

Minutes of the STR Land Use Board

September 21, 2015

A meeting of the South Toms River Land Use Board was held at the South Toms River Borough Hall on Monday September 21, 2015 at 7:00pm.

Called to Order

LUB Secretary (Kayla Rolzhausen) called to order a meeting of the **South Toms River Land Use Board at 7:00 pm at Borough Hall.** *This meeting was published in the Asbury Park Press and the Bulletin Board in the Municipal Building and is therefore dually advertised.*

Roll Call

Those who were present for the meeting were: Mr. Vandyke (LUB Attorney) Michael O'Donnell (engineer)

Present: Mr. Hemmann, Mr. Gleason, Mr. Rolzhausen, Mr. Whalen, Mr. Sykes, Mrs. Cipriani and Mr. Glogolich

Absent: Ms. Silvestri, Mayor Cradle

Excused: Ms. Grams

Swearing in of mayor appointee Jean Cipriani by LUB attorney Mr Van Dyke

Approval of the Minutes for July 20 meeting

No changes were needed

A motion was made by **Mr. Glogolich** Second made by **Mr. Gleason**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann	√				Sykes	√			
Rolzhausen	√				Whalen	√			
Silvestri				√	Gleason	√			
Grams				√	Cradle				√
Glogolich	√				Roush				√
Cipriani			√						

Abs- Abstain Ab-Absent

Motion passed

New Business

Redevelopment investigation report Block 20 Lots 1.04 and 1.05

Mrs. Cipriani step down as she has a conflict of interest

Mr. Sean Duane (special counsel for STR borough) spoke about the reason for the redevelopment of said property. That it has been brought to LUB to see if it meets the criteria for redevelopment and stated being the borough owns the property there is no threat of eminent domain to any private property owners. He stated Dave Roberts from Maser Consulting will discuss the criteria for redevelopment in detail.

Dave Roberts from Maser Consulting discussed the findings and the criteria of the statutes of redevelopment. Mr. Robert summated a power point presentation as Exhibit 1 and the investigation report as exhibit 2. A copy of the report has been on file with the borough as required by the law. The findings included past analysis and current research including walking with a borough employee. He completed his discussion as to why the property meets the criteria for redevelopment and took question from the board.

Mr. Whalen questioned the investigation report page 26 paragraph 2 why this was included as this property was not part of the property as known at the landfill.

Mr. Roberts stated this was possibly a miss-proofing error but it was not related to this case.

Mr. Whalen said he wanted to be sure it was not trying to be piggy backed on with this issue.

Mr. Robert stated it was not

Mr. Whalen questioned about the contaminants in the water and what happens if the land is redeveloped?

Mr. Roberts said they have monitoring wells which are sampled every 3 months. If a redeveloper was to redevelop they would need to follow and meet requirements under the law.

Mr. Sykes questioned the \$1.5 million cost and who would be responsible for that cost?

Mr. Roberts said if the town continues ownership of the land it would be their responsibility.

Mr. Roberts stated this is not a study of how to cap the land fill but whether it meets the criteria of redevelopment.

Mr. Sykes questioned about the language of housing in the study.

Mr. Roberts stated the statues were combined to include housing and redevelopment together.

Mr. Whalen question about it being listed as a brown field area.

Mr. Roberts said he wasn't aware if it was listed as a brown field area.

Mr. Whalen stated that the report stated that there was methane and water contamination so they already know the contaminants.

Mr. Roberts said they believe they have found all the contaminants from a report completed in 2011 and have a handle on the challenges for the site and with regards to that it could be a brown field site.

Mr. Sykes said this is an issue that should be resolved

Mr. Roberts said yes and with this redevelopment it could take the burden from taxpayers and put on a redeveloper.

Mr. Whalen stated the town is responsible for the cleanup but if its redeveloped it would be cleaned up and the town would get a ratable.

Mr. Roberts stated the property value could be nothing, but with a redevelopment the towns cost for closing the land fill would be nothing and eventually down the road could generate revenue for the town without having the cost for closing.

The chairman stated being there was no other question he asked if the professionals had any questions or comments. Mr. Van Dyke said he felt as an attorney that it met all the criteria for redevelopment and that what we are here to determine.

Mr. Van Dyke read the resolution to be voted on and stated that he felt it was in compliance with the laws and regulations

A motion was made by **Mr. Glogolich** Second made by **Mr. Rolzhausen**

Member	Yes	No	Abs	Ab	Member	Yes	No	Abs	Ab
Hemmann		√			Sykes	√			
Rolzhausen	√				Whalen	√			
Silvestri				√	Gleason	√			
Grams				√	Cradle				√
Glogolich	√				Roush				√
Cipriani	NV								

Abs- Abstain Ab-Absent NV- Not voting

Motion passed

Old Business

LUB application was discussed and asked if everyone could send any changes they felt were needed so that a application with all changes can be discussed.

Mr. Hemmann question about the resolution for Erbe site plan and asked why it wasn't posted after it was memorialized. The applicant was suppose to post it. Will follow up with the applicant and rememorialize at a future meeting

Chairmans Report

Questions from the Public

No question from the public

Adjournment

A motion was made by **Mr. Rolzhausen** **Second** made by **Mr. Sykes** and an affirmative voice vote of all the LUB Members present. The meeting was adjourned at 8:15**pm**.