

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

NOVEMBER 4, 2020 7:00 P.M.

## MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held virtually, via the Zoom app on November 4, 2020 at 7:04 P.M.

The meeting was called to order by Vice Chair Gary Borger and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 3, 2020 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present: Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Odenheimer, Mr. Thorpe, Solicitor Robert Swartz, Planner Barbara Fegley, Board Engineer Mike Roberts, Board Engineer, Jim Winckowski, Secretary Marion Karp  
Absent: Mr. Applegate, Mr. Blair, Mr. Eckart, Mr. Freeman, Mr. Henley

Solicitor Robert Swartz swore in the Board Planner and Engineer.

Approval of meeting minutes 10/7/2020 – minutes were approved as written; motion to approve made by Mr. Guerrero, seconded by Ms. Haas. All voted yes, Mr. Borger abstained.

### **Resolutions:** for approval

22-2020 Recommending Adoption of Ordinance #14-2020, Add TC- Town Center Zone (amended) – was memorialized

23-2020 Recommending Adoption of Ordinance #13-2020, Add MU-1 Mixed Use Zone (amended) – was memorialized

24-2020 Recommending Adoption of Ordinance #10-2020, Add R-9 Residential Zone (amended) – was memorialized

25-2020 Highview Commercial X5, LLC, Block 807, Lot 1 (2035 Burlington-Mt. Holly Road) – continued application for use variance and height variance – was memorialized

26-2020 SBC Laundromat, Inc., Block 301, Lot 2 (483 Woodlane Road) – granting a 1-year extension of preliminary & final site plan approval & use variance (car wash) – was memorialized

27-2020 Terrence & Kimberly Brennan, Block 106, Lot 15 (220 Main Street) – minor

subdivision approval – was memorialized

### **Old Business:**

**Highview Commercial, LLC, Block 807, Lot 1 (2035 Route 541) – use and height variance (addition of warehouse).** The applicant had requested to continue the hearing until the Board's November 4, 2020 meeting.

George Morris, applicant's attorney was present. The property received approval in January 2019 for a retail shopping center project; another approval was granted for a pylon sign for the site several months after that. The retail world is falling apart; they would like to replace some of the retail on the site with a warehouse approximately 217,000 square feet in size. The Wawa and several pad sites still remain. The project still has the fountain features; the warehouse is situated to the rear of the site. They realize that traffic is a big issue and this new configuration of the site actually reduces the amount of traffic on the site; most is pushed out on to 541 and not on Irick Road. 17,000 square feet of retail space is now proposed.

Robert Swartz explained that this is not a site plan approval this evening; it is a use variance and a height variance approval. All witnesses were sworn in before the Board; Leah Furey Bruder, planner; Nathan Mosely, traffic engineer; Ed Brady, engineer; Jim Smith, partner of Highview Commercial; Jim Murray, contract purchaser and developer; and Georgio Vasillis were sworn in by the Board solicitor.

Jim Smith gave a history of the project; COVID was certainly pushing the trend to get away from retail, the demand is down. He knows the Township wants an aesthetically pleasing project since it is at the gateway to the Township. They had several colored renderings which they showed to the Board.

Ed Brady, engineer, explained what was contained in the prior approval of the project. They were going to connect to Mt. Holly MUA for sewer service and would have private water service with a water tank. Irick Road design included a roundabout. This would be replaced with a traffic signal. The signal would be relocated 350 feet. Retail space consists of a bank pad and three restaurants, one on each end of the small retail building, the Wawa is located in the same spot that it was before. The warehouse would be located across the road from the solar farm on Irick Road. There are three access points on Irick Road. The height of the warehouse is 50 feet and is mitigated by the distance it is set back from Route 541.

Nancy Burkley asked about the number of trucks that would visit the site. The traffic engineer would provide testimony on this later in the meeting.

The warehouse will be at a lower elevation than the front of the site and lower than that of Route 541. There is a crown at the center of the site. Board Engineer Jim

Winckowski asked if they had done any grading design yet; they haven't. Jim stated that he hasn't seen a mixed-use plan such as this before.

Georgio Vasillis gave testimony regarding the development of the site. He explained when COVID hit that everything fell apart. People are shopping online now and more warehouses are needed. There is a 40 percent vacancy factor in retail in this region and they think it will get worse; they don't think they would be able to get tenants for the rear of the site as it was first presented, that's why they revised their plan. Most retailers are concentrating on the online platform. They believe they can attract restaurants but not the rest of the retail. They stated that this is not a unique project; they have done this type of design before.

Nathan Mosley, traffic engineer gave testimony to the Board. He stated that the traffic signal would facilitate traffic movement; this was one of the main design changes, the internal layout. He reviewed the intersections with the Board. They didn't do updated counts since traffic still hasn't reached the levels it was prior to COVID. The other main change is the traffic generated by the site. The traffic patterns will change with the warehouse and is different than retail. The more intensive traffic times will be during shift change and won't occur all day long like it would with retail. Compared to the traffic volume, the trucks are secondary. Traffic flow on Route 541 will be good and at a sufficient level of service at the intersections/signals, levels of service C or better at all locations, even during all peak hours. The majority of the truck traffic will come from Route 541 and onto Irick Road and enter at the rear of the site. Most would exit onto 541. He spoke about the interaction between the truck traffic and the commercial traffic. He doesn't think there will be much interaction. He anticipates one truck every 15 to 20 minutes. Daily truck trips would be approximately 160-170 total on a typical day, 80 in and 80 out.

Woodlane Road and Irick Road intersection – there was a lot of conversation regarding this during the last approval. A stub connection would be provided to the driveway of the solar field; it would be minimal activity there; it is to the north of the signal.

