

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

DECEMBER 5, 2018 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 December 5, 2018 at 7:01 P.M. The meeting was called to order by Chairman Gary Borger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 5, 2018 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance. There was a moment of silence in honor of the passing of George H. W. Bush.

**Roll Call:** Present: Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Mr. Guerrero, Ms. Haas, Mr. Myers, Mr. Wisniewski (arrived at 8:45 PM), Engineer Jim Winckowski, Planner Barbara Fegley, Solicitor Robert Swartz, Secretary Marion Karp  
Absent: Mr. Freeman, Mr. Mumbower, Mr. Henley

The minutes of the November 7, 2018 meeting were approved as written.

### **Resolutions:**

22-2018 Fountain Square Shopping Center, Highview Homes, LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Road), preliminary major site plan, minor subdivision, variances and waivers – continuation until 12/5/18 meeting – was memorialized.

### **New Business:**

979 Woodlane Road, LLC/7-Eleven, Block 1104, Lot 3 (Woodlane & Jacksonville Roads). Chairman Borger made an announcement that the applicants requested a continuance of the application until the Board's January 9, 2019 meeting. No further notice would be required.

### **Old Business:**

**Fountain Square Shopping Center, Highview Homes, LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Road).** The applicant's attorney, Richard Hluchan, was present on behalf of the application, substituting for Bill Hyland who had become ill and couldn't attend the meeting. The plans have been substantially revised according to Mr. Hluchan. Lots have been reduced from 7 to 2; several bulk variances are still necessary, along with design waivers. Ed Brady, engineer was sworn; all other witnesses were present that were here and sworn in from the prior meeting. Cecilia

Schmidt, engineer gave a summary of the changes that were made as well as the variances that are being requested.

The subdivision was revised from 7 lots to 2 lots; a roundabout was added to Irick Road; a 20-foot setback was provided along Irick Road. They reduced the hotel room count from 150 to 125; the footprint was thus reduced. A drive thru restaurant was relocated, it is now along the entrance drive. The restaurant was replaced with a retail building with a drive through. They slightly enlarged the retail strip; they delineated dumpster areas in several spots on the site; they located the loading areas on the pad sites except for the bank and large retail store. The bus stop is shown; proposed sidewalks are shown on the plan. Another entrance is shown to the gas convenience station; sign locations and details have been provided. Parking was slightly reduced; evergreens were added along the Route 541 frontage; the access drive was widened from 24 to 30 feet in width.

Variances include a waiver for insufficient buffer to the east of the hotel; they aren't sure what hotel is going to go in at this time but will know at the time of final approval. They will meet the parking requirements and room size requirements of the Township Ordinance according to Ms. Schmidt. All approvals for variances must be granted at the time of preliminary approval, which is now, according to Solicitor Swartz. They cannot ask for them when coming in for final approval but if needed will have to come back for an amended preliminary approval. The applicants understand and agree to this. Lot A needs an impervious coverage variance; also, one for loading area. Waivers include a 12-foot separation between loading and parking area where 10 feet is provided. Fire lanes will be provided at final approval. The project ID sign on Lot D needs a waiver for the content of the sign where tenants will be listed; signage for Lot A for sign height and area, the canopy sign for number of signs; a free-standing sign area variance and a waiver for exceeding foot candles for lighting. A revised lighting plan has not been provided but will be.

Nathan Mosley, traffic engineer testified regarding modifications that were made that include the proposed roundabout; they added it for traffic calming purposes. There are dual left turn lanes from Irick Road going north on Route 541. An alternative access is provided to the gasoline convenience store; a dedicated deceleration lane is provided as well. An updated study was provided for traffic counts. They looked at the intersection of Woodlane Road and Irick Road; there is a heavy volume of traffic traveling on Woodlane from the western side of town and turning right onto Irick Road. Conversely there is a lot of traffic turning left onto Woodlane Road from Irick Road at this intersection. There is not much traffic traveling straight down Irick to the site. It is his opinion that the larger signs offer a safety benefit to drivers from a traffic perspective. He sees no detriment that could occur from the larger signage. Mr. Mosely explained that they don't have County approval at this point in time but have met with them informally; they will be submitting plans shortly.

Gene Blair stated that pylon signs are prohibited by ordinance. They are proposing a 20 foot and a 25-foot-high sign; both of which require variances.

Engineer Jim Winckowski has concerns about the left turn lane into the convenience store. He asked if a queue analysis was done as he was concerned about stacking; Mr. Mosley stated it was provided in the new report. Level of service changes from B to C on Saturdays. Jim commented regarding the trash dumpster location and the convenience store; he thinks they should be moved; the applicants agree to look into this.

Andrew Doran, applicant's architect, next testified regarding signage. The size, height and number of signs all require variances. The main sign is a multi-tenant sign and there are individual pad site signs. The main sign identifies the tenants at the rear of the site, the proposed height is 25 feet and width is 18 feet, a total of 127.4 square feet in size and will be located in the center of the entrance to the site. Individual pad site signs are to be provided and will be monument style. They are 12 feet to 12.6 feet in height, 42 square feet in size, 8 feet in width. The sign on the gas station convenience store lot is 20 feet in height. The sign off Irick Road will be 15 feet in height and 10 feet in width and will be compliant. Jim wants to work with them to perhaps change the location of this sign, the applicants agree to this.

