

WOOLWICH TOWNSHIP JOINT LAND USE BOARD

OCTOBER 25, 2021-SPECIAL MEETING MINUTES

Chairman Maugeri called the meeting to order at 7:01 PM

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

Roll call of JLUB members:

Sal Barbagallo- Present, John Casella – Present, Carolyn Grasso - Present, Chief Jaramillo – Present, John Juliano - Present, Joseph Kauffman- Present, Mayor Marino - Present, Deputy Mayor Matthias - Present, Chairman Maugeri – Present, Vice Chair Bob Rushton - Present, Dawn Varallo- Absent.

JLUB Solicitor, B. Lozuke and JLUB Planner, A. Jones also in attendance.

Next on the agenda was the approval of the minutes.

-October 7, 2021- B. Rushton made a motion to adopt the minutes, Grasso seconded the motion. All were in Favor. S. Barbagallo abstained.

Next was the Resolution for adoption:

- Res. #2021-31 of the Joint Land Use Board of the Township of Woolwich Regarding JLUB #2021-020 DPIF3 NJ8 2057 Woolwich, LLC, US Route 322, Block 12, Lot 3, for Preliminary & Final Site Plan Application Approval.

Chairman asks for a motion on this resolution. B. Rushton makes the motion, seconded by J. Juliano. Roll Call as follows:

S. Barbagallo Yes, J. Casella – Yes, C. Grasso- Yes, Chief Jaramillo – Yes, J. Juliano – Yes, Mayor Marino – Yes, Dept. Mayor Matthias - Yes, B. Rushton – Yes, Chairman Maugeri – Yes.

Chairman Joe Maugeri Recuses at 7:05pm. Vice Chair Rushton continues the meeting.

JLUB Solicitor Brian Lozuke introduces himself to the public in attendance. Mr. Lozuke tells the audience that this isn't about affordable housing. Mr. Lozuke gives an overview of what this committee is tasked with looking as per into as instructed by Township Committee in September. This involved having the JLUB Planner prepare a report and updated zoning map of the areas identified by the Township Committee as possible areas for Redevelopment.

The analysis report will be discussed as well as the map of the study area for reference. Copies are available in this room.

Vice Chair Rushton introduces the next item on the agenda.

New Business/Discussion item:

- Preliminary Investigation to Determine Whether Block1, Lots 2, 5, 5.01, 6, 7, 8,11, and 11.01; Block 2, Lots 9,10,11,12,12.01, 12.02, 12.03, 13, 13.01, 14, 15, 16, 17 and 24, and Block 28, Lots 1,2,3,and 4 on the Official Tax Map of the Township of Woolwich Qualify as Areas in Need of Redevelopment.

Mr. Jones begins with review of his Oct. 22, 2021 investigation report. Redevelopment Law requires that each parcel that is looked at has to meet one item on the list of criteria. Mr. Jones will go through each category and the lots he believes meets the criteria.

The study area is about 1,000 acres that are currently zoned LIO, R2 and AR1.

There are 9 criteria, but he will only discuss the criteria that these areas meet.

C: Unimproved area, vacant for more than 10 years, not likely to be developed through private capital. Remoteness, lack of access, etc. and looked at the history of the parcel.

Block 2/Lot 9 was given a GDP approval in 2011 for a 502 lot community.

Block 28/Lot 4 is zoned LIO which is warehouse/office dev. with no market for building to date (since 2008).

To the east of this are Subdivisions from 1995-2010 (apprv'd 2007) since 2010 no development, no residential, etc. so limited private market capital. Not in the sewer service area as another reason it hasn't been developed.

D: Buildings / Improvement, lack of structures, over-crowding, dilapidated, or combination of the above, detriment to safety, health and welfare of the community. Clustering of buildings, in farming this is fine, but for future building, it would have to be removed. That is the essence of the over-crowding determinate.

One detriment is that a parcel is used for farming, while being important, from a tax based benefit to the township, the farm doesn't add as much tax money to the town as a development does. Historical documents show that the town has expressed needs for more rateables to help lower the taxes for residents.

E: Lack of utilization of a parcel, can be because it is next to one of the other affected parcels. Detrimental to the health and safety; such as overhead power lines cutting through a parcel. These are not an issue for a farmer for example, but for development it can impede by the easements these can create splitting properties. Mr. Jones states that he didn't want to apply this to any of the major parcels, but only to residential properties as they may be next to a redevelopment property.

Mr. Jones returns to the discussion about the sewer system and how it does not run along OCR. In order to add sewer service, the county would have to amend its map of the sewer system area, construction would then be done to bring this from Logan Township, all at great expense. If a township wanted to do this, it could happen with a partnership with a developer, for example, to not have the town pay for it.

