

Proposed Amendment to Land Use Ordinance (Referred by Township Committee) – The Board discussed the proposed amendment to the section of the Land Use Ordinance that provides standards for the Village Commercial Zone that had been prepared by Philip Sartorio, P.P.

Mr. Garonzik stated that he had talked to Mr. Sartorio regarding the proposed change to the parking standards of the Village Commercial Zone and he related his understanding of the new provision.

Mr. Cain informed those present that the proposed amendment had been drafted by Mr. Sartorio at the request of the Smart Growth Committee and Township Committee, and it was his understanding that the provisions were to offer some relief to businesses within a certain perimeter of the parking lot on Second Street that is owned by the County of Atlantic. He stated that it was intended to provide additional opportunity for parking for applications submitted by businesses that did not meet the off street parking requirement.

Mr. Cain advised that the County would be allowing the Township use of lot, but the Township would be responsible for maintenance. xxConcern was expressed with regard to potential liability.

A discussion ensued with regard to the provision for a business to pay one hundred dollars per year, per parking space, and it was pointed out that the money was to be presented to the Township, to be used for maintenance of the lot.

Mr. Filippone expressed the opinion that the proposed ordinance was very business-friendly and provided an opportunity for businesses to address parking instances where their on-site parking is limited or non-existent.

Mr. Cain stated that the ordinance was the first step in an attempt to bolster business development in downtown Mays Landing and the Village Commercial District, and Mr. Wigglesworth commented that it was a great effort to not only attract new businesses, but to retain businesses that already exist.

Mr. Kurtz stated that applications have been denied due to parking issues, and he felt the proposed ordinance would do a lot to address the problem.

In response to a question with regard to why the proposed ordinance addresses only the eastern side of Main Street, Mr. Cain advised that the Township was attempting to acquire two lots for a parking lot at the opposite end of the Village Commercial Zone to develop a municipal parking lot when funding becomes available. Mr. Cheek suggested that, if the western-end parking lot is developed, businesses should be required to reserve parking at the parking lot closest to their business location.

Mr. Cheek suggested that the opportunity to use the new provision be offered to all businesses in the Village Commercial Zone, and he pointed out that it would result in people walking past more businesses to get to their destination. A discussion ensued with regard to the reason for the proposed limitation, and it was felt that it should be removed and that the provision be made available to all businesses attempting to locate within the Village Commercial Zone, particularly considering that the ordinance would need to be amended if the Township is successful in developing a second parking lot on the western side of Main Street.

Mr. Kurtz advised that a study had been done, and approximately five hundred parking spaces had been identified within the Village Commercial Zone and Historic District, including the parking spaces available in the County lot. He stated that the parking locations had been identified on a map.

Mr. Cain stated that the County has agreed, as part of a shared services agreement, to assist the Township with signage, directing people to available parking.

Mr. Choyce expressed discomfort with the provision to charge a yearly fee and the potential for it to have a chilling effect on business development. He acknowledged that the provision was intended to offset the cost of maintenance. Mr. Wigglesworth expressed the opinion that it probably wouldn't be a "deal-breaker" from a business standpoint, if the situation were such that the business couldn't be approved because it didn't meet the parking requirement, and he commented that it was not a large amount of money to have to contribute.

Mr. Cheek questioned whether the money that was collected could be escrowed to be used to achieve more parking in the future. Mr. Cain stated that the idea was worth exploring, and that legal advice would need to be sought as to whether it would be possible.

Mr. Percy and Mr. Choyce stated that they would not like to see the money collected go into the General Fund and that it be designated for purposes for which it was intended.

Mr. Rogers questioned whether the Township presently owns any parking lots and whether it has an established parking lot management plan that provides for removal of abandoned cars, snow removal, maintenance, etc., as it would be assuming that responsibility from the County. It was his opinion that some framework should be established with regard to how Township-owned parking lots would be managed. Mr. Wigglesworth commented that Mr. Rogers' concern was valid, but he felt it was beyond the purview of the Board. Mr. Cain commented that he was certain that there was some kind of protocol in place, as the Township manages the parking lot connected to the Municipal Building. Mr. Polistina stated that the Board could recommend that Township Committee look at that as well, as it was a valid point. Mr. Cain commented that it probably wouldn't be difficult for Mr. Sartorio to provide Board members with a copy of the plan that now exists.

Mr. Wigglesworth asked Board members to vote as to whether they were in favor or opposed that the proposed ordinance amending the Land Use and Development Ordinance of the Township of Hamilton is found to be consistent with the Master Plan, and that it should be adopted by Township Committee, and that the following recommendations be considered: that a parking lot management plan be established; that a requirement be included for businesses to use the parking lots closest to their business locations in the event additional, municipally owner parking lots are developed; that the distance limitation for the proposed parking option be removed; that the proposed parking option be made available to all properties located within the Village Commercial Zone 7:55:08

See PB mts, Aug. 4, 2011, Rev.

Nancy Rainbow,
Planning Board Administrator