

Call to Order:

The regular meeting of the Monroe Township Planning Board of was called to order at 6:30 p.m. by Chairman O'Brien who 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 11:00p.m'.

The Board saluted the flag.

Roll call:

Present –Mr. Caspar, Mayor DiLucia, Mr. Helsel, Mr. Kozak, Mr. O'Brien, Mr. O'Reilly, Mr. Boorstein **Absent-** Mr. Verratti, (excused) Mr. Garbowski, (excused) Mr. Laughlin, (excused) Mr. Schwaiger, (excused) Mr. Wisner (excused) Mr. Snowden (excused) Also present – Ms. Gaglione, Solicitor, Mr. Kernan, Planner, Mrs. Orbaczewski, Secretary, Mrs. Tomasello, Clerk Transcriber

Notice of this meeting was given as required by the Open Public Meetings Act in the Annual Notice of Meetings on January 8, 2021. The change of platform and time for this meeting was published in the newspaper on June 28, 2021 and posted on the Township website. Notice for this evening's public hearing was published in the newspaper on November 26th and November 29th.

Memorialization of Resolutions:

None

Public Hearing:

1. Preliminary Investigation on South Main Street- Non Condemnation Redevelopment Determination of Need Report. This report will be discussed and presented by Mr. Kernan from Colliers Engineering and Design, Inc.

Mr. Kernan stated that the study that has over 60 pages so he will go over some of the pages and touch on the main points. This is a preliminary investigation for a redevelopment plan for Main Street. All but just a handful of them parcels that comprise the study area front on South Main Street. There's a few that don't notably between Hall ST and Washington Ave. There are some lots that are land locked, they are included in the study otherwise they all front on South Main Street so that's the study area. Mr. Kernan stated that the redevelopment process first steps were taken by the governing body that adopted a resolution directing the Planning Board with help from Colliers to prepare a map of the boundaries of the study area and a statement setting forth the basis of the investigation and prepare the report. Mr. Kernan stated where we are tonight being in the third step where public hearing to review the findings of the investigation this is just a little bit of the process.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

Mr. Kernan stated that the next step would be that this Board would make a recommendation to the governing body to declare or not this area in need of redevelopment. There are eight statutory criteria and only one of those eight criteria need to be met on any given parcel. The headings for those criteria are as follow first one covers deterioration, the second covers vacant and abandoned commercial and industrial buildings, the third one covers public and vacant land, the fourth obsolete layout and design, the fifth property ownership and title issues, the sixth fire and natural disasters, the seventh urban enterprise zones and lastly the smart growth consistency and that's a newer term about in the state plan. He describes the study area as 76 parcels encompassing about 41 acres total. The area is generally bounded by existing small lot single family residential development, as well as a variety of different scattered civic and institutional uses such as schools, churches, public facilities and commercial uses. He stated they first looked at some historic data, property tax records being one source of data for the 76 parcels. In the study the area at least 50 have records of construction; the remaining others either do not have a record or are currently vacant. There are six properties that were built prior to the 1900's, including the Ireland-Hofer House was built in the 1800's. The Bell Hennessy Funeral Home was built in the 1850's; there is a residence office at 230 S. Main Street built in 1860, the former Washington Hotel was built in 1880, the residence at 508 S. Main Street was built in 1882, and the residence at 514 S. Main Street was built in 1890. There were another 30 structures that were built between 1900's and 1935 and the remainder were constructed between 1940 to 1970 which means that all of these residences are more than 50 years old.

