

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

MAY 3, 2017 7:00 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on May 3, 2017 at 7:00 P.M. The meeting was called to order by Chairman David Barger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 5, 2017 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. Borger, Mr. Daniels, Mr. Freeman, Mr. Guerrero, Mr. Lopez, Mr. Mumbower, Mr. Gehin-Scott, Solicitor Lou Cappelli, Planners Sam Agresta and Tamika Graham, Engineer Jim Winckowski, Secretary Marion Karp
Absent: Mr. Applegate

The minutes of the April 5, 2017 meeting were approved with a minor change as suggested by Chairman Barger.

Solicitor Cappelli swore in the Board professionals.

Resolutions:

5-2017 Dolan Contractors, LLC, Block 203, Lot 7 (90 Stemmers Lane) – major site plan and bulk variance (36,150 sq. foot building expansion) – continuation of application until May 3, 2017 meeting – was memorialized

Old Business:

Dolan Contractors, LLC, Block 203, Lot 7 (90 Stemmers Lane) – major site plan and bulk variance (36,150 sq. foot building expansion) – continued from April 5, 2017 LDB meeting. Russ Whitman was the attorney representing the applicant. They had presented this application at the April 5th LDB meeting but had elected to continue the application due to the Board requesting further information which was not provided at the time. The plan has been modified in that the proposed addition has been reduced in size in order to eliminate the variance; the 50 foot setback requirement has now been met. The prospective tenant was present at this evening's meeting. Board Solicitor Capelli asked if the revised plans had been delivered so that the public could have ten days to review them; Russ Whitman answered that they had not. Board Engineer Jim Winckowski had received a plan set yesterday afternoon and hasn't had time to review them. Board Planner Tamika Graham stated that her office received the plans via email late on Monday night and they hadn't time to review them

either. Solicitor Cappelli answered that there is no way getting around the ten day time frame for the plans to be available for the public to review. Mr. Whitman explained that Mr. Barnett had flown in from California for the meeting and asked if he would be permitted to address the Board anyway.

Don Barnett, CEO of Sunbasket, was sworn in before the Board. He explained how Sunbasket works – they are a home meal delivery company that prepares/packages the ingredients for meals that people cook. They put together meal kits; customers choose from a variety of options. All ingredients are fresh and pre-portioned and healthy. All packaging is sustainable packaging; the service is delicious, convenient and healthy. They just recently had their one year anniversary and are presently located in Highland Business Park; they have run out of room and need to expand. Chairman Dave Barger stated that the Board's chief concerns relate to employee counts, shifts and traffic and that they would like information regarding those.

Mr. Barnett stated they are moving towards more automation; however they will continue to grow to approximately 300 to 350 employees; currently they have 250 employees. They run on 2 shifts; one shift operates from 5:30 AM to 2:30 PM and the second shift runs from 3 PM to 11:00 PM. These shifts were designed very carefully to avoid traffic and to accommodate workers with children. Mr. Barnett stated that they don't envision ever going to a 3 shift operation.

They are an assembly operation and not a distribution operation; there are currently 5 to 10 truck deliveries per day. Outbound deliveries are via FedEx or UPS, which are included in these truck counts.

They have a trash compactor and have about 1% food waste which is very low. They give excess produce to local charities or food banks as well as to their employees.

They ship on Saturday, Sunday, Monday or Tuesday so customers have their meals early in the week. Trucks come in the middle of the day. All trucks would have to exit onto Ikea Drive and not Woodlane Road.

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

Russ Whitman asked if the meeting could be continued until the next month. Engineer Jim Winckowski asked that they set up a technical review meeting with all the professionals before the next month's LDB meeting; Russ Whitman agrees with this.

Mr. Guerrero made a motion to continue the application; the motion was seconded by Mr. Borger. All Board members voted yes.

New Business:

A. Duie Pyle, Inc., Block 202, Lot 2 (45 East Park Drive) – preliminary and final site plan approval (installation of security fencing, parking lot modifications). The applicant's attorney, Michael Floyd was present on behalf of the applicant. Tim Koch and Tom Bayshard, engineer, were sworn in before the Board. The site plan proposes security fencing and parking lot changes and additions. Mr. Koch gave a brief overview of the company. It is a family owned company, fourth generation. They have been located in Westampton since 2014 on the old New Century site; they have just about doubled their employment numbers since that time. The security need is driven by their customers that require controlled access. Product that is delivered varies tremendously, from perfume to items sold at home improvement stores such as Home Depot. They have even done some business with Amazon.