Spacing between the signs is 250 feet and 160 feet along Route 541. They need a variance for the signs because it is all one lot and only one sign is permitted per lot. Hotel signage will be on the side of the building, there will be no free-standing sign. The hotel will be four stories in height. The pylon signs aren't allowed by ordinance; the applicants agree to add a base to the pylon signs so that they will comply with the ordinance.

Barbara Fegley had concerns about the size of the individual pad site signs; she thought the small panels on the large sign were too small for the stores at the rear of the site and these other signs rather large. They are in the process of negotiating with 3 or 4 higher end tenants at this point and will have a larger anchor tenant. The applicant explained that the tenants expressly stated that if they couldn't get a monument sign that they would not sign the lease. Jim has concerns with the placement of the signs; he thinks they should be shifted north of where they are proposed now.

Ed Brady, engineer, will address the variances for impervious coverage and loading spaces. 62% is being asked for where 60% is the maximum allowable; this is for the lot with the gas and convenience store on it. They are providing 12 loading spaces for the site which requires a variance as well since 22 are required. Trucks can use the center entrance or come in the rear off of Irick Road. They will meet with the Fire Marshal to add striping and fire lanes.

Revised grading and drainage plans need to be provided as well as stormwater management plans to the Board Engineer. The applicants wanted to make sure this layout was acceptable to the Board, they agree to provide these items. Jim thinks the layout might change once they secure tenants, however, the applicants indicate this isn't so. If preliminary approval is granted, they will submit for County approval this

month. Jim would like to have another technical meeting with the applicants which they agree to.

Barbara Fegley reviewed some of the items in her report. The applicants agree to provide litter receptacles. Landscaping has not been provided along the common property line shared with Burlington Township but they agree to do so. The bank will not require exterior trash enclosures; they have a shredding company that will remove everything. Barbara would like to see more sidewalks added; the applicants agree to meet with her. The applicants are seeking to significantly reduce the amount of landscaping along the frontage of the site in order to increase visibility of the retail space. They are agreeing to provide more low growing shrubs and plants in exchange for the canopy trees. The applicant indicated that the proposed development on the adjacent lot in Burlington Township will closely mirror that what is proposed here in Westampton. Jim asked for a status update for water and sewer. A concept plan was submitted to Mt. Holly MUA and was approved; NJ American Water is most likely who will provide water service although it could be Burlington Township.

Solicitor Swartz reviewed the eight variances being requested in the most recent public notice. All landscaping deviations are being treated as waivers and not variances.

The meeting was opened to the public for comment. Tim Cook of Cook's Motors was sworn in before the Board. He asked about the realignment of Irick Road. He owns Cook's Motors across the road from the site. He thinks it is a great plan. There being no further comment from the public, the meeting was closed for public comment.

Dave Barger asked about the gas station down the road; that wouldn't count since it was further down the road; it was not at the intersection of 541 and Irick Road. He asked if there were any updated architectural plans; they were not available at this time. He then asked if any progress had been made with PSE&G and trying to go for underground utility lines; he thought it was a possibility. Jim Winckowski advised that it was **highly unlikely** that PSE&G would agree to bury the existing lines along Route 541; however, the new service being brought into the site would be underground.

Dave Guerrero asked if a variance was being requested for the signage on the gas station canopy; the applicants stated that there was one and it was included in the eight variances summarized by the solicitor.

**Dave Barger followed up on a question asked in the prior meeting regarding the status of historic preservation confirmation. The applicants indicated that there were no historic preservation issues that they were aware of.**

Ms. Haas made a motion to approve the application for preliminary major site plan and minor subdivision along with variances and waivers; the motion was seconded by Mr. Applegate. Mr. Applegate, Mr. Barger, Mr. Blair, Mr. Borger, Ms. Haas, Mr. Guerrero and Mr. Myers voted yes.

### **Correspondence:**

**Kingdom Church, Block 1411, Lot 21.** Gene Blair gave a brief history of the project; one of the conditions of the approval was the construction of a sidewalk along Rancocas Road. The project has long since been completed but Kingdom Church (now known as Change Church) is saying it is impossible to move two anchors for utility poles in order to install the sidewalk. Gene had made some phone calls and found out that this could indeed be done. Mr. Barger brought up a point and said why don't we have the applicant modify the plan to have the sidewalk go around the poles and guide wires. There is a grading issue there but it should not be impossible. The applicants did agree to install sidewalks; however, they are trying to take the easy way out. The Board would request that the applicant's counsel appear before them to discuss in January 2019.

### **RFPs for 2019 LDB Engineer & Solicitor.**

The Board went into executive session to discuss the professional appointments for 2019. The Board went back into open session at 10 PM.

### **Open Meeting for public comment**

No comments were made.

### **Comments from Board members**

Dave Guerrero commented that the intersection at Irick and Woodlane is terrible; is this something the LDB can recommend be looked into, perhaps by going to the Township Committee. Jim can email the County engineer's office on behalf of the Board and the project (Fountain Square) that was just approved. Woodlane Road needs to be made straight, a new bridge constructed across the turnpike. It is a huge project but is a good idea.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board