

**TOWNSHIP OF EASTAMPTON
LAND USE PLANNING BOARD MINUTES
Wednesday, April 17, 2024
7:00 PM**

Chairman Adams called the meeting to order at 7:00 p.m.

Everyone participated in the flag salute.

Notice of this meeting was properly given in the annual notice which was adopted by the Eastampton Township Land Use Planning Board on January 31, 2024, 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 31, 2024.

Present were Mr. Adams, Mr. Bayles, Mr. Chieco, Mr. Negraval, Mr. Apgar, Ms. White, Mr. Buck, Mr. DeGregory, Mr. Rodriguez, Ms. Beirne, Solicitor Mr. Serlin, Engineer Ms. Arcari, Planner Mr. Remsa, and Recording Secretary Ms. Johnson. Mrs. Hernandez and Mrs. Newcomb were excused.

APPROVAL OF RESOLUTIONS: None

APPROVAL OF MINUTES:

Wednesday, March 20, 2024

It was MOVED by Mr. RODRIGUEZ and seconded by Mr. CHIECO that the minutes be approved with the correction of Resolution 2024-8 updated from eight (9) ayes to *nine* (9) ayes.

ROLL CALL: Ayes – Adams, Apgar, Bayles, Chieco, DeGregory, Negraval, Buck, and White
Nays – None and Abstain – Rodriguez and Beirne

There being eight (8) ayes, no nays, and (2) abstain, minutes were approved.

APPLICATIONS:

2023-5	LC Trucking, LLC Application for a Use Variance and other relief 2437 US Route 206 Block 1500, Lot 2 CH Commercial Highway Zoning District
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Mr. Rodriguez and Mr. Apgar council members excused, per not applicable to vote on the variance application. Applicant, LC Trucking, LLC, represented by Samuel Reale, Jr., Esq., has applied to the Township of Eastampton Land Use Planning Board for a variance approval to permit Block 1500, Lot 12, 2437 Route 206, which was previously utilized as a hardscape yard by a landscaping company to now be used for a five-vehicle trucking business with a residence to be occupied by a principal in the business and a garage for use as an office in conjunction with the trucking business, which use is not a permitted use in the CH Commercial Highway zone.

Samuel Reale, Jr., Esq., on behalf of the applicant offered a summary of the testimony and requested approval to permit five triaxle trucks to be parked on the property, with a residence to be occupied only by a person having an ownership interest in the trucking business and for the garage to be used only in conjunction with the trucking business. The nature of the previous testimony was that the property was appropriate for this proposed use and not out of character of other properties in the area. The proposal consists of two uses; one being a single family residence and the other being the operation of a trucking business. No maintenance of the trucks will be done on the property. There are site plan issues and applicant agrees upon approval for compliance.

The members discussed the testimony which had been offered and received clarification from Selim Cakir that he understood the conditions set forth by Mr. Reale, confirming that the weekday hours of operation would be from 4:00 a.m. to 4:00 p.m. and that he had reduced the business to five (5) trucks with the firm understanding that no more than five (5) triaxle trucks could utilize the property. Residence is to be owner occupied and site plan to be submitted within by July 16, 2024.

The hearing was opened to the public and there being no public comment, the hearing was closed.

It was MOVED by Ms. BEIRNE and seconded by Mr. CHIECO that Application 2023-5 be approved.

ROLL CALL: Ayes – Adams, Beirne, Bayles, Chicco, and Buck
Nays – White and Negraival

There being five (5) ayes and two (2) nays, Application 2023-5 was approved.

2024-1

Slicks Graphics
Application for a Use Variance
2421 US Route 206, Eastampton, NJ 08060
Block 1600, Lot 3.01
CH Commercial Highway Zoning District

Applicant Slicks Graphics, Inc., represented by Stephen E. Raymond, Esquire, has applied to the Township of Eastampton Land Use Planning Board for a variance to permit Block 1600, Lot 3.01, 2421 Route 206, to be used as a satellite facility to install vehicle wraps on customers' vehicles, which use is not permitted in the CH Commercial Highway zone and for a minor site plan approval.

Applicant submitted for Board review Minor Site Plan and Use Variance Plan, Sheet 1 of 2 and Construction Details, Sheet 2 of 2, prepared by Stout & Caldwell Engineers, LLC, dated December 13, 2023; Six Photographs of building, and February 19, 2024, correspondence from Robert R. Stout, PE, LS, addressing comments of Board Planner Mark A. Remsa PP, LLA, AICP, ASLA. The Board accepted the recommendation of Board Planner Remsa that the application be accepted for minor site plan approval due to the property being fully developed with numerous existing nonconformities, and otherwise fitting within the definition of a minor site plan but for exceeding the maximum lot coverage.

