surveyor: Robert R. Stout, PE & PLS, Stout & Caldwell Engineers, LLC

Address 705 US Route 130 South, Cinnaminson, NJ 08077

Telephone Number 856-786-2202

2. INFORMATION REGARDING THE PROPERTY

A. Street address of the property 100 Ikea Drive

B. The location of the property is approximately 660 feet from the intersection
of Ikea Drive and Springside Road (CR 635)

C. Existing use of the property Distribution Center

Proposed use of property Distribution Center - Loading Dock Expansion

D. Zone in which property is located I, Industrial

E. Acreage of property 63.75 Acres

F. Is the property located on a County road? Yes No ✓; State road?
Yes No ✓; or within 200 feet of a municipal boundary? Yes No ✓

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

G. The type of proposal is: New Structure Expanded area ✓ Improved
Parking Area Alteration to Structure ✓ Expansion to Structure
Change of Use Sign

H. Name of business or activity (if any) Ikea Distribution Center

I. Are there deed restrictions that apply or are contemplated? None Known
(if yes, please attach a copy to application)

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

J. Number of lots proposed

K. Was the property subject to a prior subdivision? Yes No
(If so, list dates of prior subdivisions and attach resolutions)

L. Number of lots created on tract prior to this application

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

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

None

O. List maps and other exhibits accompanying this application:

Preliminary/Final Site Plans, Sheets 1 & 2 , dated 03/16/16, prepared by Stout & Caldwell Engineers, LLC

Topographic Survey Plan, Sheet 1 of 1, dated 03/16/16, prepared by Stout & Caldwell Engineers, LLC

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.

None

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.* Please refer to List.

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

Please refer to attached list.

5. AUTHORIZATION AND VERIFICATION

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

Signature of Applicant

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>

Requested Waivers

196-6.A Preliminary Site Plan Details.

- (7) Floodplain areas based on one-hundred-year storm. Proposed improvements do not extend beyond existing site improvements.
- (8) All roads, driveway, watercourses and existing buildings within 200 feet of the tracts. Proposed improvements do not extend beyond existing site improvements.
- (11) A topographic survey of the site with contours at two-foot intervals or closer if the topography of the ground is flat and if the Board directs, and a title survey certified by a licensed land surveyor if the same is required by the Board. As an alternate, the Board may require spot elevations. Partial waiver, topographic survey for the area of proposed improvements is provided.
- (12) The exact size, shape and location of all existing and proposed buildings, structures, parking areas and open spaces. Proposed improvements are within limits of existing improvements. No proposed changes to buildings, structure and parking areas.
- (13) All setbacks, lot and right-of-way lines and the dimensions, locations and purpose of all easements. Proposed improvements are within limits of existing improvements and do no impact setbacks or easements.
- (14) The location and arrangement of vehicular access ways and the locations, size and capacities of all parking areas and curbs, sidewalks, walkways and all other areas devoted to pedestrian use. General locations and arrangements provided. Detail information provided in area of proposes improvements.
- (15) Basic drainage design, including size, type, location and grade of pipes; location of structures in the system; and design calculations. Drainage area shall be shown where appropriate. Stormwater management is not required in accordance with NJDEP Stormwater Regulations, because the increase in impervious coverage (7,200 sf) is less than $\frac{1}{4}$ of an acre and the amount of land disturbance (11,000 sf) is less than an acre.
- (16) A parking schedule in accordance with the appropriate municipal ordinance. No building or parking expansion proposed. Existing parking to remain the same.
- (18) The buildings major elevations and floor plans. No Building expansion proposed. Minor building alterations that include the installation of overhead doors are proposed.
- (19) Test borings distributed over the tract to a depth of 10 feet showing soil types, depth of water and date of boring, if same are necessary in the opinion of the Board. Proposed improvements are within limits of existing site improvements. No Septic Systems or Stormwater basins are proposed.
- (20) Where on-site sewerage facilities are proposed, percolation test results from the area proposed for disposal shall be submitted. No Septic Systems are proposed.
- (21) Design concerns of any topographic problems. No known topographic problems.

196-6.B Final site plan details. All final site plans shall contain the following information:

- (1) Setback dimensions shall be shown on the plan. Proposed improvements are within limits of existing site improvements and do not impact setbacks.
- (2) Existing and proposed contours with intervals of one foot where slopes are more than 3% but less than 15% and five feet when 15% or more only where deemed necessary by the Board. In the alternative spot elevations may be required. Partial waiver. Topographic survey for the area of proposed improvements is provided.