The number of parking spaces are being reduced by 63 spaces; they aren't even half utilizing the facility at this point. There are 125 employees at this facility; 35 office employees; 36 dock workers, 51 drivers and 3 fleet maintenance employees. They open Sunday night at 11 PM and are open 24 hours through Friday at 11 PM. They have 51 tractor trailers and have recently purchased 24 smaller trucks that can get down smaller streets. These trucks allow them to attract other customers to the industry. There is a trash compactor on site and they comply with local recycling ordinances.

Certain customers are requiring the security fencing; they can't expand the business into this facility until they get the fencing the customers desire. Jim Winckowski asked if there is a specific need for barbed wire fencing; Mr. Koch explained it is really an industry standard. They aren't requesting any variances for the height of the fence; it won't be taller than the 8 foot allowed by ordinance. Their specialty is next day delivery of product.

Tom Bayshard gave a brief overview of the site; it is about 32 acres in size and is in the industrial zone. Access into the site is via East Park Drive; the fence will be installed around the entire site; they are also proposing fencing in their reconfigured car parking lot. The majority of the spaces on site are 9 feet by 18 feet; this is a preexisting, non-conforming condition. All chain link fence will have 3 strand barbed wire on top; there is ornamental fence made of aluminum at the front of the reconfigured parking area. The front row of parking against the building has been eliminated. It will be striped and signed for no parking.

Emergency and maintenance vehicles will be able to circulate on the site according to Mr. Bayshard. The car parking lot gate is controlled via an id card. Mr. Lopez asked if installing this fencing would contribute to economic growth; Mr. Koch stated that it most definitely would.

Mr. Koch stated that they fenced in the car lot for safety reasons; they had a fatality in

another facility; they don't want trucks cutting through the car lot. Mr. Koch stated that he had spoken with the Township Fire Official and they agree to comply with any concerns the Fire Official might have.

There is an erosion problem coming off the Route 295 right of way; they will construct a retaining wall in order to help contain this; they are going to use bin blocks (long rectangular concrete blocks) that are on the site. You can't see into the facility when traveling on Route 295, the hill is too steep. Board Engineer Jim Winckowski has no issues with this either from an engineering or aesthetic standpoint.

Mr. Freeman asked how high the barbed wire is; the fence is six feet and the barbed wire is one foot for a total of seven feet in height. He asked if any CDS might be stored at this site, Mr. Koch stated that they could be.

The applicant submitted a response letter today that addressed the engineer's letter point by point. Jim Winckowski explained that he will need an as built survey before CO to make sure ADA conditions are complied with.

Planner Tamika Graham asked for explanation on a pedestrian path; Mr. Koch explained that it leads to the smaller shop building that is onsite.

The applicant agrees to work with the Board professionals to add additional landscaping screening where aesthetically necessary. They are limited by space as to what they can plant. The PSE&G easement is in the front of the building and they periodically come and cut everything down.

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

Mr. Lopez commented on the detail of the submitted plan. The only variance is for parking space size which is preexisting.

Two separate votes were taken; the first vote was for the grant of the variance. Mr. Lopez made a motion to approve; the motion was seconded by Mr. Daniels. All voted yes.

The second vote taken was for approval of the site plan. Mr. Daniels made a motion to approve; Mr. Lopez seconded the motion. All voted yes.

Dolan Contractors, Inc., Block 203, Lot 1.03, 2 & 3 (32 Springside Road) – amended final site plan (improvements to include guard booths, driveway with acceleration lane onto Ikea Drive, fencing, patio, site lighting, landscaping, trash compactor, truck staging area and entrance barrier gate. Chairman Dave Barger is recusing himself due to a past recusal and Dave Guerrero is recusing himself as well due to him being noticed on the application. Bill Freeman stepped in to run the meeting

as Chairman. Russ Whitman was representing the applicant; William Stevens, engineer, Mike Dolan and Bernie Wojtkowiak were sworn in by Solicitor Cappelli.

Mr. Stevens described the items in the amended application which they believe to be fairly small amendments. He reviewed the Board professional's letters. Trucks will enter on Springside Road and exit onto Ikea Drive; they believe this to be the safest way of ingress/egress. They have a staff of 170 employees; truck deliveries will be 50 per day.

Mike Dolan explained that the dedication of Ikea Drive is taking place and will be accomplished by a deed of dedication. The Board and town always wanted the trucks to exit onto Ikea Drive. There will be gates at the entrance to the site but they don't want to move them back in order to allow a tractor trailer to pull in there; perhaps they could set them only so that a car could back out and negotiate it but they feel it is too dangerous to allow trucks to do so. Jim Winckowski explained that this is an operational issue and there is no standard, but it should be the safest. John Mumbower asked about signage on the gate; the applicants indicated that they could put a sign on it denoting the facility is closed.

