

TOWNSHIP OF HAMILTON
MAYS LANDING, NJ 08330
PLANNING BOARD MEETING
NOVEMBER 5, 2015

A meeting of the Township of Hamilton Planning Board was held on the above date with Chairman David Wigglesworth presiding.

Compliance with the Open Public Meetings Law was acknowledged.

Members Present: Harry Bilicki, Richard Cheek, Wayne Choyce, Frank Giordano, John Kurtz, Harry Rogers, Alan Womelsdorf and Alternate I, John Percy (late arrival) and Alternate II, David Adams. Absent member was Charles Cain.

No Board professionals were present.

Street Vacation Request - Request to vacate a portion of Fourth Avenue a “paper” street located adjacent to Block 211 Lot 1 and Block 25 Lot 2.01

Chairman Wigglesworth recognized the requestors of the street vacation and requested they come forward to present their reason for the request. The requestors are Thomas Schmutz and Jamie Schmutz, 2604 Malaga Road, Block 211, Lot 1 and Mr. John Smith 1560 Malaga Road, Block 25, Lot 2.01. They have been maintaining it as if it was their property and they would like to add it to their property.

Mr. Schmutz informed the Board that there was a hill on Fourth Avenue (Township right of way) which prevented people from entering their properties, then it was removed and they have had trespassers since it was removed. Mr. Schmutz contacted the Township with his problem and Mr. Smith's, so until a remedy is found the hill was replaced. Mr. Scott said that the “hill” was put there as a safety issue because of Mr. Scott being robbed and the trespassers since it was removed. The resident continued that before the hill was removed it was a quiet and peaceful area.

The Board members asked the requestors various questions as to just where their properties are, what portion and how much they would like vacated. It was also asked if they discussed this with surrounding neighbors. They responded that have not talked to all of them. Mr. Schmutz added that he is attempting to purchase surrounding properties adjoining his.

Discussion continued with regards as to how surrounding lots would be affected. Board members reviewed tax maps regarding the area. Mr. Choyce asked Mr. Sartorio to share what the Master Plan has for this particular area. Mr. Sartorio responded that this is primarily Pinelands, Rural Development and Forest Area. The lines zig zag in that area. Depending on which zone you are in, RD5 zone is nominally a minimum of 5 acres to develop and now there is a clustering provision the Pinelands has imposed upon us, and the Forest Area 10 acres minimum lot size which are substantially larger lots in general.

Mr. Wigglesworth stated that the purpose of the Board is not to interject legalities, it is to make sure we adhere to the Master Plan, listen to our residents and if we can accommodate them we will. This Board's duty is not the legalities of your current conditions, but that does not mean we are not sympathetic to your situation, but it is not criteria that we can use to impact somebody else.

Mr. Choyce asked Mr. Sartorio if any of the adjacent property owners were notified of this hearing. Mr. Sartorio replied that this is not a hearing, it is a recommendation, and since a street can only be vacated by ordinance, it would be upon the Committee to provide that notice.

Mr. Schmutz said he is working with an engineer (who was not present) and it was suggested that he discuss the matter in more detail with the engineer, talk with the neighbors and come back with additional information that is more definitive to the requested vacation area.

Public Hearing – Master Plan Amendment - Mays Landing Neighborhood Plan

Chairman Wigglesworth turned the floor over to Philip Sartorio, Director of Community Development who proceeded to give a brief overview of the actions that have occurred to date regarding the plan known as the Mays Landing Neighborhood Plan. This is the last item on the checklist of the Smart Growth Committee and is part of the Post Sandy Recovery Grant Program that is funded through the State DCA. We will return for the December 3, 2015 meeting with the final items dealing with the Mays Landing Neighborhood Plan and coming out of that, the Mays Landing Historic District Designation.

Mr. Sartorio then introduced Ms. Elizabeth McManus, AICP, LEED AP, PP of Clarke Caton Hintz who will be giving an overview of their report.

