

# WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

APRIL 7, 2021 7:00 P.M.

## MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held via the Zoom platform virtually on April 7, 2021 at 7:04 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 4, 2021 and on the Township website. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

**Roll Call:** Present: Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Mr. Thorpe, Mr. Wisniewski, Mr. Ottey, Board Solicitor Robert Swartz, Board Engineer Mike Roberts, Planners Barbara Fegley & Chris Dochney and Board Secretary Marion Karp  
Absent: Mr. Freeman, Ms. Haas, Mr. Henley, Mr. Odenheimer

Solicitor Robert Swartz swore in the Board professionals.

The minutes of the March 3, 2021 meeting were memorialized as written.

**Resolutions:** for approval/memorialization

8-2021 DR Horton, NJ/PA, Block 204, Lot 2 (Springside Road & Valley Farm Road) – application for preliminary & final site plan approval, preliminary and final major subdivision approval (Laurel Run subdivision) – was memorialized.

**Old Business:** None

**New Business:**

**Dolan Contractors, Inc., Block 203, Lots 8 & 9 (597 Rancocas Rd.) – site plan & variance (electronic changeable copy sign for Rancocas Business Park).** Michael Floyd, attorney was present on behalf of the application. Mike Dolan, Bernie Wojtkowiak, engineer and Bill Stevens, engineer were all sworn in by the Board solicitor. Several exhibits would be referenced this evening and marked. The application is for a business park identification sign; it will upgrade the appearance of the park. Variances are for a changeable copy sign; no advertising will be on the sign. Information will be provided on what is going on in the park such as a job fair; seasonal messages, etc. There will be no flashing lights or blinking. Bernie testified on behalf of the application. He described the exhibits he shared on the screen; he showed an aerial of Rancocas business park and another that specifically showed the sign location. A variance is necessary for insufficient setback of 20 feet to the proposed flagpole, 35

feet is required by ordinance; the base height of the sign and the electronic copy of the sign itself. Height of the sign is approximately 6 feet where 4 feet is allowed. Materials for the sign include two lights to illuminate the sign in the foreground, a stone veneer and a precast limestone cap and a 25-foot flagpole behind the sign. The planners and engineers' letters were reviewed; plans will be revised and addressed by the applicants.

Nancy Burkley stated that it looks as though the sign sits up on a hill three feet in height which would make it 9 feet high and not 6 feet; Bernie agreed that it will be about 9 feet above the base elevation of the road. He stated that it will not interfere with any sight triangles.

Dave Guerrero asked about the electronic copy and if it would be in color; Mike Dolan stated it was in full color and the copy would not change more than once a day. He asked if the floodlights were for the sign itself or also for the flagpole; they are for the sign only. The flagpole will be only for the American flag, no other types of flags will be flown.

Gene Blair asked about relief required for offsite signage; isn't variance relief required for that? If this is deemed necessary, the applicants agree to amend their application to include variance relief for offsite signage as well. There would have to be some type of easement agreement to allow for access and maintenance since it would be dedicated to the Township. They agree with Gene's assessment and are asking for relief from this as well.

Gary Borger asked that the words Westampton Township be placed on the sign for identification; the Board agrees and would like it added.

Bob Thorpe wanted to know if the sign was dimmable; Bernie answered that it was. He asked about which model light would be used since it wasn't specified. He asked if they had made a selection and thought a 4000-degree Kelvin would be appropriate; Mike Dolan agrees with this, they feel the same.

Planner Chris Dochney wanted to clarify the variances; the flagpole is required to be set back 35 feet and this flagpole is set back 20 feet. Section 4C of his report no longer applies; they need a variance for a changeable copy sign. He was curious about the proposed easement; a signage easement is a little new to him. They would discuss this with the Township Committee and the Township Solicitor. They would have to allow Dolan Contractors access for maintenance after the land was dedicated to the Township.

Mr. Thorpe asked if the ground mounted floodlights would be on all night; Mike Dolan stated that if the flag is left out all night it would remain lit.

Applicant's engineer Bill Stevens offered testimony regarding the sign. It is to give the park some identity and also identifies the intersection to the motoring public. A changeable copy sign requires a C2 variance; the flagpole setback variance is safe; the

flagpole is only 25 feet high and set back far enough away from the road even in the event of a failure. Amber or Silver Alerts could be broadcast on the sign if the Township so desired. This is an entry feature for the business park and not advertising.

Dave Guerrero wanted to make sure they would be held to not changing the sign more than once a day; it would be a condition of approval, except in the event of an emergency.

Mr. Borger asked about the size of the flag; they typically order their flags in proportion to the height of the pole. He wanted to make sure it wasn't going to be a giant flag.

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

Mike Roberts spoke about the electric conduit and wanted this realigned with any proposed utility easement for the Township; Bernie agrees to keep it in the easement. They would also be providing irrigation and this would be located in the easement as well. Grass would be grown on the hill where the sign is located.

Mr. Guerrero made a motion to approve; the motion was seconded by Mr. Wisniewski. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Mr. Thorpe, Mr. Wisniewski and Mr. Ottey voted yes.

