

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

APRIL 4, 2012 7:30 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on April 4, 2012 at 7:30 P.M. The meeting was called to order by Chairman Tim Ryan and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 6, 2012 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Applegate, Mr. Blair, Mr. Carugno, Mr. Freeman, Mr. Maybury, Ms. Sampson, Chairman Ryan, Ms. Coe, Mr. Thorpe, Solicitor Mike Coluzzi, Engineer Jim Winckowski, Planner Harry McVey, Secretary Marion Karp
Absent: Mayor Camp, Mr. Welsh

The minutes of the February 1, 2012 meeting were approved as written.

Resolutions:

5-2012 Inductotherm Corp., Block 403, Lot 1 (10 Indel Avenue) – site plan waiver – was memorialized

6-2012 Holly & Daniel Procopio, Block 803.06, Lot 5 – de minimus change to variance approval (construction of detached garage) – was memorialized

7-2012 APCO Petroleum Corporation, Block 904, Lot 2 (2036 Route 541) – interpretation of Zoning Ordinance – was memorialized, with some minor revisions.

Malkit Singh, Block 906.07, Lot 1 (1930 Burlington-Mt. Holly Road). The applicant's attorney David Hodulik was present on behalf of the application. The property in question is an un-branded gas station, US Gas, who put up a new Citgo sign without any approvals. The sign has electronic numbers which are not allowed per Township ordinance. The sign had been replaced without obtaining construction permits as well, therefore, violation notices were issued by Gene Blair. The site is located on Burlington-Mount Holly Road.

The Board voted to deem the application as complete.

James Miller, applicant's planner, was sworn in by the Board Solicitor. The gas station has been in existence since 1989 and is in the Commercial zone, across Burr's Road from the Charlie Brown's restaurant. There are no residential uses in the immediate

area. The existing sign did not meet current standards; the price panel portion of the sign exceeds ordinance standards. The new sign is the same height and uses the same columns to support the sign; the price panel portion is reduced from 70 square feet to 42 square feet which represents an overall reduction of 12% in the size of the sign. They are seeking a C2 variance this evening. Mr. Miller believes that the LED pricing system is more visible from the roadway than the conventional flip over type of pricing. The numbers are easier to see at night and are much more easily changed; not subject to wind damage or fading like the other system is. It is a much more attractive and cleaner looking sign according to Mr. Miller. The sign will not scroll or blink like other changeable copy signs. The only thing that can change are the numbers; there is no potential for any type of changing message that the Township would have to police.

The sign is up but is not illuminated at this point. The letters will be red LED.

Mr. Carugno said that the sign looks 100% better than the old sign. Engineer Jim Winckowski asked if the letters would dim at night; some of the signs are very bright. The sign is in the exact location of the old sign. The sign can't be changed more than once in every 24 hours according to state law.

The owner of the gas station, Sukhwinder Singh, was sworn in by the Board solicitor. The sign will be turned off at night when the gas station is closed, however the gas station is open 24 hours at some times, depending on the season and the demand. Gene Blair said they have been very cooperative. It appears that the existing poles for the sign are on the property line. We can't force them to move it even though it doesn't comply with setbacks. Gene thinks the sign looks a lot cleaner and better than what was out there.

Board Planner Harry McVey thinks a distinction needs to be drawn between a regular changeable copy sign and this sign. He thinks it is a definite improvement over what was there. He thinks this is the way to go for gas stations.

It shall be noted that Mr. Maybury did not vote on the application due to him being a member of the Committee.

The applicant asked if they had the authorization to illuminate the sign; the Board granted an at risk authorization to allow them to do so. They would apply for construction permits as soon as possible.

Mr. Carugno made a motion to approve the variance; the motion was seconded by Mr. Freeman. All board members voted yes.

New Business:

Occupational Training Center, Inc., Block 905, Lot 1.01 (130 Hancock Lane). Denis Germano, attorney for the applicant was present. They hope to construct a truck ramp

on the existing OTC building, located on Hancock Lane. The only change to the exterior of the site is this ramp, even though major changes will be taking place inside the building.

Isaac Manning, director of OTC, was sworn in before the Board. The facility is used for the collection and sorting of recyclable materials. It also functions as a sheltered workshop for persons with disabilities; there are offices inside as well. As part of the plan, these facilities will be removed and the entire building will be used for recycling. The workshop and offices will be re locating to Burlington Township. The plan is to remodel the interior to allow for the separation of single stream recycling. Their fleet maintenance will be moved to this location from its current home in Southampton.

The number of trucks will be reduced from about 30 trucks a day to about 22 trucks a day. They are projecting a 10-15% increase in tonnage amounts, due to the convenience of single stream recycling. Employees working on the trucks number approximately 32 drivers and 20 laborers currently; which will be reduced to about 25 drivers and approximately 5 laborers. The number of laborers will be increased inside the building. Hours and days of operation will remain the same as they are now. Fleet maintenance runs on second shift, from approximately 3 PM to 11 PM. They are considering adding additional plastics to the recycling stream (#3 through #7).

There are about 45 administrative and counseling staff that report now to the site but will move to the new Burlington facility; there are about 139 people that are transported via bus to the facility each day, they will not be reporting here every morning as well once the offices and workshop are moved.