Ms. McManus acknowledged the Board members and identified those who worked along with her on the project indicating that there were a number of people, as well as Courtney Lewis and Phillip Caton with herself as primary.

Ms. McManus continued with a power point presentation to give a brief overview of the project, Mays Landing Neighborhood Plan, of which copies were previously distributed to the Board members. She commented that we are in the middle nearing the end and is presenting the recommendations for the potential adoption phase this evening, depending on the Board's thoughts on the Plan, the phases, the analysis and SWOT analysis which she presented to the Board at a previous meeting. She remarked that as pointed out earlier by Mr. Sartorio, the Township has received full funding of the project, not only for the Mays Landing Neighborhood Plan, as well as Phase II which is the Mays Landing Rehabilitation Study and the Redevelopment Plan which she will be introducing tonight.

Ms. McManus continued her review by pointing out the areas that encompass the Plan stating that they took a look at buildings to see what is a good need and similar to the 2012 of the Strategic Planning Committee, what is in need of improvement through SWOT (strengths, weakness, opportunities and threats.) It proved to be a worthwhile exercise showing what is working and what we really need to use to help improve the quality of life and the business climate. It was generally found that those positive aspects, the strengths, and opportunities have to do with fantastic outside amenities, i.e. Lake Lenape, The Great Egg Harbor River and also the charming walkable downtown and the fact that we are the County Seat, and have traffic coming through to give visibility. While traffic has negative consequences for congestion and safety for pedestrian.. There are challenges for the business climate, vacant buildings in the downtown and some areas that are in need of improvement that the plan will help address.

We have put together a plan very easy to implement, the Township has been thinking about goals for several years, we have created a road map or blueprint of what needs to get done, its importance and who should lead the charge. For each of the recommendations we have a time line identifying priority, potential costs, partners and who the responsible part is to help those who are tasked will have an easy to read checklist of what to do. Ms. McManus then proceeded to review the various sections of the Plan as listed and gave suggestions as to how they might be implemented.

- Goal 1: Protect and Enhance Established Neighborhoods;
- Goal 2: Celebrate the Unique Heritage and Character of Mays Landing;
- Goal 3: Create a Resilient Local Economy
- Goal 4: Promote Mays Landing's Tourism & Recreational Opportunities
- Goal 5: Promote a Safe and Convenient Transportation System that is Accessible to All users.
- Goal 6: Protect Mays Landing from Flood Hazards.

It was suggested the Township collaborate with County who owns parks and buildings in the town, and the State for improving the traffic and pedestrian safety and to collaborate with the others, i.e. Merchants Association and other associated organizations to promote the plan. Perhaps amend the Zoning ordinance to reflect and promote shared access and easement and help increase the parking.

To help illustrate the goals there are two concept sites in the report that Ms. McManus reviewed with those present. They are a concept of what might be done incorporating today's methods and keep the historic aspect.

Mr. Sartorio advised the Board that this hearing is for the adoption of this plan and we can discuss what was heard so far, get the public input and make a decision as to whether to amend the Township's Master Plan and then move on to the next step.

Chairman Wigglesworth asked if there were questions from the Board, there being none the meeting was opened up for public comment on the matter at hand.

Public Comment

Reverend John Ash, Parson Row, said it was a pleasure to work with Phil and Beth on the subcommittee developing this along with John Kurtz, Arlene Blosch and Cheryl Fetty. He further commented that it is ambitious, comprehensive and thorough, and is visionary. It will take a lot of work, just beginning with necessary ordinances and amendments involved and we cannot just pass it off to Phil but need to involve all the stake holders in the Mays Landing Neighborhood Plan area and go to work and celebrate accomplishment that we have so that at the end of the 3, 4, 5 years, we will have significantly completed the NHP and I look forward to implementation now that we have something so thorough and comprehensive before us.

