

Call to Order:

The regular meeting of the Monroe Township Planning Board was called to order at 7:00 p.m. by Chairman Schwaiger. The Board saluted the flag. Roll call was as follows:

Present – Mr. Crane, Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. Masterson, Mr. O’Brien, Mr. Scardino, Mr. Helsel, Mr. Cotton, Mr. Schwaiger. Also present: Mr. Boraske, Solicitor, Mr. Stettler, Engineer, Mr. DeFrank, Engineer, Ms. Pellegrini, Planner, Mrs. Farrell, Secretary, Mrs. Orbaczewski, Clerk Transcriber.

Chairman Schwaiger read the following statement: “Be advised no new item of business will be started after 10:30 p.m. and the meeting shall terminate no later than 11:00 p.m.”

Memorialization of Resolutions:

1. PB-09-19 – Kelsch Associates, LLC – Site Plan Waiver Approved

Motion by Mr. O’Brien, seconded by Mr. Kozak to adopt resolution PB-09-19. Roll call vote: Ayes – Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. Masterson, Mr. O’Brien, Mr. Helsel, Mr. Schwaiger. Nays – Zero. Abstentions – Zero.

2. PB-10-19 – Glassboro Road Associates – Preliminary & Final Site Plan Approved

Motion by Mr. R. Garbowski, seconded by Mr. Kozak to adopt resolution PB-10-19. Roll call vote: Ayes – Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. Masterson, Mr. O’Brien, Mr. Helsel, Mr. Schwaiger. Nays – Zero. Abstentions – Zero.

Site Plan Waiver – for Board Action:

1. #WSP-50-18 – Tony M. Height, Jr., applicant.

Present – Tony Height, applicant.

The applicant is proposing to operate a dance/fitness center in an existing commercial building located at 382 S. Main Street, also known as Block 3205, Lot 14, (formerly the Zumba Studio), in the RG-TC Zoning District.

Mr. Height was sworn in by Mr. Boraske. Mr. Height stated his address as 15245 Pacey Cove Drive, Orlando, Florida.

Site Plan Waiver: (continued)

Mr. Height testified that he would like to have a dance/fitness center in the location stated. He is originally from this area and would like to move back and start his business here. He currently does the same type of business in Florida. Mr. Kozak inquired about the parking. Mr. Height replied that the parking is available to the left side of the building. The building was used as a zumba studio as well as a karate center on the top floor. Mr. Kozak asked about the hours of operation. Mr. Height replied that the hours of operation will be from 9:00 a.m. to 10:00 p.m. Monday through Friday and 10:00 a.m. to 5:00 p.m. on Saturday. They will be closed on Sunday.

Mr. Height testified that he will be utilizing the existing sign just changing the name. There are no proposed changes to the exterior of the building. There are approximately fourteen to twenty-five people per class with one full time employee and seven part-time employees. Mr. Kozak recommended that the handicap spaces should be appropriately signed as well as some restriping of the parking spaces. Mrs. Farrell explained to Mr. Height that he will have to inform the landlord that the Board is requesting the parking spaces be restriped and the handicap parking spaces have the appropriate signage.

Motion passed to open the application to the public. There being none, motion passed to close the application to the public.

Mr. Boraske summarized the application for the Board. Motion by Mr. R. Garbowski, seconded by Mr. Kozak to grant the site plan waiver subject to the condition that the handicap spaces have the appropriate signage and the parking spaces are restriped. Roll call vote: Ayes – Mr. Crane, Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. Masterson, Mr. O'Brien, Mr. Scardino, Mr. Schwaiger. Nays – Zero. Abstentions – Zero.

Public Hearing:

1. Landfill Redevelopment Area – Block 901, Lots 2 & 3.

Present – Mr. Stuart Wiser, Vice President of Planning and Environmental Services for ARH and Mr. Adam Warburton, Environmental Scientist with ARH.

Mr. Wiser stated that they have been hired by the Township to conduct a redevelopment investigation and subsequently a redevelopment plan for the landfill located on Sicklerville Road. Mr. Wiser set up a power point presentation for the Board. The Board members received a copy of the Preliminary Landfill Redevelopment Investigation Plan prepared by ARH and dated November 2018.

Public Hearing: (continued)

Mr. Wisner stated the landfill is approximately 17 acres and was in operation from 1965 to 1983 when the Township received a closure order from NJDEP. There was an earth cap provided; however the subsurface conditions had not been remediated. As of today the lots remain vacant and are considered unusable for traditional development due to soil and groundwater contamination. The Township has applied for funding through the NJDEP for up to seventy-five percent of the cost to clean up the site. NJDEP requires that a redevelopment agreement limiting the use of the landfill to renewable energy (solar) and a deed restriction must be in place before funding through the Hazardous Discharge Site Remediation Fund program can be released.