- (3) The site plan shall include front, rear and site elevations of the proposed buildings and structures. No building expansion proposed. Minor building alterations that include the installation of head doors are proposed.
- (4) The locations and arrangement of vehicular access ways and locations, size and capacity of all parking and loading areas shall be included. General locations and arrangements are provided. Detailed information provided in area of proposed improvements. No new access ways or parking proposed.
- (5) Curb, sidewalks, walkways and all other area devoted to pedestrian use shall be clearly delineated. Information provided for the area of proposed improvements. No changes to pedestrian ways are proposed.
- (6) A complete landscape plan, including size and type of all plants, shall be included. No new landscaping proposed. Existing landscaping to remain.
- (7) Location of all utilities shall be shown, including water supply, sewers, gas and electric services, lighting, illumination and refuse storage area. No new utilities or refuse storage areas proposed.
- (8) The storm drainage system shall be shown, and the applicant shall supply drainage calculations to substantiate the size and location of the proposed storm drainage system. No storm drainage system proposed. Stormwater Management is not required in accordance with NJDEP Stormwater Regulations because the increase in impervious cover (7,200 sf) is less than $\frac{1}{4}$ of an acre and the amount land disturbance (11,000 sf) is less than an acre.
- (9) A parking schedule in accordance with the appropriate municipal ordinance. No building or parking expansion proposed. Existing parking to remain the same.



JOHN H. ALLGAIR, P.E., P.P. (1983-2001)
DAVID J. SAMUEL, P.E., P.P.
JOHN J. STEFANI, P.E., L.S., P.P.
JAY B. CORNELL, P.E., P.P.
MICHAEL J. McCLELLAND, P.E., P.P.
GREGORY R. VALES, P.E., P.P.

TIMOTHY W. GILLEN, P.E., P.P.
BRUCE M. KOCH, P.E., P.P.
BEHRAM TURAN, P.E.
TREVOR J. TAYLOR, P.E., P.P.
LOUIS J. PLOSKONKA, P.E.

March 30, 2016

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

Attn: Marion Karp
Administrative Officer

**Re: *IKEA Property, Inc. – Loading Dock Expansion
Preliminary & Final Site Plan – Land Development Board Review #1
Location: 100 Ikea Drive
Zone: I (Industrial)
Block 203, Lot 6.01
Westampton Township, Burlington County, NJ
Our File: HWAL0203.13***

Dear Chairman and Board Members:

In accordance with your authorization, our office has performed a review of the above referenced Preliminary and Final Site Plan application, including but not limited to the following:

- IKEA Distribution Center Loading Dock Expansion, Preliminary / Final Site Plan, Tax Map Sheet 2 - Block 203 - Lot 6.01, Westampton Township - Burlington County, New Jersey, consisting of two (2) sheets, prepared by Stout & Caldwell Engineers, LLC, dated March 16, 2016, unrevised;
- Partial Topographic Survey Plan, Block 230 - Lot 6.01, Tax Map Sheet #2, Land Situate in Westampton Township, Burlington County, New Jersey, consisting of one (1) sheet, prepared by Stout & Caldwell Engineers, LLC, dated March 14, 2016, unrevised; and
- Application forms and various other submission items.

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

- 1) The Applicant, IKEA Property, Inc., is seeking Preliminary and Final Site Plan approval to construct a loading dock expansion along the northerly side of the existing warehouse building. The improvements will consist of two (2) 40 foot by 90 foot asphalt and concrete loading areas each with two (2) overhead door bays. The improvements are proposed to be constructed within an area of the site that is currently covered by grass / open space. No stormwater management, landscaping, lighting or other site improvements appear to be proposed.





Westampton Township Land Development Board
Re: Ikea Property, Inc. – Loading Dock Expansion
Land Development Board Review #1

