

Minutes of the South Toms River Land Use Board

March 20, 2017

A meeting of the South Toms River Land Use Board was held at South Toms River Borough Hall on Tuesday February 21, 2016 and called to order at 7:00pm.

LUB secretary Kayla Rolzhausen called to order a meeting of the **South Toms River Land Use Board at 7:00pm at Borough Hall.** *This meeting was published in the Asbury Park Press on February 1, 2017 and posted on the Bulletin Board in the Municipal Building and therefore dually advertised.*

Roll Call

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro				√	Whalen	√			
Serdinsky	√				Gleason	√			
Grams	√				K Rolzhausen	√			
Glogolich	√				Cradle				
T Rolzhausen	√								

Abs- Abstain Ab-Absent

Approve the Minutes

Approve the Minutes for February 21, 2017

A motion was made by **Mr. Hemmann** Second made by **Ms. Roush**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro				√	Whalen	√			
Serdinsky	√				Gleason	√			
Grams	√				K Rolzhausen			√	
Glogolich	√				Cradle				
T Rolzhausen	√								

Abs- Abstain Ab-Absent NV-Not voting

Old Business

Memorializing Resolution 2017-03 Block 7 Lots 2, 3, 4, 6.02

A motion was made by **Mr. Serdinsky** second by **Mr. Glogolich**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro					Whalen	√			
Serdinsky	√				Gleason			√	
Grams	√				K Rolzhausen			√	
Glogolich	√				Cradle				
T Rolzhausen	N/V								

Abs- Abstain Ab-Absent N/V- Not Voting

Motion was approved

New Business

Resolution 2017-04 Block 20 lots 11.02 and 12

Mr. John Barree with the engineering firm Heyer, Gruel & Associates discussed the criteria needed to make a property an area in need of redevelopment. He stated there are 8 different items that can enable it to be an area in need of redevelopment. However it only needs to meet one of the requirements. He explained the area being vacant for 10 or more years makes it qualified to become an area in need of redevelopment. Mr. Serdinsky questioned who the current owner of the property is. Mr. Barree stated the owner is 530 LLC. Mr. Whalen questioned if the property is under contract and stated there was a meeting previously where a developer stated they were under contract. Mr. Barree said he had no knowledge of it. Mr. Glogolich spoke and said Mr. Barree is here for the study to determine if the area is in need of redevelopment. Mr. Serdinsky asked what the best use of this property is. Mr. Barree stated he did not do a evaluation of that and that real estate is not his specialty. Mr. Serdinsky asked if Wawa litigation would have any effect on that criteria. Mr. Barree stated that's it's not so much the area not have interest but that it was and has been vacant. Mr. Serdinsky Asked about the current requirements as related to uses permitted and setbacks etc. Mr. Barree stated that the study doesn't take that into consideration. Mr. Hemmann asked about the resolution being considered and how it stated the LUB will investigate. Mr. Barree said what we are doing tonight is considered to be investigating. Mr. Hemmann asked about the posting requirements and if it was met. Ms. Rolzhausen showed him the posting which satisfied Mr. Hemmann. Mr. Hemmann asked if we received any recommendation from the community advisory board. Mr. Rolzhausen answered and said they send recommendations to council. Mr. Rolzhausen asked about the requirement only needing to meet 1 of the requirements. Mr. Barree said there was no benefit or bonus meeting additional requirements. Mr. Hemmann commented the Mr. Barree did a great job on the study. Mr. Serdinsky asked Mr. VanDyke what's the process for going with a zone change rather than this route. Mr. VanDyke said it would take an ordinance which would require 2 meetings. Mr. Serdinsky expressed concern that if the board votes to accept this it's going to come back to us similar to when the residents came out last time. When it was something council did. (Referring to the April 2016 meeting).

He stated he believed in transparency. Mr. Rolzhausen stated that the meeting Mr. Serdinsky was referring to is the same meeting as tonight’s meeting just a different property. There is no members of the public here. At that meeting we told the residents that they were picking on the wrong group and it was council that they should be directing there concerns too Sandy Ross gave a speech at that meeting explaining this. As far as transparency goes the mayor and council created a citizen advisory group to get feedback from the residents. On several occasions through various means we have tried to get more people involved but only get the same few people coming out. The past meeting we had with the community we posted it in the paper and even on various sites on Facebook. We even made sure that everyone on the LUB was aware of the meeting. Also the borough and the developer set up to have the potential developers engineer come to give a presentation tonight for members and public who wasn’t able to come to the previous meeting to hear their concept plan and to listen to suggestions and recommendations. Mr. Hemmann ask if Mr. Barree was associated with the engineer who worked on the other studies. Mr. Barree stated this was their first interaction with the borough. Mr. Barree stated that if this is found in favor of area of redevelopment there would be a further round of review which would consist of a public process. Mr. Serdinsky asked what the permitted uses in a SED zone are. Mr Rolzhausen stated that is understanding was that he wasn’t sure but believed it was open to either commercial or residential but any use would have to come to the LUB for approval. Mr. VanDyke question our engineer Mike O’Donnell about uses in the SED zone. Mr..O’Donnell confirmed the same. Mr. Whalen brought up about a tax abatement for the developer. Mr. Rolzhausen said yes there is but it would be negotiated and it would have to be beneficial to both the developer and the borough. Mr. Gleason commented that we went through this process with the landfill and now it looks like nothing will be happening there because it’s not good for either sides. Ms. Grams questioned if this is the same developer as the Landfill site and how are they going to cap the landfill if nothing is happening with the site unless it’s connected with this site. Mr. Rolzhausen said yes it is the same developer and the borough plans are still to get the landfill capped. How it will get capped is still unsure and there are talks still in the early stages that are too early to discuss. Ms. Grams question if approved and the developer backs out how long does it stay and area in need of redevelopment. Mr. Barree said the council can take it off the list. But typically it stays for 30 years or until the redevelopment is complete.

A motion was made by **Mr. Gleason** second by **Mr. Rolzhausen**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Roush	√			
Petro				√	Whalen		√		
Serdinsky		√			Gleason	√			
Grams		√			K Rolzhausen	√			
Glogolich	√				Cradle				
T Rolzhausen	√								

Abs- Abstain Ab-Absent N/V- Not Voting

Motion was approved

Presentation from M&T engineer Ron Aulenbach

Mr. Aulenbach gave a presentation of their concept plan and vision for the property (Block 20 lots 11.02 and 12) which they are currently under contract to purchase. He took questions and comments from the board.

Approve to Pay Bill

No bills were approved to be paid

Chairman's Report

The chairman had nothing to report

Questions from the Public

None

Adjournment

A motion was made by Mr. Rolzhausen and second by Ms. Grams and an affirmative voice vote of all LUB members present. The meeting was adjourned at 8:34 PM