

**HAINESPORT TOWNSHIP JOINT LAND USE BOARD
MINUTES**

Time: 7:00 PM

August 7, 2019

1. Call to Order

The meeting was called to order at 7:00 pm by Mr. Krollfeifer.

2. Flag Salute

All participated in the Flag Salute

3. Sunshine Law

Notice of this meeting was published in accordance with the Open Public Meetings Act By posting on the municipal bulletin board, publication in The Burlington County Times and Courier-Post Newspapers, and by filing a copy with the Municipal Clerk

4. Announcement of “No new business after 11:00 PM”

5. Roll Call

Present: Mr. Clauss, Mrs. Gilmore, Mrs. Kelley, Mr. McKay, Mrs. Tyndale,
Ms. Kosko, Mr. Sylk, Mr. Krollfeifer,

Absent: Mrs. Baggio, Mr. Wagner, Mr. Levinson, Mr. Tricocci

Also Present: Robert Kingsbury, Esq., Board Attorney
Scott Taylor, Board Planner
Paula Tiver, Board Secretary

6. Items for Business

Mr. Clauss and Mrs. Gilmore recused themselves.

**A. Public Hearing on Preliminary Investigation Non-Condemnation
Redevelopment or Rehabilitation Area Block 96 Lots 1, 1.02, 1.03, 1.07; Block
96.01 Lot 1; Block 96.02 Lot 1; and Block 83.01 Lots 1, 2, 3**

Mr. Taylor stated that this is a public hearing. It is a statutory requirement. He handed out a one page summary of the different steps that need to happen.

The New Jersey local redevelopment and housing law has a specific set of requirements that they follow when they prepare a preliminary investigation and a redevelopment plan as well. A map must be on display with the Municipal Clerk when it is noticed, which has been. It identifies the 9 parcels that are included in the area of investigation. It is not uncommon for there to be a discrepancy on the acreage identified on a tax map and the Mod IV data. The most important factor is the identification of the block and lot on the tax map.

In June and July of 2019 that the Township Committee passed resolutions requesting that those 9 block and lots identified in the study, that the Board undertake this investigation. The properties are identified by the green in the study and on the map displayed. He described the properties being to the north and east of Route 38 and the surrounding properties.

Mr. Taylor referred to page 5 of the report explaining that the properties must meet one of the “a through h” statutory requirements. The statute has a provision under the definition that even though a certain parcel may not expressly meet one of those criteria it may be included in the redevelopment area if the Joint Land Use Board determines that parcel is necessary for the effective overall redevelopment of the area.

Page 8 they identify the 9 properties with the chart. Block 83.01 Lots 1, 2, and 3 are combined in the chart because they are less than a ½ acre combined. The total of all 9 properties is approximately 56 acres.

The also included in the report the surrounding uses. The portion along Route 38 is highway commercial, the majority of the center is industrial, and the three parcels in the southeast corner are zoned highway commercial. Block 96.01 Lot 1 and Block 96 Lot 1 are what is referenced as the Steven’s property. The 83.01 lots are under common ownership with the same entity. Block 96.02 Lot 1 is the Verizon property owned by Lumberton Reality. Block 96 lots 1.02 and 1.03 are owned by Sta-Seal and CJM Associates of Hainesport which are associated with Trap Rock. Block 96 Lot 1.07 is the old Paul’s Tank Farm.

Page 12 deals with some environmental constraints. Based on the NJDEP Wetlands use cover mapping, we have some wetlands in the northern portion of the site and some directly to the west. They have identified some environmental concerns based on the history of the properties associated with the Sta-Seal, Trap Rock properties as well as Paul’s Tank Farm. The report goes into greater lengths and sights some of the EPA and DEP information on each one of them.

Block 96.01 Lot 1 is a 17.07 acre property with frontage on Route 38. Several years back, the Committee vacated Industrial Blvd. It is now a private road, Lawrence Blvd. The Verizon building was built in the 1970’s and is a nonconforming use. Primarily used for truck and bulk material storage. There is very little stormwater management occurring on that site. The building is showing signs of age. They believe that property should also be included and meets statutory criteria. In terms of 1.02, 1.03, and 1.07 because properties have been vacant and environmental contamination on those sites, they also met statutory criterial. Regarding the Steven’s property, because of length of vacancy, currently used for agricultural, but based on the soil survey and county information, it is a very low agricultural soil. It has been limited and been used more as a hobby activity. There are also some environmental issues with the fill and rubble that had been placed that was placed on the Steven’s property as well. It will require further study.

This entire area was study in 2003 and 2004 and was determined of an area in need of redevelopment. Due to the time that has lapsed and some of the irregularities some of the issues were not addressed because it was back when the administrative and legislative were just starting. Some of the administrative and statue were not addressed. In

discussing that with Township Committee and the township's attorney, the best way to handle it was to inventory the properties again. Since the new 2013 changes to the redevelopment law which specifies that the resolution must clearly identify whether it is a condemnation area or a non-condemnation area in need of redevelopment. Everyone believed this was the best choice and is why we are here this evening.

On page 34 there is a summary and conclusions. The chart identifies in summary form, each one of the properties and which of the statutory criteria they meet. He recommends that the Board consider recommending this to the Township Committee that all the properties eligible to be considered an area in need of redeveloping without condemnation.

Mr. Krollfeifer thanked Mr. Taylor for doing an excellent job on the packet and presentation.

Mr. Sylk questioned if this redevelopment open up the use of our fair share housing in the builders remedy.