March 30, 2016
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- 2) The subject 63.75-acre property is situated within the I (Industrial) Zone District and has frontage along Ikea Drive to the north and west and Stemmers Lane to the east, both of which are private roadways. Adjacent properties are contained within the I Zone to the east and north, the R-4 (Residential) Zone to the northwest, the OR-2 (Office Research) Zone to the west and the B-1 (Business) Zone to the south. Currently, the site contains an IKEA warehouse and distribution facility, stormwater management facilities, and parking areas for both passenger vehicles and trailers. Access to the site is provided via two (2) full movement ingress / egress driveways extending from / to Ikea Drive. Based upon the NJDEP NJ-GeoWeb program, it does not appear that any freshwater wetlands, wetlands transition areas or other environmentally sensitive areas are present in the vicinity of the proposed improvements.
- 3) We defer to the Board Planner regarding the review and determination of the required variance and/or design waiver relief required for this project. However, we note that the Applicant has not requested any variance relief or design waivers, and it does not appear that any are required.
- 4) The Applicant should be prepared to discuss the following with the Board:
 - a) The Applicant should provide a truck turning template plan to verify that tractor trailers / delivery vehicles can safely and efficiently access the proposed new loading bays.
 - b) Testimony should be provided regarding the impact that the proposed improvements will have on the existing residential uses to the north, which are less than 100 feet from the new loading areas. We defer to the Board Planner regarding the possible need for landscape buffering.
 - c) The existing and proposed impervious coverages of the site are not clear; same should be indicated on the Site Plan. Further, the Applicant should verify that the proposed improvements will not create the need for variance relief for impervious coverage in excess of the maximum permitted in the subject zone.
 - d) Stormwater management calculations have not been provided. While the increase in impervious coverage appears to be minimal, the Applicant's Engineer should address whether the existing stormwater management facilities can handle the increase in runoff that will be generated due to the increase in impervious coverage.
 - e) A construction detail for the protective bollards should be added to the Site Plan.





Westampton Township Land Development Board
Re: Ikea Property, Inc. – Loading Dock Expansion
Land Development Board Review #1

March 30, 2016
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- 5) The Applicant should indicate the status of all required outside agency approvals, including but not limited to the following:
- a) Burlington County Planning Board
 - b) Burlington County Soil Conservation District
 - c) Westampton Township Bureau of Fire Prevention

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:BB:mmm

cc: Gene Blair, Construction Code Official
Allan S. Zeller, Esq., Board Solicitor
Robert Perry, PP, Remington & Vernick, Board Planner
Ikea Property, Inc. (karen.talarico@IKEA.com)
Robert Stout, PE (rrs@stoutcaldwell.com)
Ellen McDowell, Esq.



SENIOR PRINCIPALS

Edward Vernick, PE, CME, President
Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME (deceased 2006)
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME

PRINCIPALS

Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME, CPWM, CEP
Alan Dittenhofer, PE, PP, CME
Leonard A. Faiola, PE, PP, CME
Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
Dennis K. Yoder, PE, PP, CME

SENIOR ASSOCIATES

Charles E. Adamson, PLS, AET
John J. Cantwell, PE, PP, CME
Richard B. Czekanski, PE, CME, BCEE
Annina Hogan, PE, RA, CME, CPWM, LEED AP
Kenneth C. Ressler, PE, CME
Frank J. Seney, Jr., PE, PP, CME, NBIS
Gregory J. Sullivan, PE, PP, CME, CEA

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers

232 Kings Highway East
Haddonfield, NJ 08033
☐ (856) 795-9595

**Remington, Vernick
& Vena Engineers**

9 Allen Street
Toms River, NJ 08753
☐ (732) 286-9220

3 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
☐ (732) 955-8000

**Remington, Vernick
& Walberg Engineers**

845 North Main Street
Pleasantville, NJ 08232
☐ (609) 645-7110

4907 New Jersey Avenue
Wildwood City, NJ 08260
☐ (609) 522-5150

Melford Plaza I, Suite 400
16701 Melford Boulevard
Bowie, MD 20715
☐ (240) 544-5382

**Remington, Vernick
& Beach Engineers**

922 Fayette Street
Conshohocken, PA 19428
☐ (610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
☐ (412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
☐ (302) 266-0212

**Remington, Vernick
& Arango Engineers**

The Presidential Center, Lincoln Building
Suite 600, 101 Route 130,
Cinnaminson, NJ 08077
☐ (856) 303-1245

300 Penhorn Avenue, 3rd Floor
Secaucus, NJ 07094
☐ (201) 624-2137

March 23, 2016

Township of Westampton
Land Development Board
David Barger, Chairman
710 Rancocas Road
Westampton, New Jersey 08060

Attention: Marion Karp, Board Secretary
mkarp@westampton.com

**Re: Amended Final Major Site Plan (Planning)
IKEA Property, Inc.
100 Ikea Drive
Block 203, Lot 6.01
Our file #0337-P-004**

Dear Board Members:

We have reviewed a Amended Final Site Plan submission, received March 18, 2016, consisting of the following:

| Sheet | Title | Date | Latest Revision Date |
|--------|---------------------------------|---------|----------------------|
| 1 of 2 | Overall Site Plan | 3-16-16 | --- |
| 2 of 2 | Site Improvement Plan | 3-16-16 | --- |
| 1 of 1 | Partial Topographic Survey Plan | 3-14-16 | --- |

Sheets 1 of 2 through 2 of 2 were prepared, signed and sealed by Mark E. Malinowski, P.E., Stout & Caldwell Engineering, LLC, 705 U.S. Route 130 South, Cinnaminson, New Jersey 08077, (856) 786-2202.