Mike Collazo, Anytime Fitness, resident of Chancellor Place, purchased the old hardware store and is excited and echoes the words by the pastor. This type of He has met with Phil and has been actively trying to invite investors and as simple as some of the hardscape Beth has presented, may seem like it might not do much, but it does, I have shown some investors potentially looking at our community. It shows that we are actually putting some of this paper to activity as the pastor said, we don't need an election, put it on a shelf and then stop, more activity breeds activity and creates synergy, many hands to lighten load, not just the Planning Board, but the Committee, community, merchants, investors, all in made investment and is really excited.

Bruce Strigh, North Street, agrees with Mike and John and their comments, it is a very good plan, ambitious but I think as Reverend Ash has said we have had several plans and once it gets to top it needs a vehicle to begin relatively soon with due diligence to keep it moving forward. Mr. Strigh volunteered his time.

Mary Short from Route 50, Laureldale, stated she liked Mr. Strigh's use of the key word, volunteer, and volunteered her time. She is a Rutgers Master Gardener for Atlantic County and has lots of ideas for hardscape and is willing to assist.

Chairman Wigglesworth thanked all for their input.

Mr. Giordano moved to close public portion, seconded by Mr. Cheek. SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING "AYE", NO "NAY", AND NO "ABSTAIN".

Mr. Giordano felt the presentation was very good and suggested so that this does not get put on the shelf, a subcommittee with members be formed with planning board members, residents, and people who are into this project, like Mr. Collazo and Mr. Strigh. Like Mike says when he is "all in" he has something to gain. We should have a quarterly report as to what is going on. Mr. Giordano feels that if you get just two businesses on Main Street, you will see a change.

Mr. Sartorio agreed with Mr. Giordano and informed those present that if the Board adopts this tonight, it gets sent to the Township Committee. With the recommendation at the Committee level they may form a subcommittee or ad hoc committee and as indicated in the table "who are responsible, Planning, HPC, County liaisons, good coming from here, sometimes the extra juice coming from the top really helps and that is one of the things at our last get together the Steering committee discussed, it needs periodic meetings to report progress.

Mr. Kurtz commented how very proud he is of working on this with all involved and as has been said some of this seems redundant, but feels that it puts a face on the hard work that Harvey

Kesselman did a few years ago. We see pictures, and that is the “face”, it is the reward and we have to take that step and move it forward.

Mr. Wigglesworth commented that he feels this is largely the information and context, from the hard work and dedication of our volunteers of the Strategic Planning Board, our Board and the residents here and it didn't cost us and hopefully we will get grants and use someone else's money.

Mr. Bilicki commended Ms. McManus for putting the table together and how valuable the table is in that it identifies the action item, time frame, priority, responsibilities, who our partners should be and the cost. When we move ahead, we need to tackle the low, simple things, then coordination and then work on the harder ones as we deem fit.

Mr. Wigglesworth asked for further comments,

There being no further comments, motion was made by Mr. Giordano and seconded by Mr. Cheek to amend the Master Plan incorporating the Mays Landing Neighborhood Plan as presented this evening by Elizabeth McManus of Clarke Caton Hintz.

ROLL CALL VOTE:

BILICKI – Yes – great idea

CHEEK –Yes

CHOYCE – Yes - having participated in strategic planning process and working on that committee for more than two years it is very rewarding having this is an outcome, and the specific points like Mr. Bilicki pointed out the chart and recommendations are very clear benefits are clear, and it gives a good clear target for people to try to achieve target.

GIORDANO - Yes

KURTZ – Yes, moving this forward is great this is great, a long time coming and something we need to do.

ROGERS – Yes

WOMELSDORF – Yes

PERCY – Yes – encouraged by the plan, well done, very professional and looks like a gateway project

WIGGLESWORTH – Yes – very well prepared, excited about this tangible evidence and is a play book that brings us to where we want to be.

SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING (9) “AYE”, NO “NAY”, AND NO “ABSTAIN”.