Mr. Kernan looked at the existing zoning that applies to all the parcels along South Main Street and what that zone permits. There are four different zones; the commercial district, regional growth commercial district in the Pinelands, regional growth forty which is a residential zoning district, and RGTC regional growth town commercial district. Mr. Kernan stated that they looked into the land use to know what the properties are being used for. Next, they looked at site flood plains, and all the information available on mapping with the DEP and Fema mapping. The study area is not in a flood zone. Contamination was also looked at and there is one site identified on the State's "Known Contaminated Sites List". Then we looked at the historic resources. Considering that many of the properties contain structures that were constructed over a century ago, it is not surprising that the area has been subject to numerous historic surveys. Only two properties, the Hall Street School (also known as the Little School) and the Free Library and Reading Room (also known as the Old Library) are located on the state and federal historic registers. Mr. Kernan then looked at the study area from a master plan perspective, they looked at Monroe's master plan as well as the states and we compared the study area to the state plan. After, that they went through the redevelopment evaluation. An analysis of the study areas existing physical characteristics, current developed use, and structures was conducted on September 29, 2021. Additionally, the office examined Township reports, analyzed historic maps and aerial photographs, and the Township's zoning code.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

Furthermore, tax records and other municipal documents were reviewed. Other information was obtained through state records, including New Jersey Department of Environmental Protection's Data Miner, and GIS datasets managed by the State of New Jersey. Unless otherwise mentioned, all photos were taken during a site visit on September 29, 2021.

Colliers Engineering & Design also requested the following information from the Township; property tax cards for all parcels within the study area for past five years, code violations for the study area for the past five years, building permits issued for all lots for past five years, site plan approvals for all lots for past five years, tax liens for Study Area for past five years, Police actions documented in the Study Area within the past five years, tax maps and any easements for the Study Area, data on any sites in the Study Area that are contaminated and any related documentation, data on any unpaid taxes within the Study Area. Colliers Engineering & Design also requested the following information from the Gloucester County Tax Assessor on May 4, 2021; property tax appeals for the past five years for the study area, title reports or searches for the past five years for the Study Area, property evaluations as noted above, and site evaluations were conducted on September 29, 2021 with Dan Kozak, Township Housing Official as well as Nick Dickerson from Colliers Engineering & Design. Exterior inspections of each property were conducted. Information concerning residential uses were based on feedback provided by Mr. Kozak. The following evaluation begins with the southwestern most parcel, Lot 4 of Block 11604, and then continues clockwise throughout the study area. Example: Lot 4 is the only property on this block that is included within the study area. The property, known as 607 South Main Street, is currently vacant and undeveloped, and is owned by the Township. The lot measures approximately 14,582 square feet in area. The site previously contained a structure which was demolished between 2006 and 2008. The property is a corner lot, with secondary frontage along Virginia Avenue, and approximately 131 feet of frontage along S. Main Street.

Conformity with Redevelopment Criteria, the LRHL specifies that an area may be determined to be an area in need of redevelopment if any one of eight specific conditions or criteria outlined in Section 5 of the LRHL are found to exist. Onsite inspections were conducted by this office and the following specific criteria have been found to be applicable to the designated location studied as part of the preliminary investigation, for example Criterion 'C': vacant or public owned land there is only one parcel, Block 3205, Lot 28 (landlocked). Next is the Criterion 'E': underutilization. Criteria 'e' is implicated where growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real properties therein or other similar conditions which impede land assemblage or discourage the undertaking of improvements, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare, which 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. That criterion has existed for many years; it was changed in 2013.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