Jim Winckowski asked if the applicants would get a revised report to them, they would like to see an updated analysis. They agree to provide this, it may be in the form of a supplemental report. Jim asked what would restrict trucks from entering the site right off of 541 through the front of the site. There is nothing at this point to do that but they would provide testimony later on this. Jim asked if there are any similar sites nearby that they could look at in order to see how this would function.

Nancy Burkley asked if the truck traffic would be similar for the warehouse in Burlington; it would be slightly more due to a larger size warehouse.

PM peak traffic would be reduced by about 25%, Saturdays would be reduced about 35%. The AM peak hour traffic would remain about the same.

Jim Murray again testified regarding truck circulation on the site. They would use signage to control the trucks as much as possible. They can also do something to control trucks exiting and turning left onto Irick Road from the rear of the site.

The warehouse would be below 32 foot clear which is considered a grade B building. They can build up to 40 foot clear with this height and get the volume a tenant would desire. Hours of operation would most likely consist of two shifts; it is rare to have three. They are very successful with their construction of warehouses and getting tenants in them. They would build this on spec and as quickly as possible. The proximity of this location to the turnpike and Route 295 make it particularly attractive.

Jim Winckowski asked if they had approached the Township Committee about redevelopment; they did not, they thought it quicker to ask for a use variance.

Leah Furey Bruder, planner, testified regarding the use variance aspect of the application.

Jim Winckowski asked if the building was being moved back 5 feet. Barbara Fegley asked if Ms. Bruder had seen any plans like this before in her practice. She stated it is not what is typical and she hasn't seen a plan like this before.

Nancy Burkley read aloud from the Vision plan, she doesn't think this goes along with the Vision Plan whose first goal is to preserve land and open space. Ms. Bruder stated that this site is at the far edge and the zoning of this site seems like it is in coordination with Burlington Township and in her opinion, it won't undermine the Vision for the Town Center.

The Board decided to carry the application to the December 2 meeting due to the late hour. The applicant would not be required to serve notice. All Board members were in favor.

The meeting was opened to the public for comment. There being no comment, the meeting was closed. Ryan Scerbo, attorney for the NJ Turnpike Authority was present. He would draft a letter to Robert regarding a drainage issue that exists.

Dave Guerrero asked Mr. Scerbo about possible widening projects on the Turnpike.

### **New Business:**

**Tesla, Inc., Block 201, Lot 7.01 (570 Rancocas Road) – minor site plan & bulk variance.** Duncan Prime, applicant's attorney was present. They explained that they want to install charging stations using existing parking spaces already approved on the site. Jesse Karp, representative of Tesla; Nick Verderese, traffic engineer and David Revette, engineer were sworn in by the Board. Jim Winckowski asked if this required a use variance. They believe they don't need one since they think the use is an accessory use; Board Solicitor Robert Swartz agrees that a use variance isn't

necessary.

Jesse Karp explained why they need charging stations; they are partnered with Wawa. They want to build them at intersections at crucial arteries. They just opened their 20,000 charging post worldwide. The vehicle's navigation screen displays nearby charging stations. Customers usually don't stay longer than 15 minutes although a full charge takes 45 minutes. There is signage to identify the charging stations. This is a simple lease agreement with Wawa. There are no reservations required nor available. They expect approximately 1000 charging sessions to take place at this location over a period of a month.

Nancy Burkley asked why the stations aren't located over by the gas pumps; Jesse explained that they put them where Wawa told them they should locate. He explained that they have no problem colocating with other stations, if necessary.

Board Planner Barbara Fegley asked if there was any additional signage or if the cars just know where to go. Jesse Karp explained there is no additional signage planned nor required. There is a backlit logo on the charging post with a 12" by 18" non illuminated sign next to each post.

There is a variance necessary for parking width for 9.5 by 20 feet where 10 by 20 feet is required by ordinance; standard Tesla width is only 9 feet. There is a handicapped accessible stall. This is a fairly low turnover for Tesla. There are 8 spaces in total; about 4 charges per space per day will take place.

Bob Thorpe asked if this larger space was marked for accessible use; Jesse Karp stated that they would provide signage if the town wanted it. Bob thought that was a good idea.

David Revette, engineer, testified regarding the site. Power is supplied via a utility transformer. Landscaping will be modified and additional landscaping is proposed between the trees to further hide the transformer site. Otherwise, the site is unchanged. Drainage isn't affected. Grass is planned around the transformer area.

Barbara had questions about an additional transformer depicted on this new plan; it didn't appear on the set of plans that had been submitted for approval. They explained it was just a general location; it would be set back and not in the peninsula. The last charging station would be moved in order to make room for the transformer.

Bob Thorpe stated the more foliage and the more hidden, the better, to hide the transformers. He is fine with having the planner approve this. Barbara had suggestions for the landscaping in her report; some evergreen and some deciduous plantings. Both transformers need to be screened.

Nick Verderese, traffic engineer testified that the charging stations would not demonstrate any traffic change to the site; there are no traffic impacts. Parking was

reduced from 57 to 44 spaces, well exceeding the ordinance requirements. They don't think these stations will overburden the parking on site.

Two variances are required for encroachment/setback as well, for a total of three variances that are necessary.

Nancy Burkley had concerns about the reduction in the amount of parking spaces. She asked where the employees would park. Nick explained that there are more than enough parking spaces for patrons, they are very comfortable with this number.

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

Mr. Guerrero made a motion to approve; the motion was seconded by Mr. Thorpe. Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Odenheimer and Mr. Thorpe all voted yes.

**Informal Applications:** None

**Correspondence:** None

**Open Meeting for public comment**

No comments were made and the meeting was closed.

**Comments from the Board**

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board