Presentation of findings of Mays Landing Historic District Area in Need of Rehabilitation

Mr. Sartorio continued with the second part that is also grant funded, and comes out of the Post Sandy Strategic Planning Grant in addition to the Mays Landing Specific Plan it also recommended that the Township undertake an investigation to determine if the MLHD met the criteria for being designated as an area in need of redevelopment or rehabilitation only because under New Jersey law if you meet the criteria, you are allowed to adopt a redevelopment plan but more important from an operational perspective it will allow the Township to implement what is commonly known as a tax abatement programs. If it is a rehabilitation area it is 5 year abatement and if redevelopment it can go into a longer term of in payment in lieu of taxes agreement. The two plans, go hand and hand, although two separate actions. The resolution submitted to the governing body designating the Mays Landing Historic District and area in need of rehabilitation along with the rehabilitation study that this body has, Township Committee by statute is required to refer to you for your review and recommendation.

Ms. McManus then continued that she will now talk about the rehabilitation study and then give a preview of what would be included in a rehabilitation plan if the Township Committee does designate the area. The rehabilitation Study area and recommended area was the entirety of the Mays Landing Historic District as shown on the map in pink that is in the packet.

A rehabilitation area is an area that through the local redevelopment housing law meets any number of conditions. For the purpose of this study they relied on two of them, the homes are primarily 50 years or older and based on upon that review and that this area is in the Historic District that the majority of homes are 50 years or older. There are 250 properties in the study area, entirely residential partially not only single family homes but also properties with multifamily or apartments and commercial mixed use properties contribute to the criteria. The other criteria is those that are vacant or deteriorated for which there were quite a few, the Duberson School, Mill Complex (currently in redevelopment) and the American Legion Building. Once looking at this we conclude that the study area does meet the criteria of an area in need of rehabilitation. I went through and have put all of the findings and the documentation that the state law requires us to put into the rehabilitation study you have before you.

Rehabilitation study does not put forward any policy or recommendation is an objective offinding of whether the properties meet the rehabilitation criteria or not, and it was founded that they did. The Township Committee has introduced an ordinance that would designate this area previously and now it is presented to you for review and recommendation. You may want to think about the report but also the study is an outgrowth of the Neighborhood Plan that you adopted moments ago.

Ms. Mc Manus then offered to answer any questions that the board might have.

Chairman Wigglesworth remarked that we have been through some rehabilitation applications, Atlantic City Race Course and the Industrial Park and the Board is familiar with rehabilitation. .

Mr. Giordano asked that due to their findings if we would qualify for certain monies and be entitled to abatement and things like that. Ms. McManus explained the benefits to the community if the Township does a redevelopment plan they will have the ability enact stronger land use laws if so desired, perhaps not now but in the future, to create stronger control over i.e. architectural controls, storm water management, but in addition create tax incentives to create development or redevelopment and as Phil said, the primary one relied upon on is the rehabilitation which is for 5 year tax abatement and exemption, where redevelopment is 30 years.. One of the things that does not come into rehabilitation area, the most important exception is eminent domain and does not have the power. RC does it protect the township from eminent domain power through the redevelopment statue. Ms. McManus responded that it has no impact.

Mr. Bilicki asked Mr. Sartorio what the next step would be and he replied that next step with this recommendation will be on the December 3 agenda for discussion at the Governing Body, if you recommend favorably, they can approve the resolution, that gets forwarded to the DCA it meets criteria but it is a procedural to review and determination, The Township Committee would then take up introduction of the Redevelopment Plan that has to be created by Ordinance. That would be coming back for your formal action, presumably The December 3 meeting which gives you some time to look at it and also gives attorney and the DCA since they are overseeing this thing to make sure we have all the t's crossed and I's dotted. Is the PB agreeable with the resolution, any findings you would like to make in addition to what has been presented.

There being no additional comments, Mr. Giordano moved and Mr. Bilicki seconded to forward a resolution to the Governing Body recommending the Mays Landing Historic District as an Area in Need of Rehabilitation.