Mr. Jones reads his list of the properties and the criterion he designated for each (listed below):

Block/Lot-Criteria (C,D or E)

1/2-D	2/15-E
1/5.01-D,E	2/16,17-C
1/8-D	2/24-C,E
1/11-C	2/12.01,12.02,12.03,13.01-E
1/5,7,11.01-E	12/1-C
2/9,10,11-C	28/2-D
2/12-D	28/3-D
2/13-D,E	28/4-C
2/14-C,E	

Mr. Jones concludes that he finds that these properties meet the criteria for redevelopment as described in the redevelopment law. The next steps, Mr. Jones continues, is to then make a recommendation back to accept his findings, reject them or make suggested changes to the report, and pass that decision back to the Township Committee. Then the Twp. Com. will decide if there are changes to be made. A resolution is created. If accepted by the Twp. Com, then a Redevelopment Plan has to be created, etc. There are many steps that will have to be laid out.

J. Juliano confirms that tonight's meeting's purpose is not to identify what should be where on the map.

Mr. Jones confirms, that this is correct. Not looking at what the use or zoning will be. Notice would go out to the parcels near this area as before if there are any changes requested. Mr. Jones states that having this is one more tool in the township's toolbox for them to use if they decide to.

It also gives property owners more options.

Mr. Lozuke states that the criteria is established in the Redevelopment Housing Law. And that Mr. Jones has a professional duty to look at the map and determine if the parcels meet any of this established criterion. Mr. Jones confirms and testifies that he does this with no specific change to the zoning in mind and that he cannot look at any other properties. He cannot add or change any of the areas identified by the Twp. Comm. for consideration or the process would have to start over.

With no more questions from the board, Vice Chair Rushton asks for a motion to open to the public. Chief Jaramillo makes the motion, seconded by S. Barbagallo. All were in favor.

Public Comment:

Larry White of 2235 Oldman's Creek Rd. would like to know why his property was not selected on the map, as he doesn't understand about this process. He asks if this board will decide what will go where.

Mr. Lozuke clarifies that it is not this board's job to decide what will go where. Just to determine if it meets the criteria first. No further. If the board does approve this report, then the Twp. Comm. will begin another series of decisions.

Mr. White shows four homes that are not on the map, and other large areas that are not on this map. He wants to know why those properties are not on this map. He points out Block 1, Lot 17 is protected area for Eagles.

Mr. Lozuke states that two of the farms that are not on this map are preserved farmland. Mr. White says that he's seen preserved land be changed. He is not happy, as he is concerned that it will be warehouses. As a farmer here since 1978 and appreciates that a farmer has to do what he has to do.

Mr. Lozuke re-states that is not for this board to make any of those decisions tonight. He also explains to Mr. White that we only looked at properties we were told to look at.

Christine McCarthy of 344 Taft Dr. asks about the AR1 zoning for Block 2 lot 9. Mr. Jones explains that this property was given approval, or a GDP (General Development Plan), for over 500 homes plus retail space. Ms. McCarthy asks when this was approved, and Mr. Jones says it was 2011.

Christine McCarthy asks if there is a map of that area of the design. Ms. McCarthy asks the crowd if they were told that the lot would be farm land forever. She states that she has just moved here and have yet to make a payment on her mortgage yet.

Mayor says that the housing is in the back, and the front is to be retail. Ms. McCarthy asks who owns the land and Mayor says that it's Auburn Village, she says that she's fine if its residential but industrial she would not be.

Ms. McCarthy also states that she hopes this board is not minimizing the importance of tonight's meeting to the residents who live near these areas.

Barbara Kopas of 348 Taft Dr. states that she sees the Auburn Road Village design on the Twp. website. She says that she bought into a gated community and some areas with wetlands and tree lines to protect them. She asks that there are property buffer for their safety. For example that on Auburn Road there are berms, trees and a fence and would hope that the new development would have this for their buffers.

Mayor Marino states that whatever is in the plans for this development has already been decided. Mr. Kopas mentions some safety issues in the neighborhood now and Mayor Marino says that for example, behind JB Liquors shopping area, there is no fence there. And that the term "gated community" is a bit misleading.

Mayor Marino goes on to describe some of the recent projects before this board that has required applicants to do robust landscaping, even a sound wall on one project. The JLUB is very in tune with the impact on the resident. Dept. Mayor has also been focused on trees and wetlands as well.

J. Juliano explains that they are about 10 years into the GDP that has how-ever many years left to build. When they come into build this project, they will come in to work on all of those details.

Ms. Kopas asks how many years left to build. The board speculates that they have 10 more years to build, and yes, the residents will be noticed for that meeting.