There was a lawsuit of Gallenthin Realty Development, Inc. v. Borough of Paulsboro, the evaluation of the “e” criterion should include the following: a finding of title problems, diverse ownership, unique lot configuration, or other similar circumstances affecting the study area; a showing of how these factors result in the properties being stagnant and unproductive and impeded their ability to be develop or redeveloped in a manner that would benefit the community; and a determination that the stagnant and unproductive characteristics of the property are having deleterious effect on the surrounding area or community as a whole. Using the Gallenthin standards as a guide, this study area meets the “e” Criterion of the LRHL for the following reasons: a finding of title problems, diverse ownership, unique lot configuration, or other similar circumstances affecting the study area; as illustrated in the reference maps in the preceding sections and described throughout this analysis, the configuration of these lots is also unique, which can interfere with the proper utilization of the area creating a detriment to the health, safety, and welfare of the community. The study area contains 76 parcels, owned by 60 different entities. There are 10 landowners that own more than 1 parcel in the study area, which includes 26 of the lots. Conversely, in the case of Lots 5 and 6 of Block 11601, 1 structure is split between 2 lots, owned by 2 different entities. Certain contiguous lots that are in common ownership have internal improvements that necessitate their continued common ownership, one example is the parking and driveways that are part of the Methodist Church (Lots 2, 3, and 4) of Block 11804. In addition, a digital sign on Lot 3 is used for Lot 4. The study area contains numerous lots with unique configurations, as well as lots with dual access front and side. The study area contains one lot (Lot 28 of Block 3205) that appears to be completely land locked without access to a road. 45 of the 76 lots in the study area do not meet the minimum size required by the respective zone. Similar to the above, the study area contains numerous lots that do not meet the minimum lot width. For example, of the 52 lots that are located in the RG-TC zone, at least 36 appear to have lot widths that measure under 100 feet, the minimum required in the zone. In the C zone, 4 of the 7 lots have widths that measure under 100 feet, the minimum required in the zone. The study area contains uniquely shaped lots, or multiple lots owned by the same owner that surround other lots.

A showing of how these factors result in the properties being stagnant and unproductive and impede their ability to be developed or redeveloped in a manner that would benefit the community. It would also appear that several of these lots contain a nonconforming or otherwise prohibited use in their respective zone, including 11 properties that appear to be nonconforming. A determination that the stagnant and unproductive characteristics of the property are having a deleterious effect on the surrounding area or community as a whole. In total, the 76 parcels in the study area have a combined assessed value of \$24.8 million per the 2021 tax records. In 2014, the study area parcels had a combined assessed value of \$30.1 million, a 17.5 percent decrease over this 7-year period. Conversely, according to the NJ Division of Taxation, taxable properties in Monroe Township had a total equalized assessed value of \$2.5 billion in 2014 and \$3.1 billion in 2021, representing an increase of \$547 million, or about 21.8 percent.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

Criterion h: The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation. Additionally, the “h” Criterion was retained unchanged in the 2013 amendments to the LHRL and the “e” Criterion was clarified to include new language related to economic conditions where stagnation was linked to conditions that “discouraged the undertaking of improvements” and where there was 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”. These changes are relevant to the situation with the study area site as it has been described in this report and supported by the signs of economic stagnation evidenced by the lack of development in the region. Smart growth is an approach to planning that directs new growth to locations where infrastructure and services are available, limits sprawl development and protects the environment. While the State of New Jersey does not provide a list of principles, a list can be found on the website for Smart Growth America. The designation of the 76 lots discussed in this report would advance the goals of the Township’s Master Plan, spark development and redevelopment within the study area, and eliminate the conditions that currently exist. Based on the above, we recommend that the Study Area qualify for designation as an area in need of redevelopment. If these recommendations are accepted by the Township, the next step should be the preparation of a redevelopment plan that would guide redevelopment of the designated area.

Mr. Kozak questioned with an existing property will attract redevelopment to either tear the property down or rehabilitate what is there. Mr. Kernan replied it could be a combination of all of the above, but you set the table on the area for redevelopment. That process will be out of the way and it will also give the benefit for redevelopment, but it will also give the governing body more control on what happens on Main Street, verses someone just looking in the zone for a use variance on something contrary to zoning. This puts the governing body in the driver’s seat to negotiate a redevelopment plan. Mr. O’Reilly stated to Mr. Kernan with regard to the taxes, did the request come from the tax assessor’s office so they decreased 17% over a 7-year period, but the town has increased by 21.8%. Mr. Kernan replied yes. Mr. O’Reilly stated to Mr. DiLucia if it was his first year in office or the year before where the county went through a reassessment. Mr. DiLucia responded that it might have been a little longer he knows there was one that they did but it was just for the system, but there was one full assessment that was done about 3 years ago. Mr. O’Reilly questioned Mr. Kernan in regards to the historic designation, and are there a historic property that are not on the Historic Preservation website and is it advantageous to the owners to try and get it designated or would that have a negative impact on the town. Mr. Kernan replied probably not advantageous for an owner to get listed because anything that gets done on the property has to get approved by the State Preservation office, even to knock it down or even add a room.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

1. Joseph Scarpinato, 345 Clinton Ave, was sworn in by Ms. Gaglione. He stated that his biggest concern is that the Lot 28 is over grown he and can't even walk through it. He stated it was land locked. Is there anything that is going to be done in regards to maintenance? Mr. Kozak and Mr. O'Reilly replied and stated that they would look into that maintenance issue for Mr. Scarpinato.

