

TOWNSHIP OF EASTAMPTON
PLANNING BOARD MINUTES

Wednesday March 21, 2012
7:30PM

Oaths of Office-Mr. Hardt swore in Gene Blair

1. Roll Call

ATTENDANCE:	PRESENT	ABSENT	
	<u>X</u>	<u> </u>	Mr. Rodriquez, Class I
	<u>X</u>	<u> </u>	Mr. Blair, Class II
	<u>X</u>	<u> </u>	Mr. Campbell, Class IV
	<u>X</u>	<u> </u>	Mr. Nagler, Class III
	<u>X</u>	<u> </u>	Ms. Drumm, Class IV
	<u>X</u>	<u> </u>	Mr. Johnstone, Class IV
	<u>X</u>	<u> </u>	Mr. Shemeley, Class IV
	<u>X</u>	<u> </u>	Mr. Chieco, Class IV
	<u>X</u>	<u> </u>	Mr. Taylor, Class IV
	<u> </u>	<u>X</u>	Mr. Jones, Alt. I
	<u>X</u>	<u> </u>	Mr. Renzulli, Alt II
	<u>X</u>	<u> </u>	Solicitor, Frederick Hardt
	<u>X</u>	<u> </u>	Engineer, Stacey Arcari
	<u>X</u>	<u> </u>	Secretary, Jill C. Torpey
	<u> </u>	<u> </u>	

2. OPEN PUBLIC MEETINGS ANNOUNCEMENT BY SECRETARY:

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in the annual notice which was adopted by Eastampton Township Land Use Planning Board on January 18, 2012 and the resolution was transmitted to the Burlington County Times and the Courier Post, filed with the Township Clerk and posted on the official bulletin board at the Township’s Municipal Building, filed with members of this body and mailed to each person who has requested copies of the regular meeting schedule and who has pre-paid any charges fixed for such services. All mailings, postings and filings have been accomplished on January 23, 2012.

3. PLEDGE OF ALLEGIANCE

4. WELCOME TO GUESTS-Mr. Johnstone welcomes all guests to the meeting.

5. **APPROVAL OF MINUTES** – Regular Meeting of Planning Board – January 18, 2012
A motion is made to approve the minutes.
1st- Ms. Drumm, 2nd-Mr. Renzulli
Roll Call-All were in favor.

6. **APPLICATIONS:**

NEW BUSINESS

2012-1

**Westwood Swim Club
Po Box 738
Eastampton, NJ**

**1007 Woodlane Rd
Eastampton, NJ
TCR Zone**

The Applicant seeks a Use Variance and Site Plan to install a ground mounted solar system.

REPORTS

Plan of Survey dated 10/28/11, photographs and cut sheets included in the application.

Mr. Nagler, Mr. Rodriguez, Mr. Taylor and Mr. Chieco step down from hearing and voting on the application due to a conflict of interest.

Mr. Hardt marks the items into evidence.

James Tamburo is the attorney for the applicant. They are here for Site Plan waiver and Use Variance for Westwood Swim Club. There will be 4 rows of 13.5 foot solar panels.

Mr. Hardt states that by law the Applicant has the right to have a full quorum of 7 members for the Use Variance and there are only 6 present tonight. They can wish to continue until they have a full quorum. Mr. Tamburo states that they waive that right and will go forward with only the 6 members.

They are asking for a Site Plan waiver because there is less than ¼ acre of impervious coverage and less than 1 acre of disturbance. They are not seeking a Use Variance because they are not changing the use. Solar panels are not an allowed use but solar energy is an inherently beneficial use. The panels would be in a vacant field area that is not used to the North of the property. To the East and West there are multifamily dwellings.

Doug Walker, President of the swim club, Rick Lukoff, Civil Engineer and

Don Powell of Powell Solar Company are sworn in by Mr. Hardt.

Mr. Walker states that they want to install the ground mounted solar panels to save money and power. He states that a lot of swim clubs in the tri county area are looking at saving money and this is a very efficient way to do it. He has met with Mr. Powell and Mr. Lukoff about various locations and types of panels and this was the best. The roof to the pavilion and the club house cannot support roof mounted panels. The proposed location would be the best and most efficient. The field where it is being proposed to be installed is a vacant field that they do not use; they just mow it. Mr. Powell will address the fencing issue.