Mark Malinowski, PE, testified as follows: He is a licensed professional engineer in the State of New Jersey having testified before numerous land use boards and is experienced in the preparation of site plans. He identified Exhibit A-1 being an aerial photograph of the property; Exhibit A-2 being a colored site plan; Exhibit A-3 being the façade signage, and A-4 being a flyer for Slicks Graphics. He described the property as being a fully developed small lot with a 3,634 square foot masonry building. The property is surrounded by a mobile home park. The Property has numerous nonconforming conditions which due to its location are impossible to correct. There are minimal site improvements possible due to the relatively small size of the property and it being fully developed. There are a total of six parking spaces one of which is ADA compliant, and three of which are for employees. Design exceptions for minimum parking setbacks and landscaping are requested as compliance with the regulations is impossible due to the size and shape of the property. The existing planter will remain. Wall mounted LED fixtures will be added to provide illumination. There will be two façade signs which in total will comply with the square footage limitations. Stormwater management facilities are not required as no new development is proposed. Access is directly onto U.S. Route 206. A k-turning maneuver will be required to exit from the property. The three employee parking spaces located in front are for customer parking and are blocked. An electric vehicle charging space is not required.

Craig Sanford testified as follows: The Applicant's primary business location will remain in Morrisville, Pennsylvania. The property will operate as a satellite facility. He has been in the vehicle wrap business for fourteen years. The design and manufacture of the wraps will be done in Morrisville. Any deliveries will be by small pickup trucks, cars and vans. In Morrisville deliveries are generally made every other day. The wraps are printed on a latex printer and an adhesive base film is used in the process. There will be one to four employees at the property as needed. Wraps are generally ordered remotely through the internet so customer traffic is infrequent. Installation is by appointment. Cars generally will be left at the Property for the installation of the wrap. There will be no outdoor storage. Tentative hours of operation are weekdays from 8:00 a.m. to 6:00 p.m. and on Saturdays from 9:00 a.m. to 5:00 p.m. No hazardous materials are used in the manufacture or installation of the wraps. Trash will be kept indoors. Primarily clientele are businesses with few private customers anticipated to visit the property. The two façade signs together do not exceed the square footage permitted for signage.

The request for a variance to permit two façade signs is due to the shape of the structure as there is insufficient space for one conforming sign to be located on the structure.

Tiffany Morrissey, PP, testified as follows: She is a licensed professional planner in the State of New Jersey having appeared before numerous boards and served as a planner for municipal land use agencies. The approvals being requested are relatively simple from a planning perspective. Numerous automobile related uses are permitted in the CH zone. The property is substantially undersized. It had been occupied by a volunteer fire company. The Master Plan recognizes that the property is commercial. The absence of available parking makes the property of limited utility for any other permitted use. Adaptive reuse of the former firehouse is problematic for most permitted uses. The property is uniquely suited for the proposed use as it is a low intensity use with limited traffic demands or parking needs. The granting of the use variance will promote the general welfare by permitting the commercial use to operate in an appropriate location where other similar permitted commercial uses are not viable due to the small size of the property and absence of parking. The adaptive reuse of the property will provide an appropriate location for commercial use to meet the needs of New Jersey citizens.

The use variance can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance as the proposed use is similar to the other permitted automotive uses in the CH zone; is a commercial use consistent with the Master Plan, and the small size of the Property, combined with the challenges resulting from adapting a former fire house to a commercial use, support the granting of the requested relief.

Variance requested for property to be used as a satellite facility for the installation of vehicle wraps and custom signage weekdays from the hours of 8:00 a.m. to 6:00 p.m. and Saturdays from 9:00 a.m. to 5:00 p.m. primarily by appointment. Due to the limited parking no more than four persons employed in the business may be on the property at any time. The Board finds that the property is uniquely suited for the proposed use. Due to the location of the former firehouse on the property, the small size of the property, the absence of parking, and the multitude of nonconforming conditions, the viability of any other commercial use for the property is scant, if not non-existent.

The purpose of the Municipal Land Use Law is encouraging the appropriate use of land in a manner that will promote the public health, safety and general welfare. Additionally, it serves to provide sufficient space in an appropriate location for a commercial property which otherwise has limited commercial utility. The variance can be granted without substantial detriment to the public good and will not substantially impair the intent and the purpose of the zone plan and zoning ordinance as the property is zoned for a commercial use and the proposed use is similar to other permitted automotive related uses in the CH zone and has the added benefit of having limited need for vehicular access.

Two façade signs permitted which in combination do not exceed 917 square feet and to only require that six parking spaces be provided. Design exceptions must not require buffers and landscaping, and the minimum setback for parking to the street and property line. Minor site plan granted conditioned upon compliance with the comments in the Board Planner's review letter, as well as submitting a revised site plan detailing the LED lighting, façade signage.

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The hearing was opened to the public and no public comment was received, the hearing was closed.

It was MOVED by Mr. BAYLES and seconded by Mr. NEGRAVAL that Application 2024-1 be approved.

ROLL CALL: Ayes – Adams, Beirne, Bayles, Chieco, Buck, DeGregory, Negraval, and White
Nays – None

There being eight (8) ayes and no nays, Application 2024-1 was approved.

CORRESPONDENCE: None

PUBLIC COMMENT: None

BOARD MEMBER/PROFESSIONALS COMMENTS: None

MOTION FOR ADJOURNMENT:

It was MOVED by Mr. BAYLES and seconded by Ms. BEIRNE to adjourn the meeting at 8:35 p.m.

ROLL CALL: All were in favor.



Kim Johnson
Land Use Board Administrator

Approved: May 15, 2015