**Oaks Integrated Care, Block 1701, Lot 30 – site plan waiver (walk in freezer/refrigerator with ramps).** Denise Soto, CDO, Crystal Rudder, Dave Nelson VP Facility Management and Derry Holland, CEO were present for the application. The property in question is located on Woodlane Road. Ms. Soto explained that they felt site plan approval wasn't necessary since no new construction was involved, there was no change to drainage nor to the existing building. The proposed refrigeration unit would occupy two existing parking spaces; it is the only area that will be affected. Gary Borger asked if there is any issue with the number of parking spaces; they stated that there is not. Bollards would be placed around the refrigeration unit. There are 243 parking spaces on site in total.

The asphalt would be cut down and a slab installed for the freezer/refrigerator. The dimensions of the unit are 9 feet, 8 inches wide by 18 feet. It is the Board's opinion that this would qualify as construction and should be classified as a minor site plan.

Gene Blair stated in his opinion, the improvements are diminimus in nature and he would classify this as a site plan waiver.

The unit will be an embossed tan in color, doors are located on the south side. They would add a handicapped ramp so that it is accessible. The ramp would be constructed of concrete.

The meeting was opened to the public for comment. Kent Pipes, president of the Affordable Homes Group commented that we depend on Oaks for services they provide

that are critically needed by the public. There being no further comment from the public, the meeting was closed.

Chris Dochney and Mike Roberts both commented on whether this application could be defined as a site plan waiver or a minor site plan; the only issue is whether or not the Board considers the 400 feet of concrete construction or not. It could go either way depending on how the Board feels about it.

Gary Borger thinks it is diminimus in nature and doesn't want to make them come back before the Board. Bob Thorpe agrees with Gary; John Wisniewski is also in agreement.

Ms. Burkley made a motion to approve the site plan waiver, the motion was seconded by Mr. Thorpe. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Mr. Thorpe, Mr. Wisniewski and Mr. Ottey voted yes.

**Public Hearing: Westampton Township Amended Housing Element & Fair Share Plan.** Solicitor Robert Swartz gave a brief overview and then Barbara Fegley took over. She reviewed a few changes in the Fair Share Housing document; a few minor changes had recently been made to the document, things like an inconsistency in the size of the Hancock Farm which were minor in nature. She reviewed the Amended Master Plan reexamination, a couple of elements had been revised, namely the Town Center zone was changed to the Agrihood Mixed Use zone. She reviewed this ordinance with the Board.

Dave Guerrero asked how many residential units per acre, it is 12.9 according to Barbara but this is using all 88 acres; he wanted to know what it would be on just the remaining acreage if they take out all the non-residential land. He is coming up with 20 units per acre using this formula.

Nancy Burkley stated that some residents are concerned that there may be another warehouse there; she wondered if something else could be build there but Barbara Fegley stated that this was part of the agreement. She likes this plan because it preserves the core farm area as well as the agricultural heritage. She stated that she thought this was one of the most creative uses she has seen in maintaining the core farm. Gary Borger agrees it is a beautiful concept but he wouldn't like to see a warehouse constructed in close proximity; however, he does understand that negotiations took place and compromise had to be reached.

Mr. Thorpe stated there is nothing in the Ordinance that specifically addresses a warehouse, he has concerns about that. He doesn't want someone building a five-story warehouse. By definition, a warehouse is one story and that height should be limited to 45 feet but it should be contained within the ordinance.

Robert Swartz thinks that the two resolutions might have to be withheld tonight but the Board could still approve and send back to the TC but with their recommendation. There is a hearing date scheduled already; the Board can approve with a

recommendation that the Committee consider the issue with the height of the warehouse. As an addendum to the approval, the Board would request amendments to Table 2 to include this zone.

Robert Thorpe asked if there was a restriction prohibiting the property from being broken up; Barbara stated that it could be subdivided and cross easements provided.

At this point, the meeting was opened to the public for comment. CherylLynn Walters of DR Horton stated that it is in their interest to see that the Housing Plan and Fair Share Plan is adopted, as it is written it contemplates the Agrihood zone but it doesn't adopt it. She wished the Board luck and thanked them for hearing her.

Faith Borradaile, Hancock Farm, LLC – thanked Barbara and the town professionals for working with their family. There was a lot of internal negotiation amongst the LLC family members.

With no further comment, the meeting was closed to the public.

The motion made was to confirm that the Westampton Township Amended Housing Element & Fair Share plan was consistent with the Master Plan; Mr. Thorpe made a motion to approve; the motion was seconded by Ms. Burkley. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Thorpe, Mr. Wisniewski and Mr. Ottey voted yes. Mr. Guerrero voted no.

Resolution 10-2021 Adopt Housing Element & Fair Share Plan – motion to approve made by Ms. Burkley; seconded by Mr. Thorpe. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Mr. Thorpe, Mr. Wisniewski and Mr. Ottey voted yes.

Resolution 9-2021 Recommend Adoption of Ordinance #4-2021, an Ordinance Supplementing Chapter 250, Zoning, of the Code of the Township of Westampton to add Agrihood Mixed Use Zone – the Board found that the ordinance needs to be more specific. There is also the issue regarding the density. Bulk standards need to be set in the zone. Ms. Burkley made a motion to approve with these recommendations; the motion was seconded by Mr. Blair. Mr. Blair, Mr. Borger, Ms. Burkley, Mr. Guerrero, Mr. Thorpe, Mr. Wisniewski and Mr. Ottey voted yes.

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

No comments were made.

### **Comments from the Board**

Dave Guerrero had contacted the County Engineer's office, sent them his idea for the new turnpike bridge.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary  
Westampton Township Land Development Board