Don Powell states that he has been in the contracting business for about 25 years and the solar business about 4 years. He is the primary point of contact and designed the solar system. He has designed similar ones in the past and has testified before Planning Boards in the past.

Mr. Powell states that there will be 160 panels in a 4 banks of arrays. They will be mounted with a unipack racking structure and will be at a 30 degree angle. They will be in the ground with 3 foot galvanized ground screws. The power will be transferred back to the main control panel by underground trench. The arrays are consistent with the most current National Electric Code. They will be plugged in with a special connector that you need a special tool to unlock and the same thing goes with the inverters. They will not serve anyone other than the swim club. There is a septic system on the site so the Applicant will have to get approval from the Burlington County Health Department.

Mr. Blair asks what the KV's are and Mr. Powell states 240kv and 28,200 kw.

Ms. Drumm asks how many panels are on each array and Mr. Powell states 40 and there will be no open spaces in the racking. The invertors are about the size of a paperback book.

Mr. Renzulli asked about fencing. The Swim Club does not propose to put fencing around the panels. They have existing fencing around the pools and thick hedges separating the multifamily units. This concerns the board that if children or anyone else come out of the fencing for the pools and tennis courts they will have access to the panels. Also it is stated that another solar farm is having issues with people accessing the site and stealing the panel and other material. It also concerns the board that the Swim Club is only operational 3 months out of the year and unmanned the additional 9 months. Mr. Lukoff has been a Civil Engineer for 40 years and has testified before planning boards before. He was involved in the plan for the tie downs for

the solar field. The issue again rises about the fencing. The plan does show proposed fencing going straight through the tennis courts but that is a mistake. The Applicant agrees to install 6 foot chain link fencing to match what is around the pools.

The application is open to the public. No one from the public wishes to be heard. The public portion is closed.

A motion is made to grant the Use Variance because it is an inherently beneficial use and to waive the site plan with the condition of installing a 6 foot chain link fence around the solar panels and to seek approval from the Burlington County Health Department.

1st-Ms. Drumm, 2nd-Mr. Renzulli
Roll Call-All were in favor.

A motion is made to grant an At Risk Permit.

1st-Mr. Campbell, 2nd-Mr. Renzulli
Roll Call-All were in favor.

Mr. Nagle, Mr. Rodriguez, Mr. Taylor and Mr. Chieco return to the meeting.

2012-2

Shukan Doughnuts, Inc
36 Banbury Rd
Lumberton, NJ 08048

1191 Woodlane Rd
Eastampton, NJ
TCM-3-C2 Zone

The Applicant seeks Preliminary and Major Site plan approval.

REPORTS

Major Site Plan dated 1/5/12, Proposed Plan and Elevation dated 2/14/12 and Traffic Engineering Assessment dated 1/17/12.

Mr. Hardt marks the items into evidence. Ms. Drumm steps down from hearing and voting on the application due to a conflict of interest.

Yogi Patel, John Pettit and James Vena are sworn in by Mr. Hardt.

Mr. Del Luca is the attorney for the Applicant. The Dunkin Donuts is proposed to go in the old bank on Woodlane where the township just adapted its Redevelopment Plan. They want to renovate the bank and make it a Dunkin Donuts. There will be few site modifications and essentially will use what is already there.