The ramp is for the trucks to enter the vehicle maintenance portion of the building, which will occupy approximately 15,000 feet of the facility. There is no two way traffic around the building. There are six employees that work at the vehicle maintenance facility.

Right now they use an off site fueling system that comes in and fuels their vehicles on site. They have been doing it this way for about ten years. The fueling operation will remain the same. Oil and anti freeze will be stored inside the building and used motor oil will be stored in drums and removed by an outside service. No body work or painting will be done on site. Major repairs will be sent out according to Mr. Manning. There are existing loading docks where the ramp will be constructed; out of six total, two will be eliminated due to the construction of the ramp.

There is a common driveway between this building and the neighboring building at 120 Hancock Lane; they were both once owned by Lignotock, an auto fabricator.

Mr. Carugno asked if the ramp has concrete walls; it has elevated concrete curbing on each side and on top of that, railing.

The applicant will comply with all Fire Marshal's comments in his report.

Board Planner Harry McVey had concerns about the pond to the rear of the site; he wanted to know what was preventing fluids from getting into that. Isaac Manning answered that their storm water management plan addressed spills outside, etc. It is an on going management plan (the booms placed in the pond). The Board engineer had no concerns with the plan as presented.

The meeting was opened to the public for comment. Gerald Mengel of 33 Fernbrooke Drive had two questions; he asked if the semis that were coming in would still be there; they would. The Fernbrooke residents also had concerns about all the debris that accumulates along Hancock Lane that falls off trucks. Isaac Manning explained that there would still be personnel that would be picking this up.

Mr. Carugno made a motion to approve the minor site plan; the motion was seconded by Mr. Maybury. All Board members voted yes.

Old Business:

APCO Petroleum Corporation, Block 904, Lot 2 (2036 Route 541). It shall be noted that Mr. Maybury (Township Committee member) would not sit for the hearing and neither would Mr. Carugno and Mr. Freeman, due to the fact that they were not present at the February meeting. There were only five members eligible to vote at this evening's meeting and this is the number of affirmative votes that is necessary for the variance to be approved.

After some discussion, the applicant decided to proceed and to give a presentation this evening; if necessary, Mr. Welsh could listen to the recording.

The applicant's attorney, Peter Flannery, said that any trucks parked there now that were there more than overnight would be aggressively pursued. Only overnight parking would be permitted.

Zoning Officer Gene Blair had taken photos 30 days apart; 8 of the vehicles had not moved during that time. He needed to know what exactly overnight parking consisted of; was it one night, six nights or 30 nights? Several of the vehicles could be described as junk vehicles. The applicants promised that they would be removed from the site.

Mr. Bertin, applicant's engineer, testified before the Board; they had modified the plan. They took the entire project and slid it 8 feet towards the highway. The trash enclosure was moved from the front to the rear of the site. The right side of the plan was changed; some truck spaces were removed (3) and green space added. A truck parking space was removed and replaced with a loading zone at the rear. A lot of landscaping was added to the site.

There will be no truck repair on the site; they have permission to connect for sewer but will need an ejector pump, which they assume responsibility for. As a result of those

changes, the canopy setback is insufficient; there is a need for a variance. 50 feet is required and 43.6 feet is provided.

The buffer area at the rear was increased from two feet to ten feet in width. A light was added at the rear of the building to increase visibility. The two sea boxes will be removed. The name of the Township will be added to the base of the sign, which will be a monument sign. They have an easement for the sewer and water and a letter approving the connections. The existing well will be abandoned.

Board Planner Harry McVey is pleased with the landscaping and is fine with the front yard setback variance. The only issue he has is the loading space at the rear of the site; he just doesn't see trucks parking back there and walking supplies to the store. The applicants agree and would like to re locate it. They would like to be able to designate a spot right behind the building. The trucks un-loading would only be there for a short amount of time.

Karen Sampson had concerns regarding the width of the drive aisle to the right of the site for trucks. It was agreed that signage would be added to delineate that trucks should exit the site this way, and travel around the back of the building.

The applicants agree to comply with all six items in the Fire Marshal's report.

The meeting was opened to the public for comment. Norm Miller asked about how the fueling stations were set up and if they permitted two way traffic.

The applicants had received a report from the Environmental Advisory Committee previously; Harry McVey asked if they would review it. Mr. Richard Atkinson, environmental consultant, was sworn in before the Board. He has been working on this particular site since 2007. There was a no further action report submitted in 2010; he has been in correspondence with the DEP. There are currently six monitoring wells onsite. The applicants stated that they would be happy to submit the paperwork that the EAC is seeking. The DEP changed their whole procedure on how sites are remediated. They don't have the manpower anymore to issue NFA themselves; they now go through LSRPs for this and it can take a long time.

Gene Blair wanted the condition added that any parked vehicle be registered and insured. He also wanted clarification regarding what overnight parking meant. Trailers would not be permitted to be left there without a tractor attached. Gene found that there are currently two tanker trucks on site; he didn't know what was contained in the trucks. Was it flammable material? The sea boxes will need to be removed before the CO is issued. No loaded tankers will be allowed on site; vehicles will be allowed to park there for no longer than a 24 hour period. Empty tankers would be allowed for a 24 hour period.

The Board is pleased with the revised plan presented. Mr. Blair made a motion to approve the application; the motion was seconded by Mr. Applegate. All Board