

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

AUGUST 5, 2009 7:30 P.M.

MINUTES

The regularly scheduled meeting of the Westampton Township Land Development Board was held at the Municipal Building on Rancocas Road on August 5, 2009 at 7:30 P.M. The meeting was called to order by Gene Blair and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 6, 2009 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance. All guests were welcomed.

Roll Call: Present: Mr. Applegate, Ms. Bergen, Mr. Blair, Mayor Camp, Ms. Sampson, Mr. Welsh, Mr. DiOrio, Solicitor Pam Moy, Engineer Jim Winckowski, Planner Harry McVey, Secretary Marion Karp

Absent: Mr. Carugno, Mr. Maybury, Chairman Ryan, Mr. Bell

The minutes of the July 1, 2009 meeting were approved as written.

Resolutions:

11-2009 Kashi Homes, LLC, Block 1204, Lot 10 (1865 Burl.-Mt. Holly Rd.) – site plan waiver & variances-renovation of existing building for office space. Board Engineer Jim Winckowski had a few minor changes to the resolution, which he went over with the Board. The Board memorialized the resolution with the changes as recommended.

12-2009 2009 Open Space, Recreation & Farmland Preservation Plan – was memorialized.

New Business:

Anthony & Heather Malave, Block 401.01, Lot 81. Mr. Malave was present with a variance application in which he is seeking to convert an attached garage into living space. The property in question is located at 22 Winstead Drive in the Rolling Hills East development. A variance is required because the garage was included when calculating off street parking for the overall site, if the garage is finished, it will not be able to be used for parking. The driveway can be used to park two vehicles, according to Mr. Malave. There is also additional parking available in the cul de sac. Under the RSIS, two parking spaces are required; therefore, the need is satisfied. He testified that their garage has never been used to park their vehicles, but has been used strictly for storage. The family has two vehicles. The garage door will remain; there will be no changes to the exterior front of the building. They will finish only part of the garage; some of the garage will remain to be used for storage. The room will be used for a

bedroom; there will be egress requirements according to Gene Blair. A window at least three feet by four feet six inches will have to be installed and must match the existing windows.

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

The square footage of the garage is not known by Mr. Malave, but is estimated to be approximately 200 square feet. They will finish approximately 50% - 75% of the garage. The applicant requests that the Board approve an at risk permit; the Board approves this.

Mr. Applegate made a motion to approve the variance, Ms. Bergen seconded the motion. All Board members voted yes.

Betty Powell, Block 401.01, Lot 83. Ms. Powell was before the Board seeking a variance for a garage conversion. The conversion has already been completed without benefit of a variance or a construction permit. The room was originally converted and used as a computer and play room; it is now being used as a bedroom for Ms. Powell's granddaughters, of whom she has custody. A violation notice has been issued by the Construction Department pending tonight's hearing. She owns one vehicle and two vehicles can be parked on the driveway. There is additional corrective work that needs to be done in order to bring the room into compliance, according to Gene Blair. A window has been installed in order to meet egress requirements. There is a portion of the garage, about six to eight feet that has not been converted and is being used for storage. The original garage door remains in place. The room has been completed for about one and a half to two years. Ms. Powell testified that she also has foster children living in the home. Denial of the variance would involve hardship for the applicant since DYFUS requires that she have this bedroom for the children. She realizes she was wrong and should have gotten the permit.

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

The applicant requests that the Board approve an at risk permit; the Board approves this.

Mayor Camp made a motion to approve the variance, Mr. DiOrio seconded the motion. All Board members voted yes.

Clear Wireless, LLC, Block 905, Lot 1.03 (120 Hancock Lane). It shall be noted that Mayor Camp could not vote on the application due to the fact that a use variance is involved. The application was also for minor site plan approval.

Eric Goldberg, attorney was present on behalf of the applicant. Luis Velazco, radio frequency engineer; William Stone, site acquisition; Kevin Webb, site design engineer; and Joseph Perello, Planner were sworn in before the Board.

The tower is 148.5 feet in height, there are currently three carriers with antennas on the tower – Sprint, AT & T and Verizon. Three of the existing Sprint antennas will be removed and replaced with Clear wire antennas; Sprint is owned by Clear Wire. The new antennas are four inches smaller in height than those presently on the tower.

Three parabolic dish antennas will be mounted, bringing Clear Wire's antennas to 140 feet in height. An equipment cabinet will be installed as well, in the existing building at

the base of the tower. The site is located in the B-1 zone; adjacent to the NJ Turnpike. There will be no expansion of the site in any way.

It is an un manned site; a technician will visit approximately every four to six weeks for maintenance. Sufficient parking and access are provided. The equipment will be removed when no longer in use. The structural analysis is not currently ready but will be provided when it is, according to Mr. Goldberg.

The applicant agrees to comply with the Township Engineer's report of July 24, 2009 and has no issues. They also agree to comply with the Planners report of July 7, 2009. The owner of the tower is AT&T. Gene Blair advised Mr. Goldberg that the structural analysis must meet wind speeds of 100 MPH as dictated by the DCA, not 80 MPH as commonly thought.

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

Ms. Sampson made a motion to approve the use variance and minor site plan; Ms. Bergen seconded the motion. All Board members voted yes.

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

Comments from Board members:

Harry McVey - the first public meeting will be held in mid September for the Route 541 visioning plan. He encouraged the participation of the Board.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board