Leigh Guglietti from 209 Mockingbird Ln., Logan Twp. brings a letter from The Walsh's of 211 Mockingbird Lane residents. Ms. Guglietti asks about the active farmland and how it can be designated undevelopable land.

Mr. Jones describes that an active farm is not a developed land. She asks about stagnant or unusable land as being unusable, like Lot 2/Lot 13, Mr. Jones replies because it has over head electric wires and that 60 foot easement cuts that property in half making it un attached from the other lot and cannot be used to construction.

Ms. Guglietti asks about US Drop Forge, Mr. Jones says the ground water as bad, Ms. Guglietti asks about the 5 million dollar loan they have received. He says the ground water contamination would be the only designator he met.

Ms. Guglietti asks if any developer wishing to purchase the land could get a tax abatement. Mr. Jones says the main reason for a Redevelopment designation is in order for a developer to apply for a PILOT program. Ms. Guglietti then states that it is a yes to her question.

Mayor Marino and J. Juliano both state that it is not true, and to date Mayor Marino states that he has never given a tax abatement to any developer. A PILOT program, as the Mayor begins to explain, is a different process. This gives the developer a steady payment plan over many years, but the majority of the taxes of a town still go to the town. So far no PILOT program has been given to a residential developer, only commercial properties, to not to add more burden to the town's infrastructure.

Ms. Guglietti talks next about the Eagle nest on block 2, lot 17. She asks if the DEP is aware of this and why was it considered. Mayor says that the DEP requires 600 feet of setback which would remain the same as it is today. Mr. Jones explains the application process for any zoning that the developer would have to get approval from the DEP before getting permits to build. Ms. Guglietti asks about the 2019 environment determination and protection of these areas, and Ms. Grasso is on that committee. Is now 2 years later no longer important? J. Juliano restates that we are not going to make any change. Ms. Guglietti disagrees. Dept. Mayor Matthias comments that having a redeveloper agreement can make the applicant protect more areas that are currently in place with today's zoning.

Ms. Grasso says that there is greater impact with 500 individual homes, versus one commercial building, and have to follow DEP guidelines as well. Ms. Guglietti says that living right off of Township Line Rd and Oldman's Creek Rd there is a lot of traffic with the trucks now. Her last question is about Sen. Sweeney's bill to not allow farmland to be redeveloped. Mr. Jones says he is aware of this bill coming soon, and he confirms that it is due to be heard soon.

Jordan Schump of 10 Wilshire Blvd asks about the gas lines that run along OCR and if they were considered. Mr. Jones states he was not aware of an easement along the road there. Also the bald eagle nest protection is a concern of his as well. He also wants to know if TDR land is a consideration for this report, and Mr. Jones says it is not. Mr. Schump says that of the 500 plus homes stated before (block 2/lot 9) there are a certain number of affordable houses that would be required. He then asks that Block 2 Lot 17 with the bald eagle nest be removed from the board's consideration tonight.

Brad Skull, of 354 Taft Dr., states that taxes are not an issue for him in Woolwich as he came from Mullica Hill. He is there for quality of life. Specifically he comments about Block 2 Lot 9, and that if it is set for 500 homes and light commercial, but they would not object to that development. Warehouses would give greater taxes to the twp. and he says NIMBY before this could happen.

Bob Gordan of 346 Taft Dr. says that the quality of life he currently has near his house and is concerned about the change to that. He recognizes that taxes are important, but to think carefully before voting.

Albert Azzari of 397 Harrisonville Rd., understands that having tools available for lowering the taxes for the community he feels is a good thing.

Laurie Sorbello Renner representing her late father Thomas Sorbello of 216 Porches Mill Rd, testifies that she comes from a long, long line of farmers in this township and after many years of farming, families like her have no savings plans, 401k's or pensions. Their investment is in their land. One of the barriers of this land is selling it to anyone who wants to development. And this is a struggle for some families. He put 100's of acres in farmland preservation, but had to sell them for retirement money. Giving the Twp. and some farmers the flexibility to find a balance for all involved.

Bob Gordan returns to the microphone He suggests that the market has something to do with the fact that these areas haven't been developed in 10 years.

A resident from Monroeville, (name could not be heard on the audio) who is a family member of the late Thomas Sorbello, farmer of Woolwich, testifies that her family has been farming, working and paying taxes in Woolwich for four generations. With the TDR restrictions, they now cannot sell these properties giving her family little options for income when needed. This option for rezoning would allow her family to do what it needed to do in order to survive. She explains that there are always ways to develop a property nicely in a way that will work with a community.