Sheet 1 of 1 was prepared, signed and sealed by Robert R. Stout, P.E., Stout & Caldwell Engineering, LLC.

I. GENERAL INFORMATION

Applicant: IKEA Property, Inc.
420 Alan Wood Road
Conshohocken, Pennsylvania 19428
(610) 834-0180

**Applicant's
Attorney:**

Ellen McDowell, Esq.
McDowell Riga & Posternock PC
46 West Elm Street
Maple Shade, New Jersey 08052
(856) 482-5544

Proposal: Applicant proposes to add four (4) overhead doors, 12' wide, along the Northerly loading dock area of the building reducing an existing lawn area. No building alterations effecting setbacks are proposed.

Zoning: (I) Industrial District

II. ZONING

- A. **Use:** The applicant's proposed use is in conformance with the permitted principal uses of the (I) Industrial District. No variances are required.

III. PERFORMANCE STANDARDS

- A. Building elevations should be provided for the north side of the building where the four (4) new overhead doors are being proposed. They must be consistent with the other existing doors in color and type of design.
- B. The existing lawn area is to be divided into two (2) 40' wide loading areas. Bollards are proposed to protect the fire hydrant. The applicant's engineer should be prepared to address tractor trailer maneuverability and any measures necessary to protect the remaining lawn areas.
- C. Sod should be utilized in the lawn area rather than seed to establish the grass area quicker and avoid bare ground areas while awaiting germination.

IV. OUTSIDE AGENCY APPROVALS

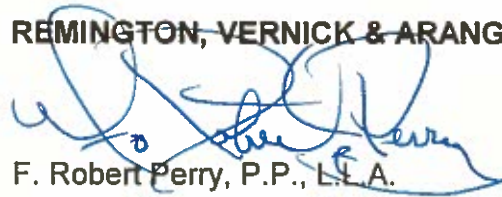
This plan may be subject to the review and approval of the following outside agencies, if not already received. Evidence of these approvals must be submitted to the Township Planning Department and this office prior to the final signature of plans:

1. Burlington County Planning Board
2. Westampton Township
3. Any others as may be necessary

If you have any questions regarding this matter, please do not hesitate to call.

Sincerely yours,

REMINGTON, VERNICK & ARANGO ENGINEERS, INC.



F. Robert Perry, P.P., L.L.A.

FRP/kn

cc: IKEA Property, Inc.
Mark E. Malinowski, P.E.
Ellen McDowell, Esq.
Allen Zeller, Esq., Board Solicitor, Zeller & Wieliczko, 120 Haddontowne Court, Cherry Hill, NJ 08034,
azeller@zwattorneys.com
Jim Winckowski, CME Associates, 1 Greentree Center, Suite 201, Marlton, NJ 08053,
jwinckowski@cmeusa1.com

March 15, 2016

Ms. Marion Karp
Westampton Township
710 Rancocas Road
Westampton, NJ 08060



94 Stemmers Lane
Westampton, NJ 08060
609/871-6200
FAX: 609/871-8345

Re:

Resolution # 14-2011
Application of Rancocas Park 86, LLC
86 Stemmers Lane
Block 203, Lot 7.03;

Resolution #4702005
Application of Dolan Contractors, Inc.
97 Stemmers Lane
Block 203, Lot 6.04

Dear Ms. Karp:

Thank you for taking the time the other day to discuss our desire to extend the expiration dates of the referenced resolutions, each of which expires on June 30, 2016.

The application of Rancocas Park 86, LLC contemplates the construction of a non-residential building of 200,541 square feet of floor area. The applicant requests an extension of this approval of three years to June 30, 2019.

The application of Dolan Contractors, Inc. contemplates the construction of a non-residential building of approximately 69,000 square feet of floor area. The applicant requests an extension of one year to June 30, 2017.

I am enclosing copies of the approval resolutions for each of these projects. Please let me know if you require anything further on this application.

Thanks very much for your cooperation.

Sincerely,



Russell Whitman, Esq.

C: Westampton Township Attorney, Andrew Zeller, Esq.

RESOLUTION NUMBER: 14-2011

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

APPLICANT'S NAME: Rancocas Park 86, LLC

APPLICATION FOR: Amended preliminary and final site plan approval; use variance for increase in Floor Area Ratio, bulk "c" variance for number of loading spaces; and reaffirmation of prior approvals.