Before the Township can enter into a redevelopment agreement the lands have to be designated in need of redevelopment and a redevelopment plan must be adopted. Mr. Wisner stated that there are eight statutory criteria in which land can be designated as being in need of redevelopment. The landfill site meets three of the eight criterion. One of criteria that applies states that the land is owned by the municipality, is vacant and has remained vacant for at least ten years, and that by reason of its location, the topography, and nature of the soil and is not likely to be developed by a public entity, does apply to the site for the following reasons. The existing topography has a ten percent grade change from Sicklerville Road to the top of the landfill and from the lowest point on Lot 3 to the highest point of Lot 2 there is a fourteen percent grade change. In 2014 the Township commissioned a remedial investigation report that documented the presence of known carcinogens above NJDEP acceptable levels. The next criteria that applies to the site states that there is a growing lack or total lack of utilization of the area, the underproductive condition of the land potentially useful and valuable to serve the public health, safety, and welfare and which the condition is presumed to be having a negative social or economic impact or otherwise being detrimental to the safety, health, morals, or welfare of the surrounding area or the community in general. Mr. Wisner stated that this statute does not define underutilization; however this land has been vacant for some time and given the subsurface conditions it is detrimental to the health, welfare, and safety of the community. In its present condition the site is a vacant and underutilized brownfield which serves no public purpose, supports no jobs, makes no contribution to the Township's ratable base, and contributes nothing to the general welfare.

Mr. Wisner stated the study area lacks physical barriers to prevent trespassing as it's their understanding that people have ridden ATV's, walked their dogs, and golfed on the landfill which has become an attractive nuisance. The second part is to determine if the land is potentially valuable to the health, safety, and welfare. The State through the municipal land use law has designated solar as an inherently beneficial use which is useful in contributing to the public health, safety, and welfare. For all these reasons this criteria applies to the site as being an area in need of redevelopment.

Public Hearing: (continued)

Mr. Wisner stated that in summary and conclusion this is an area that complies with redevelopment criterion C, E, and H as outlined in the study. According to the redevelopment law an area may be considered to be an area in need of redevelopment if any one of the eight statutory criteria is met. The landfill conforms to three of the criteria. They are recommending that the Planning Board find the area in need of redevelopment and will recommend the study to Council. If Council agrees to and adopts the area as an area in need of redevelopment then a redevelopment plan that focuses on solar will be prepared and submitted. Mr. Wisner stated that he is aware the Board has a lot of questions concerning the cleanup of the landfill; however he does not have knowledge of that part of it and the engineer who is handling the cleanup for them is not present this evening.

Mr. Kozak asked how long it will take to get the landfill done. Mr. Wisner stated that if the Board agrees and recommends the area to Council as an area in need of redevelopment then a resolution is prepared and will be sent to Council for vote and resolution. Once that is done the redevelopment plan will be completed. It has been started and should take about a month or two to complete. That plan will come back to the Planning Board for approval then once approved will be sent to Council for approval and adoption by ordinance. The Township can go out and find a solar provider. Mr. Wisner stated that is the redevelopment portion; as far as the how long the cleanup and preparation for solar will take he does not know. They are only here for the redevelopment portion of the project. Mr. R. Garbowski asked if it was accurate that the solar cannot be done until the landfill is closed. Mr. Warburton replied that the landfill has to be closed under the NJDEP which is one of the conditions of receiving the grant. Mr. Garbowski asked if the closure plan is being prepared. Mr. Warburton replied that the closure plan has already been approved by the NJDEP. There was some question on whether the whole property will be utilized for solar. Mr. Wisner stated that that will be a conversation between the Township, the NJDEP, and the solar provider. Mayor DiLucia stated that this area is only one piece of property they are looking at for solar in a joint venture with the MMUA and the School Board; there are other larger parcels of land that they are looking to develop with solar energy. Mayor DiLucia clarified that the only area included in the redevelopment study is the two lots associated with the landfill and no other properties. Mr. Wisner agreed that only the two lots that contain the landfill are included in the redevelopment study.

Motion passed to open the hearing to the public. There being none, motion passed to close the hearing to the public.

Mr. Boraske stated that the Board must apply the statutory criteria and the local redevelopment housing law to determine whether or not the area should be designated as an area in need of redevelopment. Motion by Mr. Crane, seconded by Mr. Scardino to designate the area a redevelopment area and to recommend the same to Council. Roll call vote: Ayes – Mr. Crane, Mayor DiLucia, Mr. J. Garbowski, Mr. R. Garbowski, Mr. Kozak, Mr. Masterson, Mr. O'Brien, Mr. Scardino, Mr. Schwaiger. Nays – Zero. Abstentions – Zero.

Public Portion:

Motion passed to open the meeting to the public. There being none, motion passed to close the meeting to the public.

Reports:

1. Mrs. Farrell asked the Board members if they are all able to access their Township email. Some members replied that they need their passwords reset. Mrs. Farrell stated that the IPADs are not ready yet but will be soon. There was some discussion on whether the Board members wanted to use their Township email or their personal email. After discussing the matter it was determined that the Board members should utilize their Township email when they receive their IPADs as opposed to their personal email when it concerns any information from the Township. The IPADs should be available by March 1st.

Adjournment:

The meeting was adjourned at 7:52 p.m.

These minutes are an extract from the meeting that was held on the above date and are not a verbatim account or to be construed as an official transcript of the proceedings.

Respectfully submitted by:
Ninette Orbaczewski, Clerk Transcriber