Mr. Pettit states the bank sits on about ½ an acre and there is a shared access driveway and to the west there is an existing drive thru from the bank that they will maintain. Mr. Pettit explained that there are two changes that the county would like to see that are not reflected on this plan. The first is the easement out onto Woodlane Rd., they would like that close and then coming from the drive thru they would like to see a driveway coming from the drive thru into the front of the Dunkin Donuts. Although the redevelopment plan calls for the easement to be closed off and landscaped, the board does not like the idea of the driveway coming off the drive thru and around the front of the building. The board feels having this driveway in the front of the building would take away from the hardscape and could be a problem for pedestrians. Mr. Pettit states that they would have a pedestrian walk just like they would on the west side. There was discussion that the entrances/exits on the east side would not be wide enough for 2 way traffic. Mr. Pettit explained that those drives would be one way; one way would be an entrance the other would be an exit. The board would like to see the easement remain open and not have the driveway in the front of the building put in until the remainder of the redevelopment happens. Mr. Pettit does not think the county will go for this. Mr. Hardt suggests someone from the board go to the meeting to present the town's intent on this. There are discussions on using other roadways in the area but until the redevelopment of lot 13 happens it is very hard to visualize anything but this plan. Mr. Del Luca does not want to condition the approval on the redevelopment for lot 13 when it is not known what is going to happen there.

Mr. Del Luca stated that their application was supposed to be heard at the County Planning Board last week but for some reason the County didn't review their traffic study so now they will be heard at the end of April.

Mr. Pettit states that they meet the parking and utility requirements. They will add additional landscaping to comply with that part of the ordinance. They will work with Ms. Arcari if they have to comply with

the lighting ordinance. There will be no change in drainage and there will be no issues with storm water management. The trash enclosure and trash area will be angled to comply with Ms. Arcari's request.

There were some issues with the architectural design of the building and the signs. Mr. Pettit explains that what they are seeing are the typical designs for a Dunkin Donuts. Mr. Johnstone states that they don't want a "typical" Dunkin Donuts. This scheme is not consistent with the architectural ordinance. It is decided that a sub-committee will be formed to go over the architectural design of the building and the signs. The awning sign and the menu board at the drive in is OK.

Mr. Yogi Patel states that he owns 7 other Dunkin Donuts. They donuts will not be made on site here. They will be delivered by a small box truck between three and four am. The hours of operation will be 5am to 10pm.

Jim Vena of Shropshire Associates. There were some discussions on the driveways and where they are located. Mr. Vena stated that they are in the best places to accommodate the drive thru. Where they are now will not impact the flow of the traffic. The amount of parking spaces came into question. There will be 4 employee parking spaces and 1 ADA. There will be four customers. They will be legally allowed to park any overflow on The Gregory's site. Most of the traffic will be for the drive thru. The mechanical equipment will be screened.

The application is open to the public. No one from the public is present so the public portion is closed.

Mr. Blair would like to the monument sign to say "Eastampton Town Center" at the base. Dunkin Donuts will be the primary business in the sign.

A motion is made to approve the Site Plan with the necessary variances with the condition that a subcommittee be formed to go over the architectural features of the building and the sign. Also a “Coming Soon” sign will be allowed to be placed on the property. The granting of the application is constant with the goals of the redevelopment.

1st-Mr. Renzulli, 2nd-Mr. Nagler
Roll Call-All were in favor.

A motion is made for an At Risk permit to being working inside the building.

1st-Mr. Nagler, 2nd-Mr. Taylor
Roll Call-All were in favor.

1. **ANY OTHER BUSINESS**
2. **MATTERS TO BE PRESENTED BY THE PUBLIC-NONE**
3. **MATTERS TO BE PRESENTED BY ENGINEER-NONE**
4. **MATTERS TO BE PRESENTED BY SOLICITOR-NONE**
5. **MATTERS TO BE PRESENTED BY THE BOARD**

Mr. Nagler had a comment about the Princeton Label sign. He would like to board to approve a motion for them to be able to put up a temporary “Coming Soon” sign as well.

A motion is made to approve a temporary “Coming Soon” sign for Princeton Label.

1st-Mr. Renzulli, 2nd-Mr. Nagler
Roll Call-All were in favor.

Mr. Taylor had a concern about the fencing at the swim club and about the board setting a precedent. Mr. Nagler state that the pool is closed 9 months out of the year. Most towns do not regulate fencing requirement setbacks.

6. ADJOURNMENT

A motion is made to adjourn the meeting.

1st-Mr. Renzulli, 2nd-Mr. Blair

Roll Call-All were in favor.

Jill C. Torpey

Jill C. Torpey_____

Secretary to Land Use Board