Mr. Taylor explained that the first designation does not do anything because it doesn't modify the zoning. This states that the parcels meet the statutory criteria and you may choose to adopt a redevelopment plan for that. When a redevelopment plan comes forward that would be based on a proposal and uses that the Township Committee would evaluate to come up with a mix of uses. Affordable housing has been an important issue for the last couple of years for all municipalities in the State of NJ. We know that Mr. Gillespie, his office, and the township's affordable housing planner are aware of what are needs are and are looking at properties throughout town to meet those affordable housing goals. He does not see this opening us up to any greater litigation for builders remedy.

Mr. Sylk questioned if this would open this property up to be developed in this manner.

Mr. Taylor explained that once a redevelopment plan is initiated by the Township Committee. They would then have to identify what they feel the uses are or are not appropriate there. Based on confines of master plan, it could be any use. There are no specific uses planned for the property.

Mr. Krollfeifer commented that it could open up the Verizon and lots 1.02, 1.03, and 1.07 could be rezoned residential.

Mr. Taylor stated conceivably they could, affordable, market rate in any shape or form.

Ms. Kosko stated it could be the Stevens property as well.

Mr. Krollfeifer opened public comment.

Scott Puro stated he is the attorney for Lumberton Reality. He questioned if the entire property as part of the redevelopment zone.

Mr. Taylor explained that the entire property has been identified by block and lot. The entire property would be considered in the redevelopment area. Because the governing body chose to do this a non-condemnation area, any involvement in any development moving forward would have to be completely voluntary by any or all of the land owners.

It only provides for flexibility. It does not have any other implications to it for the existing use within the site.

Mr. Puro questioned what the bases for that property to be designated as a potentially redevelopment.

Mr. Taylor stated he can send him a pdf. The age, condition of the building, lack of stormwater management on the site, outdoor storage which is noncompliant with the existing zoning, and there is homes across the street which are contrary to that development pattern, it is unbuffered which are contributing factors. As we look at those properties and where the vacated Industrial Blvd. was, if we did not include that it would have been a missing piece. This allows for flexibility for all the owners. It would open up some favorable funding thru state programs for environmental clean ups. This would be 100 percent voluntary by any of the land owners in the redevelopment zone.

Mr. Krollfeifer closed public comment.

Mr. Krollfeifer referred to the resolution 2019-06 listed under 8 on the agenda.

Mr. Kingsbury explained that the resolution is to take us to step 4 of Mr. Taylor outline.

7. Minutes

A. Regular Meeting Minutes of July 11, 2019

Motion to approve: Mrs. Kelley

Second: Mr. Clauss

Roll call: Mrs. Kelley, yes; Mr. Clauss, yes; Mrs. Gilmore, yes; Mrs. Tyndale, yes;
Ms. Kosko, yes; Mr. Krollfeifer, yes

Motion carries to approve.

8. Resolutions

A. Resolution 2019-08 Recommendation of the Preliminary Investigation Non-Condemnation Redevelopment or Rehabilitation Area Block 96 Lots 1, 1.02, 1.03, 1.07; Block 96.01 Lot 1; Block 96.02 Lot 1; Block 83.01 Lots 1,2,3

Motion to approve: Mr. McKay

Second: Ms. Kosko

Roll call: Mr. McKay, yes; Ms. Kosko, yes; Mrs. Kelley, yes; Mrs. Tyndale, yes;
Mr. Sylk, yes; Mr. Krollfeifer, yes

Motion carries to approve.

9. Correspondence

A. Hainesport Township Resolution 2019-106-6 Authorizing and Directing the Hainesport Joint Land Use Board to cause a preliminary investigation to be made pursuant to the NJ local redevelopment and housing law, as to whether certain

properties within the Township of Hainesport Qualify as a “Non-condemnation Redevelopment or Rehabilitation Area” in accordance with the criteria set forth in the statute.

- B. Hainesport Township Resolution 2019-123-7 Amending Resolution 2019-106-6 Authorizing and Directing the Hainesport Joint Land Use Board to cause a preliminary investigation to be made pursuant to the NJ local redevelopment and housing law, as to whether certain properties within the Township of Hainesport Qualify as a “Non-condemnation Redevelopment or Rehabilitation Area” in accordance with the criteria set forth in the statute.
- C. Hainesport Township Resolution 2019-122-7 Confirming the need for the revitalization and expansion of Davenport Village, consisting of 72 units of family affordable rental housing and authorizing an agreement for payments in lieu of taxes with Hainesport Township
- D. Letter dated July 1, 2019 from Alaimo Engineers to Mr. Blair
Re: Hainesport Enterprises Block 58.01 Lots 1-6, Block 62.01 Lot 1 Certificate of Occupancy
- E. Letter dated July 3, 2019 from Taylor Design to Mrs. Newcomb
Re: Hainesport Enterprises- Greenwood and Iowa Ave. Block 58.01 Lots 1-6, Block 62.01 Lot
- F. Letter dated July 18, 2019 from Alaimo Engineers to Ms. Kosko
Re: Wawa Inc. (store 347) Block 101.04 Lot 1, 1301 Route 38 Case #16-03
Performance Bond Release

Motion to accept and file: Mrs. Kelley

Second: Mrs. Tyndale

Roll call: Mrs. Kelley, yes; Mrs. Tyndale, yes; Mr. Clauss, yes; Mrs. Gilmore, yes;
Mr. McKay, yes; Ms. Kosko, yes; Mr. Sylk, yes; Mr. Krollfeifer, yes

Motion carries.

10. Professional Comments - None

11. Board Comments - None

12. Public Comments - None

13. Adjournment

Mrs. Gilmore motioned to adjourn at 7:45pm.

Second: Mrs. Kelley

Roll Call: All in favor