

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD

REGULAR MEETING

SEPTEMBER 7, 2011 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 September 7, 2011 at 7:30 P.M. The meeting was called to order by Chairman Tim Ryan and the opening statement required by Sunshine Law was read. This meeting was advertised in the Burlington County Times on January 6, 2011 and posted in the Municipal Building. All guests were welcomed.

Everyone stood for the Pledge of Allegiance.

Roll Call: Present: Mr. Applegate, Mr. Blair, Mr. Carugno, Mr. Freeman, Mr. Maybury, Ms. Sampson, Chairman Ryan, Mr. Welsh, Solicitor Al Marmero, Engineer Jim Winckowski, Planner Harry McVey, Secretary Marion Karp
Absent: Mayor Camp

The minutes of the August 3, 2011 meeting were approved as written.

Resolutions:

9-2011 Burlington Preservation Partners, LLC, Block 1102, Lot 1 – site plan (wetlands mitigation) – was memorialized

10-2011 Project Freedom, Inc., Block 203, Lot 4.02 – site plan (affordable housing community) – was memorialized

New Business:

Jefferson Street Partners, LLC, Block 904, Lot 3.01. The application was received and placed on the agenda for the August meeting, however, it was found to be deficient in several respects. Mr. Blair made a motion to declare the application incomplete; Mr. Applegate seconded the motion. All Board members voted yes.

New Cingular Wireless PCS, LLC (AT&T), Block 501, Lot 2 (710 Rancocas Rd.).

Judy Fairweather, attorney was present on behalf of the applicant. They are replacing six antennas with six antennas; they are moving from 3 G to 4 G. The antennas are taller than the ones that are currently on the monopole tower. This application is for minor site plan, use and height variances.

Mike Katra, radio frequency engineer; Joseph Frega, engineer and Susan Gruel, professional planner were sworn in by the Board Solicitor.

Since this application involves a use variance; Mr. Maybury would not be voting. There are two equipment cabinets proposed to be added to the existing concrete pad. Harry McVey, Board Planner commented that four arborvitae have died since the last application came in for co location; they should be replaced. Also, the sliding gate needs to remain and it shall be noted on the plans. The applicants agree to these conditions.

Gene Blair, Construction Official stated that he will require full certification from a licensed structural engineer.

Jim Winckowski, Board Engineer stated that while going through the structural analysis, he noted that there were lots of gaps in the information and he wanted to make sure that this information would be provided. The applicant's attorney assured the Board that it would be provided.

At this point the meeting was opened to the public for comment.

Norm Miller, a member of the Environmental Committee asked if arborvitae is a good choice to plant here since lots of them have been dying. Harry McVey said there isn't a specific problem with arborvitae that he knows of; he would talk with the applicant's professionals to see if they could settle on another type of planting. The applicant's attorney asked the Board for an at risk permit in order to obtain a building permit before the memorializing resolution. The Board concurs and is in agreement. Mr. Carugno made a motion to approve the application; the motion was seconded by Mr. Freeman. All Board members voted yes.

New Cingular Wireless PCS, LLC (AT&T), Block 403, Lot 1 (10 Indel Avenue). The same professionals and attorney were present for this application, also for a co location on an existing tower. It is for minor site plan, use and height variances. Three antennas will be replaced with three antennas; and the equipment will be placed in an existing shelter on the site. No new equipment cabinets are proposed.

Harry McVey stated that no landscaping is recommended; the site is very suitable for this use. There is available space for co location since there is only one carrier presently on the tower. Jim Winckowski asked that the applicants supply the same information for this site that he asked for in the prior application; the applicants agree to provide this.

The towers will have to be evaluated to comply with today's standards as far as standing up to wind speeds, according to Gene Blair.

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

Mr. Carugno made a motion to approve the application; the motion was seconded by Mr. Welsh. All Board members voted yes. The Board also granted the applicant an at risk permit.

Rancocas Park 86, LLC, Block 203, Lot 7.03 (86 Stemmers Lane). The applicant's attorney, Russ Whitman was present on behalf of the applicant, Mike Dolan. Mike Dolan was sworn in by the Board attorney. This application is to allow for some changes to a previously approved site plan.

Harry McVey's report was reviewed by Mr. Whitman; the applicant wants to increase the building size from 174,000 to 200,541 square feet; impervious coverage is not increased by this increase in building size. The ordinance permits 43% FAR and they are seeking to provide a 48% FAR, thus necessitating another variance. A variance is being sought for a reduced number of loading spaces; 25 are required and they are providing 21 spaces. There is a possibility to expand and provide additional loading spaces if they are required by a particular tenant. These changes are being made to suit a particular tenant who has shown some interest in the building.