PROPERTY ADDRESS: 86 Stemmers Lane, Rancocas Park, Westampton, New Jersey, Block 203, Lot 7.03

DATE OF HEARING: September 7, 2011

A RESOLUTION MEMORIALIZING WESTAMPTON LAND USE BOARD'S DECISION FOLLOWING A PUBLIC HEARING ON SEPTEMBER 7, 2011, TO APPROVE AN APPLICATION RANOCAS PARK 86, LLC, FOR AN AMENDED PRELIMINARY AND FINAL APPROVAL, A USE VARIANCE TO INCREASE THE FLOOR AREA RATIO ("FAR"), A BULK VARIANCE TO DECREASE THE NUMBER OF LOADING SPACES, REAFFIRM PREVIOUSLY APPROVED VARIANCES ASSOCIATED WITH RESOLUTIONS 17-2007 AND 19-2007 THAT WERE NOT IMPACTED BY THE CURRENT APPLICATION BEFORE THE BOARD AND REDUCE THE NUMBER OF PARKING SPACES FOR THE PROPERTY LOCATED ON 86 STEMMERS LANE, RANOCAS PARK, WESTAMPTON, NEW JERSEY, IDENTIFIED AS BLOCK 203, LOT 7.03 IN THE TAX MAPS OF THE TOWNSHIP OF WESTAMPTON AND LOCATED IN THE INDUSTRIAL "I" ZONING DISTRICT.

WHEREAS, the Applicant, Rancocas Park 86, LLC appeared along with its attorney, Russ Whitman, Esquire, before the Westampton Township Land Development Board ("Board") on September 7, 2011 seeking approval to amend the preliminary and final site plan, obtain a use variance to increase the FAR from 42% to 48.6%, obtain a bulk variance to decrease the number of loading spaces from 32 to 21 and decrease the number of parking spaces from 184 as originally approved to 95 spaces for the property located at 86 Stemmers Lane, Rancocas Park, Westampton, New Jersey, identified as Block 203, Lot 7.03 in the Tax Maps of the Township of Westampton, located in the Industrial "I" zoning district;

WHEREAS, the applicant had received prior preliminary and final site plan approval for the property by Resolution number 17-2007 memorialized on May 2, 2007 and an associated use variance for the FAR at 42% for the property by resolution 19-2007 memorialized on April 4, 2007 and memorialized;

WHEREAS, the Board made a determination to deem the Application complete and Jurisdiction to bring the matter before the Land Development Board was deemed proper, as the Applicant had provided the necessary documentation to demonstrate proper Notice was published in the Burlington County Times, as well as, Notice of the Hearing was issued to the property owners within 200 feet of the subject property in accordance with New Jersey Municipal Land Use Law;

WHEREAS, the subject property consists of 9.45 + acres and is situated within the "I" Zone District, with approximately 568.3 feet and depth of 721.8 feet;

WHEREAS, the Board considered the application submissions submitted by the Applicant for the Board review:

1. An Amended Site Plan for 86 Stemmers Lane, prepared by Bernard Wojtkowiak, PE, dated February 12, 2007 and revised August 22, 2011;
2. A previously approved site plan for 86 Stemmers Lane, prepared by Bernard Wojtkowiak, PE, dated February 12, 2007 and revised on July 29, 2007;
3. Color rendering and elevation plan;
4. A completed Westampton Township Land Development Board Application dated August 22, 2011; and
5. Prior Westampton Township Land Development Board Resolution #'s 17-2007 and 19-2007;

WHEREAS, the Board also considered the Review Letters of the Board Professionals, identified as follows:

1. Review Letter prepared by the Board Engineer, James Winckowski, P.E. of CME Associates dated September 1, 2011; and
2. Memorandum dated August 29, 2011 prepared by Harry W. McVey, P.P., AICP, the Board Planner of Louis Glass Associates;

WHEREAS, the Board considered § 250-22 of the Township of Westampton Township Zoning Ordinances governing off street loading requirements and Table II of the Westampton Zoning Ordinances regarding the permitted uses and schedule of area, yard and bulk requirements governing the application;

WHEREAS, the applicant provided testimony to the Board regarding the purpose of the application to the Board, specifically, relating to the fact that the revisions to the site are to accommodate for long-term tenant who will needs a large amount of indoor storage to house stainless steel;

WHEREAS, the applicant indicated the increased FAR would not have a substantial detrimental impact on the Township or the surrounding properties since the building is not very visible and behind another building;

WHEREAS, the applicant indicated that change to the FAR is fairly typical for such buildings, which was affirmed by the Board Planner;