Ken Shatz of Summit Ventures, LLC, a local developer of all the homes in Weatherby, Four Seasons, and now ShopRite makes a couple points that these developments have all helped this community be what it is today. He specifically points out the Auburn Village (Block 2 /Lot 9) hasn't been developed because of the lack of water and sewer, not because of market conditions. He hopes that with these changes utilities will come along to allow future mixed use. He is in favor of farmer's being able to develop their land, otherwise all of the other developments these residents live in wouldn't be here today.

Mr. White returns to ask about the timing of this endeavor.

Mr. Lozuke explains again the process of the JLUB, and if Mr. Jones' report is accepted tonight, and a resolution is adopted, to then return that to the Township Committee. After that the JLUB has no jurisdiction in the matter. Mr. Lozuke suggests that Mr. White follow up with the Mayor and the Township Committee for the progress of this.

Mr. Jones fills in more details on the timing, including the 30 days the state has to review the report. If the state reviews it and if they approve, then more meetings would happen and the residents would be notified.

Ms. Guglietti returns to ask if the committee to exclude the two blocks for the Eagle's nest area. That would be Block 2; Lot 16 & 17.

Mr. Lozuke reads a letter to the board from a resident notified by the JLUB but not able to attend. Mr. & Ms. Walsh of 211 Mockingbird Ln, Logan Twp. voicing their opposition to this change.

With no more public comments, Vice Chair Rushton asks for a motion to close the public portion of the meeting. J. Juliano makes this motion, seconded by J. Casella. All were in favor.

J. Casella asks if we can exclude Lot 17.

Mr. Jones says that the board can make the recommendation but not make the change to exclude it.

Dept. Mayor Matthias asks what it is currently zoned, and it is confirmed that it already is zoned R2, residential.

C. Grasso asks what percentage of the acres are wetlands, he did not give a figure, but did show it on the map.

Chief Jaramillo, if the state sees this report what are the options for the state to protect the Eagles nest. Mr. Jones says they only look at the criteria for Redevelopment Law, and unfortunately Eagles & habitat protection are not a consideration. He states that it doesn't mean they are less important but not part of their analysis in this matter.

J. Juliano says that if all goes forward, then when an application were to come forward, then the state may say no because of the Eagles set back requirement.

Mr. Jones says that all projects require wetlands certification of boundaries, for example, and without that approval no project can continue. Same for critical habitat has the same requirement.

Mr. Lozuke confirms with Mr. Jones that regardless of what the property is zoned for today or in the future, all projects must be reviewed by the state before going forward. No board can over-ride their approval/disapproval.

With no more questions, Vice Chair Rushton asks for a motion on Mr. Jones's report.

J. Juliano asks for clarification that the motion would be to approve or disapprove, or make recommendations with the report to the Township Committee. Mr. Lozuke confirms this.

Therefore J. Juliano makes the motion to accept the findings of Planner Ashton Jones's Oct. 22, 2021 letter and reads the properties listed. Seconded by J. Casella.

Roll call as follows:

S. Barbagallo Yes, J. Casella – Yes, C. Grasso- Yes, Chief Jaramillo – Yes, J. Juliano – Yes, Mayor Marino – Yes, Dept. Mayor Matthias - Yes, J. Kauffman – Yes, Vice Chair Rushton – Yes.

Vice Chair Rushton asks for a motion on **Res. #2021-30** Resolution Of The Woolwich Township Joint Land Use Board Accepting The Preliminary Investigation Report Of The JLUB Planner And Determining The Study Area Meets The Criteria Of Eligibility For Declaration As A Non-Condemnation Area In Need Of Redevelopment Pursuant To N.J.S.A 40a:12a-6, Et. Seq.

J. Juliano makes the motion, seconded by J. Casella. Roll call as follows:

S. Barbagallo Yes, J. Casella – Yes, C. Grasso- Yes, Chief Jaramillo – Yes, J. Juliano – Yes, Mayor Marino – Yes, Dept. Mayor Matthias - Yes, J. Kauffman – Yes, Vice Chair Rushton – Yes.

Vice Chair Rushton asks for a motion to open the meeting to the public for comment, Mayor Marino makes a motion to Open, Seconded by Dept. Mayor Matthias. All were in favor.

With no one from the public coming to speak, J. Juliano makes a motion to close to the public, Seconded by Mayor Marino. All were in favor.

With nothing else on the Agenda, Vice Chair Rushton asks for a motion to adjourn. J. Casella makes the motion to close, seconded by C. Grasso. All were in favor.

The JLUB meeting adjourned at approximately 8:38 PM.

Respectfully Submitted,

Shannon Kilpatrick
Joint Land Use Secretary

Minutes not verbatim, audio recording on file