The applicants believe the turning movements to be adequate; plans will be revised to show the exit gates on Ikea Drive swinging the correct way. They think this plan is a safer plan with exiting truck traffic on Ikea Drive. Trucks must turn right when exiting onto Ikea Drive; cars will be permitted to turn either way.

Impervious coverage will increase but is diminimus for storm water management. Jim Winckowski thinks they will not need a variance for this; a variance was granted at preliminary approval which covers this increase since they aren't exceeding it.

The berm has been built exactly as proposed on the plans. They eliminated a curbed island in the parking lot for safety and snow plowing issues. They don't want to provide curb stops but prefer to just stripe the lot so they won't have snow plowing issues. Jim Winckowski sees no need for the wheel stops. A trash compactor will be located near the front of the site on the north side; they distributed a detail of the compactor to the Board.

They don't believe the guard houses will be an issue with the stacking of tractor trailers; they are providing room for staging. The berms will be wrapped around the driveway of the site and they are adding some aesthetic landscaping. There will be a fountain in the pond which will aerate it. An eight foot high retaining wall has been constructed at the southwest corner of the site which will hide headlights. Decorative style fence is at the top of this wall and will be installed around the pond.

Nine parking spaces were added to the front of the building to make up for the nine lost in order to install the employee patio area. They will make the requested changes to the landscaping plan; minor modifications will be made to the lighting plans. There is no change to the sign details from the originally approved plans. They will be happy to add

Westampton Township to the signage as requested by Bill Freeman.

Mayor Daniels finds that the changes address safety and quality of life concerns. He thinks the improvements show that the applicant has worked hard to comply to lessen concerns that the Board and the residents have had.

The meeting was opened to the public for comment. Shirley Jacob, 113 Sharpless Boulevard. She appreciates the hard work that has gone into this project; she is thankful for the berm, it takes care of most of the visual issues. She sees a bit of the building and would like to see more landscaping at the top. The berm doesn't take care of any of the sound issues; she hears the construction taking place on the site. She is thrilled with the new exit onto Ikea Drive although the berm ends before the exit and there is nothing to buffer the sound. She wants the exit moved further south, away from the residential area.

David Guerrero approached the podium to comment. Solicitor Cappelli said that case law goes both ways when making the decision if David Guerrero can speak, who recused himself. There is no financial interest or other interest, although he lives within 200 feet; he could argue that it is his constitutional right. Russ Whitman stated that Mike Dolan has no objection to the testimony. Dave Guerrero gave a history of the building and its approvals. He stated that the berm does little to affect noise; he thinks it is a good idea for trucks to exit on Ikea Drive but not at that location in the northeast corner due to the noise they will generate.

Mike Eaton, 115 Sharpless Blvd., thinks overall Mike Dolan has done a fabulous job with the building. He wishes it wasn't there but it could be worse. He echoes his neighbor's concerns with the noise. He played a recording of noises (vehicles backing up) from the Ikea warehouse and stated he hears this until 11 PM at night. He is concerned that the noise from the new warehouse will be even worse.

Gary Goldberg, 131 Sharpless Blvd. – thinks the exit should be moved further south and also thinks the entrance onto Springside Road is a deathtrap. He is afraid of the noise that the trash compactor will make; he thinks it is too near the residences. He thinks the trees are spaced too far apart. The berm that faces the homes looks like a war zone; nothing is growing. He feels vibrations from the heavy equipment. He asked how many shifts will be operating; there will be two shifts according to the engineer. It is a standard five day work week.

Jim Jacob, 113 Sharpless Blvd. – commended Mr. Dolan for addressing the exiting of the trucks, he is glad Ikea agreed to this. They have been so worried about the exiting of traffic onto Springside Road. They don't like the placement of the exit however and think it's too close to the homes. He wants to see it moved to the southeast corner. He has a concern about the employee patio on the north side of the building; they hear the Ikea employees laughing, playing horseshoes all hours of the evening. Perhaps there could be a limitation in the evening; maybe it could be restricted for use during regular business hours.

Gary Goldberg asked if the guard booths were going to be manned 24 hours a day. Also will there be signs on Springside Road restricting trucks use of air brakes.

Janet Curran, 123 Main Street – commented regarding the exit onto Ikea Drive and traffic.