WHEREAS, the applicant indicated that he will comply with the conditions stated in the Memorandum prepared by the Board Planner, dated August 29, 2011, and the review letter prepared by the Board Engineer, dated September 1, 2011, and would also be agreeable to:

1. Obtain approval from the Township Fire Marshall, as the fire safety ordinance has changed since the original application, particularly with regards to the Knox box;
2. Provide the Board Engineer with a the grading plans, landscaping plans, utility and lighting plans for review and approval; and
3. Update the revised site plan to show the additional loading spaces, so to eliminate the need to return to the Board, should the applicant which to add additional loading spaces in the future;

WHEREAS, it was further indicated by the Board Planner that the Board affirm the previously approved variances associated with resolutions 17-2007 and 19-2007, not impacted by the application before the Board;

WHEREAS, the Board then opened the meeting to the public at which time, no members of the public appeared;

WHEREAS, the Board considered all of the above stated factual finds, document submissions, testimony and correspondence in light of the above stated governing zoning ordinances and applicable statutory criteria associated with the applicant's request to amend the preliminary and final site plan to be granted relief for a FAR use variance and bulk "c" variance to permit a deviation from § 250-22 of the Township Zoning Ordinance regarding the requisite number of loading spaces for a property within the "I" zoning district;

WHEREAS, upon a framing of the motion, the said Motion was brought to the Board by Mr. Welsh and a seconded by Mr. Applegate, wherein by a vote of 6 to 0 the Land Use Board of the Township of Westampton granted the application of the applicant, Rancocas Park 86, LLC, to amend the preliminary and final site plan, obtain a use variance to increase the FAR from 42% to 48.6%, obtain a bulk variance to decrease the number of loading spaces from 32 to 21 and decrease the number of parking spaces from 184 as originally approved to 95 spaces for the property located at 86 Stemmers Lane, Rancocas Park, Westampton, New Jersey, identified as Block 203, Lot 7.03 in the Tax Maps of the Township of Westampton, located in the Industrial "I" zoning district;

IT IS NOW RESOLVED, the Applicant is granted approval for the following:

1. An Amended Preliminary and Final Approval for the property pursuant to the Amended Site Plan for 86 Stemmers Lane, as prepared by Bernard Wojtkowiak, PE, dated February 12, 2007 and revised August 22, 2011;
2. A use variance to increase the FAR in the building from 42% to 48.6%, resulting in an overall increase of the square footage in building from 173,719 square feet to 200,541 square feet;
3. A bulk "c" variance to decrease the number of loading spaces from 32 to 21, which is below the minimum required pursuant to § 250-22 of the Township Zoning Ordinance; and
4. A reaffirmation of the previously approved variances associated with resolutions 17-2007 and 19-2007, which were not impacted by the current application before the Board

IT IS FURTHER RESOLVED, the relief afforded to the applicant as set forth above is subject to the additional terms and conditions:

1. The applicant obtains approval from the Township Fire Marshall, as the fire safety ordinance has changed since the original application, particularly with regards to the Knox box;
2. The applicant provides the Board Engineer with a the grading plans, landscaping plans, utility and lighting plans for review and approval;
3. The applicant updates the revised site plan to show the additional loading spaces, so to eliminate the need to return to the Board, should the applicant which to add additional loading spaces in the future;
4. The applicant satisfies the conditions of approval as set forth in the Board review letters of Board Planner, dated August 29, 2011, and the review letter prepared by the Board Engineer, dated September 1, 2011;
5. That the application, all exhibits, testimony, maps and other documents submitted and relied on by the Applicant, are true and accurate of the facts relating to the Applicant's request for relief. In the event that it appears to be the Board, on 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 rescind its approval and rehear the Application, either upon application of an interested party or on its own motion, when unusual circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice;
6. At any time after the adoption of this resolution should a party of interest appeal to the Board for an order vacating or modifying any term or condition as set forth herein, upon

proper showing 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, including but not limited to a rescission of its prior approval, a rehearing, a modification of its prior approval, or such other action as appropriate;

7. 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;
8. 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;
9. 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;
10. 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;
11. The Applicant must maintain an escrow account with the Township and 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. The Applicant's escrow account must be current prior to any permits being issued, or construction or other activity commencing on the approved project; and
12. The Applicant assumes all risks should the applicant pursue 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.
13. The Applicant must obtain any other construction or other municipal permits required with respect to the relief as granted herein.