2. Mark Kozachyn, 987 Sykesville Rd, was sworn in by Ms. Gaglione. He introduced himself to Mr. Kernan and stated that he was in favor of the redevelopment, but just had some questions. Mr. Kozachyn stated so you have done this type of study before, Mr. Kernan replied yes. Mr. Kozachyn questioned Mr. Kernan if he only does studies in NJ or does he also do Pennsylvania and Delaware, Mr. Kernan replied that personally he has only done them in NJ. Mr. Kozachyn asked Mr. Kernan, in your experience, did the previous redevelopment studies result in redevelopment going forward. Mr. Kernan replied yes, not all, but most of them. Mr. Kozachyn said in disclosure he is representing the theater, The Grand, in which his wife is the president there. Mr. Kernan said that he is aware of many redevelopments that have come together for example Glassboro and Rowan Blvd those are all redevelopment laws. Mr. Kozachyn questioned if Mr. Kernan's company was involved and Mr. Kernan replied no. Mr. Kozachyn asked Mr. Kernan if to his knowledge redevelopment studies that he worked on result in eminent domain. Mr. Kernan replied none that he has ever been involved in and this is non-condemnation. Mr. Kozachyn stated so the buyer and seller have to agree to go forward, Mr. Kernan replied this is a tool to help the Township and the property owners. Mr. Kozachyn stated some of the things that concern him is that Mr. Kernan brought up a large majority of the properties on Main Street do not meet the frontage requirement, does that mean that we are going to go back. Mr. Kernan responded they are predated 1800's and 1900's. Mr. Kozachyn said that the big question is what will be the funding going forward, who is going to pay for this, is the town going to be relying on investors. Mr. Kernan stated that what seems to be the next course action for this particular area, assuming that the Planning Board recommends the governing body to declare it in need of redevelopment, the next step will be to try and encourage redevelopment to come to the table with the governing body and propose a project or plan. I don't believe there is a desire to just do something that the Township would pay for, we just have to convince developers to come look at Main Street to see what they can come up with.

Mr. Kozachyn stated so this project is really for developers to come in and purchase properties and fix them. Mr. Kernan replied the town is showing that they are redevelopment friendly if declared the area for redevelopment. Mr. Kozachyn said so the Planning Board is not going to be using tax payer's dollars for this redevelopment. Mr. Kozak replied and said it is not the Planning Board's decision they don't spend any money. Mr. O'Reilly stated that he does not believe our Township used tax payer's funds for any developing. Mr. Kozak stated that the Planning board doesn't decide, and Mr. O'Reilly jumped in and said it will go through Council or Administration.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

Ms. Gaglione stated that part of the redevelopment designation permits the town Council to then go and negotiate things like, tax incentives programs, abatement, payment in lieu of taxes, pilot programs, even connection fee, things of that nature by being in a redevelopment zone. That gives the Council the authority to then go ahead and make those financial agreements, but not money coming out of the Township, but incentives to bring developers.

