

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

SPECIAL MEETING

DECEMBER 14 2021 7:00PM

MINUTES

The special meeting of the Westampton Township Land Development Board commenced virtually via the Zoom Platform on December 14, 2021, at 7:03 pm. The meeting was called to order by Chairman Gary Borger and the opening statement required by Sunshine Law was read. The meeting was advertised in the Burlington County Times and Trenton Times on November 20 2021, posted on the Township website, and notice posted in the Municipal building. All guests were welcomed.

The Chair stated, "Pursuant to NJAC 5:39-1.7(c) any individual wishing to give sworn testimony this evening shall appear by video in addition to audio. Anyone not on video will not be able to testify this evening."

Everyone stood for the Pledge of Allegiance. The Chair welcomed all guests.

ROLL CALL: Present: Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Thorpe, Mr. Wisniewski, Board Solicitor Robert Swartz, Board Engineer Mike Roberts, Planner Chris Dochney, and Board Secretary Emily Hess. Absent: Mr. Blair, Mr. Henley, Ms. Karp, Mr. Ottey, and Mr. Wisniewski.

Solicitor Robert Swartz swore in the Board professionals.

Approval of meeting minutes: October 6, 2021 motion by Burkley to approve, seconded by Haas. None opposed approval. Odenheimer abstained. The minutes were approved.

Resolutions for Approval and Memorialization:

1. 31-2021 New Jersey American Water Company, Inc. Block 1203, Lots 17&18 Granted approval for a "D2" use variance, "D4" Use Variance, Preliminary and Final site plan Approval, and Bulk Variances. Motion to approve resolution as memorialized by Guerrero, seconded by Burkley. None opposed. No abstentions. Motion approved.

Old Business: none. However, Mr. Borger made an announcement about the executive meeting to occur at the end of this meeting that will be closed to the public.

New Business:

1. KCA Westampton Phase 2, LLC, 76 Springside Road, Block 203, Lot 4.01 and 5.02, application for preliminary and final site plan approval, minor subdivision with bulk variances.

Mr. Borger calls KCA attorney Sarah Warner with Prime and Tuvel.

Mr. Swartz swears in Ms. Warner's witnesses, Nicklaus Verderese, Principal at Dynamic Traffic. Daniel Dougherty, Principal at Dynamic Engineering.

Daniel Dougherty, licensed eEngineer in the state of New Jersey, and a partner at Dynamic Engineering. Based on his education, licensure, and experience, the board accepts Mr. Dougherty as an expert in civil engineering and professional planning.

Mr. Dougherty presents "Exhibit A-1," an Aerial view/ Map of the proposed location.

"Exhibit A-2," survey of Dollar General.

"Exhibit A-3" Proposed minor subdivision.

"Exhibit A-4," Colored site plan rendering.

Ms. Berkley asked to be shown the border between the lots.

Mr. Dougherty states there are going to be 35 parking stalls in total, 17 on the main side or front, 3 in the rear, and 15 on the north side.

Variances requested:

Side yard setbacks: 20 feet is required; they are requesting a 3 feet setback on the Dollar General property line.

They are seeking an impervious coverage variance as there is a 60% impervious coverage requirement and they propose 65.8%. The two lots combined as one will meet the requirements. Parking setback of 20 feet from lot lines.

Seeking a sign variance with "Exhibit A-5," color elevation rendering. Requesting 98 Sq Ft where 40 sq ft is required. Rear of the building will have fake windows.

Mr. Dougherty presents "Exhibit A-4" to go over the loading area.

Professional opinion: They have fulfilled the requirements of the township's zoning laws.

Questions for Mr. Dougherty from the board:

Mr. Borger asks that if any of the area that was residential is currently paved. Mr. Dougherty pulled up "Exhibit A-2" that shows a gravel-paved driveway, the impervious coverage to the structure, and its porches, paver walk ways, and a couple of sheds.

Mr. Borger asks about "exhibit A-4," "What is between the parking spaces and the building on the south side? "Lawn that is six ft from building to curb."

Mike Roberts suggested sidewalks.

Ms. Berkley asks, "Why can't it all be just one lot?" Mr. Borger states that there are 2 uses.

Mr. Guerrero questioned the landscaping.

Mr. Dochney disagreed and stated there are two more design waivers in the review that were not identified, and states there are supposed to be shade trees on each island.

Mr. Guerrero asked questions about the parking stalls.

Ms. Berkley asked about the handicap parking spots being 11 ft wide. She doesn't want the spots being so close to the front door. She is also concerned that if one lot sells, it will be out of compliance with the township ordinances.

Ms. Warner states there will be reciprocal easement agreements that set forth that these properties have to operate as one.

Ms. Berkley asks if they stay one property and someone is injured on the property, who will cover it.

Mr. Guerrero asked Mr. Dougherty about the store front and pulling space from parking spots.

Mr. Dochney asked for clarification of final site plan approval. Asked if there will be HVAC equipment on the roof. Mr. Dougherty said, "Yes, there will be."

Mr. Borger asked, "What are the dimensions of the sign?"