ROLL CALL VOTE

| | <u>Ayes</u> | <u>Nays</u> | <u>Abstentions</u> | <u>Recusal</u> |
|---------------|-------------|-------------|--------------------|----------------|
| Applegate | x | | | |
| Blair | x | | | |
| Camp (absent) | | | | |
| Carugno | | | x | |
| Freeman | x | | | |
| Maybury | | | | x |
| Ryan | x | | | |
| Sampson | x | | | |
| Welsh | x | | | |

**WESTAMPTON TOWNSHIP LAND
DEVELOPMENT BOARD**

BY: 

Tim Ryan, Chairman, Westampton
Township Land Development Board

ATTEST: 

Marion Karp, RMC, CMR - Westampton Township
Land Development Board Secretary

DATE MEMORIALIZED: 11/2/2011

Land Use Board for the
Township of Westampton
RESOLUTION # 32-2007

ON THE APPLICATION OF DOLAN CONTRACTORS,
INC., FOR PRELIMINARY AND FINAL SITE PLAN
APPROVAL FOR THE DEVELOPMENT OF A
WAREHOUSE/OFFICE BUILDING ON PROPERTY
IDENTIFIED AS BLOCK 203, LOT 6.04.

BE IT RESOLVED by the Land Use Board for the Township of Westampton,
County of Burlington, and State of New Jersey that:

Section 1. Approval: The Board grants preliminary and final site plan approval for
the development of property identified as Block 203, Lot 6.04, for a warehouse/office
building, subject to the findings, determinations and conditions set forth below.

Section 2. Findings, Determinations and Conditions:

A. Findings: Applicant is the developer of industrial buildings within the
Township of Westampton. The present application seeks to develop a 69,010.38 square-
foot building containing 5,420 square feet of office space, and 62,856 square feet of
warehouse space. Located in the I-Industrial District the site contains 8.58 acres of land.
The site will be serviced by public sewer, water, electric, telephone and gas utilities. The
building is being developed on speculation with no specific tenant in mind. It is
anticipated that the end uses will be similar to other tenants in the business park.
Applicant proposes 57 parking spaces for the site, which is substantially more than

required by the Ordinance. The additional parking spaces addresses the potential that the building will be occupied by multiple tenants. The plan has been revised from that initially submitted to present a plan that requires no specific waivers or variances other than those normally entertained by the Board on similar applications by the applicant. At the request of the Board, the applicant considered reversing the building to have the loading docks facing Stemmers Lane instead of the rear property line. Due to site constraints, this change proved infeasible. At the request of the Board, applicant has increased the drive aisle width for the front drive to 24 feet to accommodate two-way traffic.

Applicant is requesting several waivers from strict compliance with Ordinance standards. Applicant has requested a waiver from the requirement contained in Section 21 5.19 .A (5) that sidewalks be installed along the frontage of the site. Given the location of the site in Rancocas Park and the limited nature of access to other areas which might benefit from pedestrian connections, this waiver has routinely been granted by the Board. It is granted here as it relates to the construction of a sidewalk on Stemmers Lane. A sidewalk is required along Woodlane Road and is to be extended along the westerly side of Stemmers Lane to the site's driveway.

A waiver is requested from the requirements of Section 250-15 .G (and the corresponding Sections 196-8 A. and 196-8 B) that non-residential use to non- residential use plant buffer/screen be at lease 25 feet due to existing street paving. The buffer is

encroached by a 10-foot paved area for a distance of approximately 405 feet along the westerly property line for a distance of 38 feet along the outside edge of the curved drive being encroached by varying amounts ranging from 0 feet to 10 feet. The buffer is encroached by the existing street, 20 feet wide for a distance of 840 feet inside the easterly property line. The Board grants the non-residential to non-residential use landscape buffer along the easterly property line (Stemmers Lane). The Board finds that the landscape plan demonstrates a reasonable area between Stemmers Lane and the front parking area to permit the required landscaping and buffering. A waiver of the buffer at the rear of the building is not approved. A combination of buffer plantings and fencing to properly buffer future commercial uses from the loading docks is required. It is understood that applicant will construct a 6-foot high chain link fence and install plantings as approved by the Board Planner to meet this condition.

A waiver is requested from the requirements of Section 250-22. Q. (6) (a & b) that two-thirds of all parking for office use for non-employees be 10-feet wide and separated in order to permit all car parking spaces to be 9.5 feet wide as shown on the plan. It is anticipated that this site will have very few non-employee visits. Further, these spaces are limited to the south due to existing grades in the wetland buffer area. Applicant's request is granted.

A waiver is requested from the requirements of Section 250-22. Q. (4) (a) that aisles and driveways for parking at an angle of 90° have a minimum width of 25 feet to

allow for a 20-foot drive aisle for single row parking along the east side of the building. This waiver is denied. For two-way traffic a minimum 24-foot-wide drive aisle is required. Applicant has agreed to increase its width.