Car parking areas are reduced from 184 to 108 in this approval. 65 parking spaces are required by ordinance.

Mike Dolan explained that they have a prospect for a long term lease; they need to move quickly. He thanked the Board's professionals for reviewing the application and plans so quickly. For the most part, they are relying on prior drainage calculations and he thinks these kinds of details can be worked out with the Board's professionals.

There will be no outside storage of materials; there will be fewer trucks on the site than with the prior approval. The FAR is designed in part to minimize the visual impact of the project, according to Russ Whitman. The building is located in the rear of the industrial park and is not visible to any roads, according to Mike Dolan. It will not look substantially different from the other plan, which was approved in 2007.

The applicants agree to comply with everything in the engineer's letter. The Board engineer stated that engineered drawings still need to be provided. Based on the original approval, the modifications to be made don't look too difficult. As far as the reduction of the loading area, they would have to use a common area. Mike Dolan explained that this has always been planned that way, to use this as a common maneuvering area. Jim Winckowski asked why there were so many parking spaces in the original approved plan. Mike Dolan explained that they wanted to build a lot of spaces in to the plan in order to have the flexibility in marketing it.

The plans had been submitted to the Fire Official who had no comments; however, Gene Blair wanted to make sure that the new Knox box ordinance would be addressed. The applicants agree to comply with this requirement.

Harry McVey supports Mike Dolan in the reduction of number of parking spaces; he doesn't have a concern with either of the two variances. The two variances are linked to a specific user; he asked if Mike could comment on the proposed tenant. Mike

explained that they store stainless steel tubing. Most product comes in on tractor trailers; there is a provision to actually pull a tractor trailer inside the building to off load and re load.

The Board decided that this approval would include the additional loading docks even though they are not to be constructed for this tenant.

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

It shall be noted that Mr. Carugno did not sit for the hearing due to a conflict of interest. Mr. Maybury did not vote because the application involves a use variance.

Mr. Welsh made a motion to approve the application; the motion was seconded by Mr. Applegate. All Board members voted yes.

Informal Applications:

Dolan Contractors, Rancocas Park 8, Block 203, Lot 1.03, 2 & 3. There is an approval for a large warehouse on this site. One of their DEP approvals had expired. They would like to do a partial excavation on the basin in order to determine if it is wet or not. They have been seeing some activity on the site in the last year; there is a large sporting goods business that may be interested in a warehouse on this site. They want to be able to put up a modest amount of escrow in order to allow them to undertake this work. The berm modifications will involve the soils from the excavation of the basin. They will be building an outfall basin once they get the permits. They want to dig, shape and stabilize the basin but aren't sure if the state will permit them to only construct this part of the approval. It is Mikes understanding that this has to do with the saturation of the soils.

Gene Blair thinks he should provide a phasing plan for this to give to the engineer and planner in order for them to do a bond estimate. They are hoping to be able to do this in late fall. A bond will be necessary to assure restoration of the land according to Jim Winckowski although there are cases when bonds are not necessary because the project is on private land.

The meeting was opened to the public for comment. Norm Miller asked about a hydro geologic test that is supposed to be done to see how the construction of the building would affect the neighboring homes in Spring Meadows. The construction of the basin would not affect the homes. The basin is on the opposite side of the homes.

Correspondence:

Revisions to Zoning Code: Add standards for temporary storage buildings & existing communications towers. Harry McVey stated that this has been discussed by the Master Plan subcommittee in prior meetings. There is nothing in the ordinance

to regulate temporary storage buildings (hoop type structures made of canvas and metal hoops). Chairman Tim Ryan asked about existing structures; Gene explained that these would most likely have to be grandfathered.

The co location ordinance is something the Board has been discussing for a long time; the Board is in favor of antenna co location on existing monopoles. If the fenced area is expanded it still would require site plan approval, according to Harry, although not a use variance.

The Board is in favor of this zoning change and recommends that it goes to the Township Committee for adoption.

Discuss site plan and subdivision checklist, application completeness (Time of Application Rule). This would be left on the agenda for discussion next month.

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

Harry McVey wants to dust off the Vision Statement and incorporate it into the Master Plan. We should have a hearing to adopt it as part of the Master Plan.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Marion Karp, Secretary
Westampton Township Land Development Board