Mr. Dougherty presents "exhibit A-6" Channel letter to show the style and size of the letters on the sign.

Ms. Haas asked if there will be back lighting to the sign.

Ms. Berkley asked if there was a letter from the fire department or if they need to be contacted.

Ms. Haas asked about the lighting on the property.

Mr. Borger asked for suggestions on where on the sign would the township name would appear.

Ms. Warner called her next witness, Nick Verderese, who has a B.A. in Science and civil engineering from Rutgers and is a Licensed professional engineer. The board accepts Mr. Verderese as an expert.

Mr. Verderese states that he prepared the traffic report and explained it to the board.

Mr. Roberts asked about stop signs and placement.

Mr. Guerrero asked about the left-turn sign by the entrance and whether it is going to be replaced, and asked if the curb is going to be painted.

Ms. Berkley had questions about semi-trucks parking on Springside Road in front of the Wawa.

Mr. Thorpe asked questions about fencing.

Public Comment: none

Conditions for approval:

- Sidewalks on the right side of Dollar General 6 ft wide.
- Shade trees on five of the islands.
- 10-ft parking stalls in front of Dollar General
- Applicant will provide a cross easement
- The monument sign
- Shade trees along Springside Rd.
- Lighting
- Vinyl fencing around both the trash enclosure and around the property
- 50 sq ft sign

Motion to approve by Haas, seconded by Guerrero

Ayes: Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Thorpe, Mr. Odenheimer.

Nays: None

Application approved.

Five-minute recess

2. PAG New Jersey CS, LLC, 1971 Burlington-Mount Holly Road, Block 804, Lot 16, application for use variance and minor site plan approval.

Sara Werner with the firm of Prime and Tuvel.

Ms. Werner presents her two witnesses, Scott Turner with Menlo Engineering, and James Miller, the applicant's engineer.

Mr. Swartz swears in both professionals.

Scott Turner, VP of Menlo Engineering graduated from The New Jersey Institute of Technology with a degree in civil engineering, a licensed professional in the State of NJ. The board accepts Mr. Turner as expert in the field of civil engineering.

Mr. Turner presents "Exhibit A-1," overall site plan.

Mr. Turner also presented "Exhibit A-2," a rendering of the Car Shop site plan

Mr. Turner states that the fuel station and paint booth will be for inventory cars on the lot only.

Mr. Borger and Mr. Guerreo both asked questions about the fueling operation.

Ms. Burkley asked about ventilation in the paint booth and the height of the fuel tank.

Mr. Guerreo asked about colors of the paint booth and fuel tank. Mr. Turner presented "Exhibit A-3," photo of the fuel tank and "Exhibit A-4," photo of the paint booth addition.

Mr. Roberts asked about the fuel tank enclosure.

Ms. Werner calls on James Miller of J. Miller Planning Consultants as a professional planner, a licensed planner in the State of New Jersey. Has a masters in city planning from Rutgers. The board accepts Mr. Miller as a planning professional.

Mr. Miller gave his professional opinion stating that the applicant satisfied all variance requirements.

Mr. Thorpe asked why there are two paint booths?

Mr. Guerreo asked if the paint booths would be heated.

Ms. Werner calls Jeff Anderson, Vice-President of Corporate Construction for Penske Automotive Group, the owner of Car Shop., Mr. Swartz swears in Mr. Anderson.

Mr. Anderson addressed questions that the board had about the paint booth and fuel tank storage.

Mr. Thorpe stated that he doesn't want to see a full body shop be put on this site.

Ms. Werner asked Mr. Anderson for clarification that Car Shop does not do any retail body work on cars, and that the paint booth is for work on the cars that are coming to them for them to sell only.

Mr. Anderson states the only thing the booths will be used for is for reconditioning vehicles for resale only.

Mr. Borger asks what will be used to keep employees from using the paint booth off hours for their own personal use.

Mr. Anderson said there are policies in place to prevent that.

Public Comment: none

Motion to approve or deny the use variances application: Motion to approve by Burkley, seconded by Odenheimer.

Approval for use variance: Ayes: Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Thorpe, and Mr. Odenheimer. Nays: none.

Use variance approved.

Motion to approve site plans for paint booth and fuel tank expansion subject to the following conditions:

- The paint booth will not become a full body shop and is limited to use as presented for Car Shop vehicles for resale purposes only.
- Fuel will not be used for resale but only for the facility.

Motion to approve site plan as presented: Burkley, second by Haas.

Approval for site plans Ayes: Mr. Borger, Ms. Burkley, Mr. Guerrero, Ms. Haas, Mr. Thorpe, and Mr. Odenheimer. Nays: None.

Site plan approved.

Informal Applications: none

Correspondence: none

Mr. Swartz states there will be no 3rd meeting for the month of December regarding MRP.

General comments from the public: none

Comments from the Board:

Mr. Guerrero wished everyone a Happy Holiday and a Happy New Year.

Ms. Burkley thanked everyone for her two years on the board.

Meeting went into executive session.

Motion to adjourn by Burkley, second by Guerrero

Meeting Adjourned.