

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

SEPTEMBER 7, 2016 7:00 P.M.

## MINUTES

The regular meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on September 7, 2016 at 7:04 P.M. The meeting was called to order by Chairman Dave Barger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 12, 2016 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present: Mr. Applegate, Mr. Barger, Mr. Blair, Ms. Coe, Mr. Daniels, Mr. Lopez, Mr. Attaway, Ms. Berkley, Engineer Greg Valesi, Solicitor Allen Zeller, Secretary Marion Karp

**Absent:** Mr. Borger, Mr. Carugno, Mr. Freeman

Minutes of the 5/4/2016 meeting – were approved as written.

Board Solicitor Sandy Zeller swore in Board Engineer Greg Valesi.

### **Resolutions:**

10-2016 Dolan Contractors, Inc., Block 203, Lot 6.02 (111 Ikea Drive) – preliminary and final major site plan approval (enlargement of truck maneuvering area, redesign of storm water basin and creation of new parking area) – was memorialized.

11-2016 Dolan Group VII, LLC, Block 203, Lot 7.01 (80 Stemmers Lane) – one year extension of amended preliminary and final site plan approval – was memorialized.

### **New Business:**

**PSE&G, Block 1102, Lot 1.** John Stolz, attorney was present on behalf of the applicant, who was seeking minor subdivision approval. The new lot would be approximately 30 acres in size. The mother lot is owned by Burlington Preservation Partners and is used for wetlands mitigation. The 30 acre parcel they are seeking to subdivide out has not been used in the wetlands project. Existing conditions show a pocket of wetlands on the 30 acre parcel; it is largely unimproved. High transmission lines are present on the parcel. PSE&G wants to preserve the right to move their infrastructure in the rights of way as well as to improve any circuitry. It will serve to protect the future integrity of their lines.

The applicants had a revised plan that was marked P-1, dated 9/1/16. The site is at the intersection of Jacksonville and Oxmead Roads. The remainder lot will be approximately 115 acres in size and both lots will conform to the R-1 zone.

The LDB engineer's letter of 8/31/16 was reviewed. There is no wetlands delineation; however they have an existing conditions map. The Burlington County Planning Board has asked for an extension on this application. The existing right of way was used for the subdivision and will create a small triangular shaped extension. Greg Valesi prefers that this is eliminated; however it does run along the easement line which makes sense so he agrees with it the way it is. Burlington Preservation Partners would not allow them to revise the subdivision line to eliminate it.

The applicants agree to comply with all of the comments in the engineer's report. Greg would like the subdivision to be filed by map rather than by deed; the applicants agree to do this.

The application was opened to the public for comment. There was no comment and the meeting was closed. Mr. Lopez made a motion for approval; the motion was seconded by Mr. Daniels. All Board members voted yes.

**APCO Petroleum Corporation, Block 904, Lot 2 (2036 Route 541).** Board Chairman Dave Barger recused himself; Vice Chair Ron Applegate took over. Adam Fiola, attorney was present on behalf of the application. The application was approved back in 2012. They have had difficulties with obtaining County Planning Board approvals; they obtained a conditional approval in 2014 but needed to obtain cross access easements and additionally, economic conditions have not been favorable. Ron Applegate asked why they were asking for 3 one year extensions and why not just one. Mr. Fiola stated that they would be happy with any extension that the Board would grant.

Amar Singh Gill was sworn in before the Board. The easement is required for the adjacent site which is the Academy Bus Terminal site. Approvals expired on June 30, 2016 which is the reason they are here before the Board this evening. There is no issue with the Board granting the extension retroactively to June 30<sup>th</sup>. Mr. Fiola stated that he wasn't sure that all the conditions in the resolution have been complied with when questioned by Solicitor Zeller. According to Greg Valesi, they don't have an agreement yet so the County is unable to review the access easement. Three years is the maximum that the Board can extend the approval. It is his recommendation that the Board grant only one 1 year extension. Solicitor Zeller explained that they must show the Board good cause that they are trying to comply with approvals; they have to explain how they are tied up and how they are diligently trying to comply and gain these approvals. Mr. Lopez is concerned that the applicant isn't proceeding as they should in order to request a 3 year extension.

The applicant is agreeable to the Board granting a one year extension. Gene Blair

explained that they must also comply with the Township's conditions and submit plans, not just wait for County approval.

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

The Board is in favor of granting a 1 year extension which would expire on June 30, 2017. Mr. Lopez made a motion to approve the extension; the motion was seconded by Ms. Coe. All Board members voted yes, with the exception of Dave Barger, who recused himself.

**Westampton Township, Block 401, Lot 2.** Solicitor Zeller explained that there was a prior approval granted in November 2015. The subdivision deed or plat needed to be recorded within 180 days but that did not occur. They need an extension in order to perfect the subdivision. Greg Valesi gave a background of the minor subdivision and how it related to the Ingerman development and the storm water management basin. The Township needs an extension through 12/31/16. He recommends that the Board grant the extension.

The meeting was opened to the public for comment. Nancy Burkley asked if Westampton gave land to Ingerman. The Township will only maintain ownership of the detention basin. Ingerman would retain ownership of the rest of the property. With no other comments made, the meeting was closed.

Mr. Applegate made a motion to approve the extension; the motion was seconded by Mr. Blair. All voted yes, Mr. Daniels and Mr. Lopez abstained.

### **Resolutions:**

12-2016 Westampton Township, Block 401, Lot 2 (minor subdivision) – extension of time to perfect subdivision – was memorialized.

### **Informal Applications:**

**130 Main, LLC, Block 109, Lot 7 (130 Main Street).** Raymond and Linda Orsuto were present and asking for a waiver of site plan approval. The property was used last for an office for ABCO Bank. Julian Orsuto is the sole proprietor of the LLC. Solicitor Zeller discussed the fact that due to it being an LLC, they would need to be represented by an attorney. They did not have an attorney present at this evening's meeting.

Raymond and Linda Orsuto were sworn in by the Solicitor. The whole first floor of the building is a retail establishment as explained by Mr. Orsuto. Solicitor Zeller explained that they would have to return with an attorney.

Gene Blair gave a background of the property and explained that it is a multi-use

building with a post office, another office/retail space along with 3 apartments. A change of use was obtained back in 1993 according to his files in the construction office. It was a coffee shop prior but had received zoning board approval for use as an office. Gene had suggested that the Orsutos apply for a use variance back in March 2016. This would trigger a site plan review; however he suggested that they might want to request a waiver of site plan instead of a full blown site plan application.

Linda's primary business time is evenings and weekends so it wouldn't conflict much with the post office use according to her husband.

The HPC has already reviewed two applications submitted by the applicant. The Orsutos would obtain an attorney and come back before the Board with a use variance application.

### **Correspondence:**

None

### **Public Comment**

The meeting was again opened to the public for comment. Nancy Burkley commented on the history of 130 Main Street. The Post Office used to be in the section where they have the antique shop currently. There was a general store many years ago as well as a coffee shop. ABCO was there and shared space with a shredding business. She said that for a large percentage of time the building has been used for retail.

Jim Jacob – spoke about the Dolan warehouse project. The Board advised him that this wasn't the correct forum to address his concerns about the project. Gene Blair advised him that his concerns had been addressed and that he should call him.

### **Comments from Board Members**

Mr. Daniels – it feels good to be back after a 3 month hiatus. He congratulated Marion Karp on her appointment as Township Clerk. He advised Ms. Berkley that he would look into who owned the land before Ingerman.

Mr. Lopez – thanked the residents for coming out.

Dave Barger – congratulations to Marion on her appointment.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board