A waiver is requested from the requirements of Section 196-8.A that parking areas be at least 12 feet from the building to allow for an 8-foot separation along the eastern side between the building and parking area. With applicant's agreed-upon revisions, the Board finds that a better civic design is achieved warranting relaxation of the above standard. A waiver is granted subject to its approval by the fire official.

B. Professional Reports. During the hearings the Professional Reports of the Township Planner and Board Engineer were submitted, reviewed, and commented upon by the applicant. Applicant has agreed to abide by the terms and conditions contained in these reports. Their provisions are incorporated within the findings made under this Resolution, and compliance shall be a condition of the approval.

C. Fire Marshall's Report. The approval granted by this Resolution is conditioned upon applicant complying with the terms and conditions of the Fire Marshall's Report submitted during the review process.

D. Retaining Wall. Although a waiver to permit less than a 25-foot non-residential to non-residential buffer along the of the rear property line is no longer required, primarily due to reducing the width of the paved area behind the building, applicant, to the extent possible and approved by the Board Planner, is to relocate the

retaining wall closer to the new curb location. This relocation will permit a wider area for landscaping adjacent to the rear property line and allow a more typical off-set between the rows of Leyland Cypress.

E. Additional Landscaping. Applicant shall provide additional landscaping as required by the Board Planner within Planner's report.

F. Light Fixtures. The Board staff recommended use of "shoebox" light fixtures for all wall-mounted lights. Applicant noted that "shoebox" fixtures did not come in the size to fit the low voltage used for the mounted light fixtures. In lieu thereof, applicant has agreed to use 70-watt metal Halide mini-floods. This is acceptable.

G. Affordable Housing Fees. Applicant shall pay pursuant to the Township's COAH Plan the required affordable housing fees as and when specified within the Ordinance.

H. Conditional Approvals

1. Conditions Precedent.

(a) Whenever any application for development is approved subject to specified conditions intended to be fulfilled before the approval becomes effective, said conditional approval shall lapse and become null and void unless all specified conditions, other than those contemplated by N. J. S. 40:55D-22.b. are fulfilled within 190 days of the date of conditional approval.

(b) Proof that applications have been filed with all other agencies

having jurisdiction over any aspect of the application for development shall forthwith be filed with the municipal agency.

(c) The fulfillment of all other conditions precedent shall forthwith be reported in writing to the municipal agency, which may cause such reports to be verified in an appropriate manner. Only upon fulfillment of all conditions shall any plan be signed or any required building permit, occupancy permit or zoning permit be issued.

(d) When all conditions have been fulfilled with respect to any minor or major site plan, applicant shall, within 30 days of the fulfillment of all such conditions, submit its map for signature by the Board Engineer or any such approval shall lapse and be of no force and effect; provided, however, that the applicant may, for good cause shown, obtain an extension either before or after the lapse of said 30 day period within the reasonable exercise of the Board's judgment.

2. Conditions Subsequent.

(a) Whenever any application for development is approved subject to conditions, which by their terms are incapable of being fulfilled, or are not required to be fulfilled prior to the final approval of the application, the performance of which are not guaranteed by bonds or securities of any type, failure to fulfill any such condition within six months from the date of the final approval of the application for development shall be grounds for the issuance of a stop work order by the enforcing official and the withholding of any zoning permit, certificate of occupancy or any other approval until

such condition or conditions are fulfilled.

(b) Nothing herein contained shall be construed as preventing the municipal agency from specifying a longer period of time within which any specific condition must be fulfilled, or from granting, upon an ex parte application, an extension of time for good cause shown.

(c) The fulfillment of all conditions shall be reported in writing to the municipal agency which may cause such reports to be verified in an appropriate manner. Only upon fulfillment of all conditions shall any subdivision map or site plan be signed or any required building permit, occupancy permit, zoning permit or other required approval be issued.

(d) For purposes of calculating the time period within which conditions must be fulfilled such time periods shall commence from the date on which the resolution of approval was adopted.

I. Other Agency Approval. Nothing contained in this Resolution shall be deemed to waive or modify the requirement that applicant obtain from any and all other agencies having jurisdiction over the same any and all approvals required by law, and this approval is specifically conditioned upon applicant obtaining those approvals.

Dated: 10-3-07

Land Use Board for the
Township of Westampton

By: 
Dan Breslin, Chairman

Attest:

Marion Karp
Marion Karp, Secretary

Date Approved: 9-5-07

Date Memorialized: 10-3-07