Mr. DiLucia stated that as he recollects this was a rehabilitation area already and the rehabilitation area allows some of the things a redevelopment area allows, such as an abatement. For example, there was one business that recently received an abatement because they improved their property and that was part of the rehabilitation plan. He thought that some businesses were frustrated not seeing business growth on Main Street. Mr. DiLucia stated he attend; a meeting in December 2020 and there was a recommendation by some of the people there that they would like to see Main Street evolve into a redevelopment area. Mr. DiLucia stated that there is nothing anyone should fear; there is no one getting moved out of their property. If there is a big developer that wanted to come in and take a section or all of it, they will have to present a big development plan. He stated that the one thing he sees that gives the Township an advantage is that it allows a pilot which would be a tax incentive for about 30 years and that would only be considered if there was enough mixture that would bring revenue and is something that would give the township an extra tool if we will ever get to use it. Mr. DiLucia stated that Mr. Kernan outlined what he believed was the only way that our town will be able to grow as a business district and that is if an investor comes in and re shapes the configuration of the buildings. Right now they are really not conducive to businesses as many of them are private homes, many of them are rentals which would have to be converted into store bottom and rental or residential upstairs in which would be a major investment and I don't think an individual or a small investor will be doing that; it will take a big developer to come in and look at it and say that it is a really good area to develop and put millions of dollars in it.

Mr. Kozachyn asked Mr. DiLucia if he is saying if a large developer came in and took a whole block to redevelop it, would you consider a condemnation scenario. Mayor replied there will be no condemnation.

Mr. Kozachyn said to Mr. Kernan that he had mentioned the three categories about the 76 properties that fall under the c, e, and h you stated that most of them fell under the "e" category so how many fall under "c and h" Mr. Kernan replied "h" is small growth and 'C' has 2 properties. Mr. Kozachyn asked Mr. Kernan to explain what small growth means and how it affects our town. Mr. Kernan replied it means directing growth to where services exist for example road networks, sewer, water, other services verses suburban to what you have been seeing in Monroe for the past 30 to 40 years.

Public Hearing: Continued

1. Preliminary Investigation on South Main Street: Continued

Mr. Kozachyn asked who makes the determination on which property fits what criteria. Mr. Kernan replied for each criterion they have listed the properties and described how they believed those properties fit each of those three criteria, it's all in the report. Mr. Kozachyn said so I am going to be a little selfish and ask you so how the Grand Theater fits into any of these categories. Mr. Kernan read the report that stated Block 11601 Lot 3, known as 405 S. Main Street, is the site of the Grand Theater. The property is L-shaped containing frontage along S. Main Street (53 ft.) and Library Street (76 ft.), except at the corner, where Lot 3 surrounds Lot 1 on two sides. Lot 3 contains 8,619 sq. ft. in area, which is undersized for the RG-TC zone. The site also appears to contain two additional street front shops, with addresses of 407 S. Main Street and 403 S. Main Street although it is not clear if they are associated with the theater. The store front at 407 appears to be a retail in character, selling art and jewelry. The store front at 403 appears to be a café with a direct connection to the theater. Based on communications with the Township, the theater suffered a roof collapse about 10 years ago, and was restored, with the front façade largely preserved.

Mr. Kozachyn asked so what happens now if the Planning Board accepts the study. Ms. Gaglione replied she will do a resolution for Council so they will know how to proceed. The Mayor stated things are looking good in Monroe as just yesterday the town had a land sale and every seat in the courtroom was filled with investors buying property. So that is an indication that there is value to this town and value to the ground for developers that are looking to do things certainly this town is going to grow and I feel good about it.

Motion by Mr. DiLucia, seconded by Mr. O'Reilly to approve the South Main Street – Non-Condensation redevelopment study and recommend to Study to Council. Roll call vote Ayes: Mr. Caspar, Mr. DiLucia, Mr. Helsel, Mr. Kozak Mr. O'Brien Mr. O'Reilly. Nays: Zero. Abstentions – Zero.

Public Portion:

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

Reports:

1. Mrs. Orbaczewski advised the Board that the reorg meeting will be held on January 13, 2022 at 6:00pm.
2. Mrs. Orbaczewski reminded the Board that there was a Special Meeting on December 16, at 6:30 p.m. for Lidl.

Approval of Minutes:

1. 11/18/2021 regular meeting

Motion by Mr. Helsel, seconded by Mr. O'Reilly to approve the minutes from November 18, 2021 regular meeting. Voice vote; all ayes, motion passed.

Adjournment:

The meeting was adjourned at 7:39 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: Iris Tomasello, Clerk Transcriber.