Mike Dolan responded to the resident's questions. He thanked the residents for acknowledging their efforts. The berm isn't perfect but he believes it is effective. The acceleration and deceleration lane on Springside Road allows for the trucks to slow down and he thinks it is a good solution; they would put a closed sign on the gate to dissuade trucks. They have worked with the Mayor, Deputy Mayor and Gene Blair and have made many improvements. The compactors are quiet and the benefit is that it cuts down on visits for trash pickup from about 6 times a week to once a week. Ikea has loading docks that face the residents, which Camuto will not. He will revisit the patio area due to the resident's concerns; they want to be sensitive to them. The guard house will function as a safety measure and will be occupied for limited hours. The exiting guard will operate during later hours. One of the most difficult things was where to locate the exit on Ikea Drive; there is a bend on it that limits the placement due to sight distance. The driveway needs to be accessible to cars, they don't want them entering right in the middle of the truck loading dock area. It is safest at this location and is the only and best safe solution.

Mr. Lopez wanted to speak about landscaping and the gaps that are evident. Mike Dolan explained that a 30 foot high berm would become less stable when watered and it will be hard for trees to grow up there. Silt fence can now be removed and the soil raked out which will allow water to penetrate easier and avoid ponding. They will be re-seeding shortly on bare patches. They are agreeable to cut down the lighting to accommodate the resident's concerns. They are shoebox style lights and they will fit them with special lenses to help with glare. They will try to extend the berm a bit further down towards the northeastern side. A big reason for truck idling is refrigerated trucks and they won't have that condition; additionally, their staging is at the front of the site, away from the residents.

Mayor Daniels thanks the residents who came out and spoke tonight; although he lives in Spring Meadows, he doesn't live on the street that abuts the site. He visited the area and actually heard more noise from a lawnmower in the area than from the equipment at the construction site. There has to be a balancing act; economic growth helps with keeping taxes stable. On Monday they were able to pass a zero increase budget. He extended his thanks to Mike Dolan for trying to accommodate the resident's requests.

Gilbert Gehin Scott asked if they could move the Springside entrance; Mike Dolan explained that it is a County road and it is fixed, they can't move it. The Ikea access is the safest place for another entrance/exit to the site. He can't be flexible because of this.

Abe Lopez has mixed feelings about this project; he feels both for the residents and the business owner. The terrible accident that happened made it clear that we need the Ikea Drive entrance for relief. He wants to impress upon the residents to please reach out to the Township if they are having noise problems with the Ikea warehouse; we will handle the situation. This application is not what it was when it started.

Mayor Daniels made a motion to approve the application; the motion was seconded by Mr. Lopez. All Board members voted yes. Russ Whitman asked for approval to proceed at risk. The Board granted the approval as well by acclamation.

The Board took a five minute recess.

Informal Applications

Virtua Health, Inc., Block 1201, Lot 20 (798 Woodlane Road) – site plan waiver (Mobile Farmer's Market). Robert Baranowski is the attorney representing the applicant. The mobile farmer's market is a van/truck parked near the Virtua Thrift store once a week for two to three hours. Suzanne Ghee was sworn in and explained that Virtua is rolling out a mobile farmer's market program, the first of its kind. They want to provide an access point for the community in order to buy fresh produce at a discount of 50%, in partnership with Whole Foods. There is a registered dietician on the bus. They had a kickoff in Camden City on Saturday. They chose the site due to the location of the Virtua Thrift store.

They are proposing parking alongside the curb facing the Virtua Thrift Store. Customers would access the van from the sidewalk. Wednesdays from 1 – 4 PM is their proposed time slot.

Mayor Daniels wanted to thank them; he asked when they would like to start; she would like to start next week if possible. Mr. Lopez said he would be interested in helping if they needed help. Ms. Berkley asked what their method would be for advertising since right across the street is Social Services. They offer SNAP benefits as well.

Mr. Borger made a motion to approve the site plan waiver; Mr. Lopez seconded the motion. All Board members voted yes.

Correspondence

American Association of Buddhist Education, 109 Second Street – 2017 Summer Retreat. Solicitor Cappelli explained the activities of the monks and nuns. He asked if there have been any complaints and if there was a financial benefit to those housing them. He sees no evidence of such. His recommendation is to not having them come before the Board for any kind of approval. If evidence does arise maybe the Board could rethink it. The building in question was a church previously; the two houses in question are owned by the parsonage. It is somewhat of an extended family; they are

practicing a religion; no talking is allowed. It is a short term stay and is on an annual basis. The Board decided that they would not act on this unless it became a problem which was highly unlikely.

Comments from the Board

No further comments were made.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board