ROLL CALL VOTE:

BILICKI – YES	CHEEK – YES
CHOYCE – YES	GIORDANO – YES
KURTZ – YES	ROGERS – YES
PERCY – YES	WOMELSDORF – YES
WIGGLESWORTH – YES	

SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING (9) “AYE”, NO “NAY”, AND NO “ABSTAIN”.

Steering Committee Preview of the Proposed Mays Landing Historic District Redevelopment Plan

Ms. McManus then proceed to preview the Redevelopment Plan as a draft, it was not introduced by Township Committee. Our grant with DCA is about to closed close and we want to make sure Board is comfortable with the plan.

She continued that the Redevelopment Plan before you is meant to be simple and flexible and to allow for the Township to reposition itself in the future as it sees fit during a more comprehensive neighborhood plan. Instead of creating a new zoning district and boundaries to the plan it simply states that all that is regulated in the existing area will continue under the redevelopment plan. It also mean that if you decide you want to amend the VC, R9 or R22 in the future, you can just change it through your existing township ordinance and the redevelopment plan will be updated with any Zoning changes that are done.

The other purpose for the redevelopment plan is that we are crafting incentives to promote development in Mays Landing that the Neighborhood Plan recommends, i.e. Improvements to 1 or 2 family homes, and the assessed improvement can be spread over a schedule of time i.e. 5 year period, with the 6th year being back to 100% of the value of the home. It is felt that it gives an incentive for improvement and give the folks a break if thinking of improving their property.

The other side for the tax exemption is for those commercial properties, who want to improve existing, build new commercial and also multifamily projects. These projects in the redevelopment plan are given the same incentives as has been put in the Industrial Rehabilitation area. Redevelopment is very simple, it sets up exemptions but will be regulated just like the other area. If you update one area, you only need to do it once, it the includes other. Single step process for future development.

Mr. Bilicki questioned if is for the improved value for commercial. Ms.McManus responded that it is for new and improved for Commercial, for homes it would be for improvements.

Amendment to Old Harding Highway Redevelopment Area - Review & Recommendation

There is an ordinance before the Governing Body that deals with the redevelopment area known as Old Harding Highway, which is also known as 45 Mill Street or the newer of the Wheaton structures.

When that area was created there was a sunset provision written into the redevelopment plan, which basically says that the provisions of the plan will expire within 5 years of the certification of the ordinance by Pinelands Commission. That was 5 years was up on October 9, 2015 and the economic condition of the area has not improved to gain interest in the property. The property owners have submitted a request to the Governing Body and an ordinance has been introduced to amend that section that the provisions of the redevelopment plan would expire and would revert to the IBP Zoning reinstated on October 9, 2020, which is ten years after the initial certification from the Pineland Commission. It is a five year extension and hopefully something will get started there.

Discussion ensued as to the area, it being the continuation of Main Street also known as the Main Street Design with commercial, residential, single and duplex homes encompassing the area to Wheaton Avenue.

Mr. Sartorio further explained that this is not an actual development approval, it is a regulation approval, and keeps it in the realm of the Township and the Governing Body. The owners may have to come back and there may be a time when the Committee can say no. This gives some level of control to the Governing body if it is never going to happen.

Mr. Choyce asked for clarification of the area it and it has to be sent to Pinelands for review, to which Mr. Sartorio responded that it did but it may not need to go through the whole Commission, it might be able to be done administratively.

A Motion was made by Mr. Cheek, seconded by Mr. Kurtz that the Board recommends the ordinance amendment to extend the period of expiration for the Old Harding Highway Redevelopment Area be extended to October 9, 2020.

Chairman open to vote, with all members voting aye, no nay, no abstain. Motion carried.

Chairman opened meeting to public comment, there being none, Mr. Choyce moved, seconded by Mr. Kurtz, to close the public portion with all members voting aye.

Motion to adjourn was made by Mr. Giordano, seconded by Mr. Bilicki with all members voting aye.

Respectfully submitted,

Mary A. Lisitski
Planning Board Secretary.