

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2016-5, WITH THE REQUEST OF THE HOME NEWS AND TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME, AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING.

A meeting of the Planning Board was held on February 16, 2016, commencing at 7:00 PM in the Middle School Cafetorium, South River, NJ.

Present were: Mr. Beck, Mr. Clancy, Mr. Evanovich, Ms. Farren, Mr. Jones, Councilman Trenga, Ms. Urbanik and Ms. Wilk.
Mayor Krenznel arrived at 7:20 pm.

Also present were: Mr. Barlow and Mr. Bletcher, Planner.

Absent were: Mr. Davis, Mr. Santos

The minutes of January 19, 2016 were submitted to the Board for acceptance or/and amendment. Ms. Farren moved that the minutes be approved with corrections noted. Mr. Clancy seconded the motion. All present

ORGANIZATION:

RESOLUTIONS

RES: 2016-4

FEBRUARY 16, 2016

RESOLUTION

BE IT RESOLVED that Ms. Sheryl Nevin, is hereby appointed to the position of Secretary (Clerk) to the South River Planning Board for the year 2016 in accordance with the current borough salary ordinance/resolution.

DATED: February 16, 2016

/s/ Michael Beck
Michael Beck, Chairperson

Moved by Ms. Urbanik. All present approved.

BOARD BUSINESS & CORRESPONDENCE

Letter received from Mr. Sachs regarding 50 Main Street, dated February 16, 2016. Mr. Barlow explained that he is objecting to "Criteria F" of the Redevelopment Area Study. Mr. Clancy made a motion to file Mr. Sachs letter, seconded by Mr. Trenga.

Letter from Mr. Sachs dated January 28, 2016 requesting the Public Hearing be carried over to April 19, 2016 for PB2015-09 St. Mary's Coptic, 80 David Street. Received and filed on a motion made by Ms. Farren, seconded by Mr. Clancy.

PUBLIC HEARING (continued from 1/19/16)

Main Street Redevelopment District Study Area

Mr. Todd Bletcher, Senior Planner with Bignell Planning Consultants Inc., presented an overview/summary of the Lower Main Street Redevelopment District Area Study.

Mr. Beck noted that the notice of this meeting was in The Home News Tribune on January 26, 2016. Mr. Clancy made a motion to enter the notice into the record, seconded by Mr. Trenga.

Mr. Beck noted that he was not present at the previous meeting but reviewed the tapes so he is eligible to vote.

PUBLIC COMMENTS

Alan Kane, 35/37/39 Main Street

- His building was The Capital Theater years. Questioned permitted uses of his building, is he grandfathered for the uses of the building, sizes
- Mr. Barlow stated that this process has nothing to do with the Zoning of his building; what he is referring to deals with the Zoning Ordinance.
- Mr. Bletcher stated that Criteria F is not an assessment of his property but how storms have affected impacted the physical area
- Ms. Farren questions pre-existing non-conforming use, Mr. Bletcher clarified

Laurence Sachs, Attorney for 50 Main Street, Amin Mohad

- Property owners are questioning why this study is taking place and the term blighted was used in the past and questioned if there will be a redeveloper
- Mr. Barlow responded that a recommendation will go to Council; the area does not lend itself to a redeveloper coming in; the public and property owners will have various opportunities to have input
- Mr. Sachs stated that property owners do have the option to opt out of the plan

Ed Trygar, 44 Ferry Street

- Submitted for the record a copy of the Sentinel Article of 1/20/16 and letter from Mr. Trygar dated 2/16/16 stating that the program is voluntary and he is opting out
- Questioned redevelopment over the years; Mr. Bletcher stated that redevelopment is a constant process
- Reid Street Redevelopment listed assessment of properties, this is not in this new plan.
- Mr. Trygar does not agree with figures based on 2013, they should be current values and the majority of the properties downtown have been redone, not altered by the storms like stated in Criteria F
- Additional letters submitted 2016 Objection Letter and Assessed Value Chart
- Stated that some people are not coming to the meeting because they think it is voluntary

Mr. Beck questioned Mr. Bletcher on the program being voluntary. Mr. Bletcher stated that no one will be forced to participate; if they choose not to participate they have that right.

Mr. Barlow stated that if the plan is adopted, programs will be voluntary.

Mark Silva, Portuguese Fisherman, Jackson Street

- His business was most financially hit in town; he invested a million dollars to rebuild
- The study is a fact and everyone should look at is the study as “how can it better the town”. This is a study for the betterment of the town and asking the board to pass on to council and let them decide.

Norman Diaz, 16 Alexander Ct., EDC Member

- Has invested in South River and believes in the town and its people
- We want to make our town better, down Main Street stores are vacant – for rent.
- The town needs to attract people, need new ideas and realize that some things have to change.
- Other towns around us are getting better – if we want a downtown area like other towns we need to make some changes. Redevelopment is a good thing.

Peter Ferro, 101 Water Street Property Owner

- Has been through Redevelopment Plans before. Why invest in area that floods.
- Superstorm Sandy was the worst he has ever seen because all the towns including South River are filling in their marshland
- Why invest money in South River when we can't stop the flooding.

Mr. Mikail 45-46 Ferry Street

- We need to see the plan first, what will it look like then. Not against redevelopment but residents don't know what's going on
- Mr. Barlow stated that first the area has to be designated, the statute doesn't allow the plan first, have to meet the criteria first.
- Mr. Mikail submitted his letter to not participate

Bonnie Trygar, 44 Ferry Street

- Agrees with Mr. Ferro, if flooding isn't taken care of, redevelopment isn't going to help
- After the flood people and businesses did reinvest
- Ms. Trygar feels the Master Plan is too restrictive and if the Redevelopment Plan will put more restrictions on businesses

- Downtown should be where business's want to be; business's on Jackson Street and Whitehead Avenue don't have to deal with Redevelopment; asking for some restrictions to be removed

Magdi Mikail, 11-15 Main Street, 65 Ferry Street, 8-10 Washington Street, 1 Reid Street and 6 Eberwein Street

- Stated that residents want the town to be better but the Planning Board doesn't answer their questions, only the Professionals answer the questions. He is asking the Planning Board for explanations.
- Councilman questioned the properties that Mr. Mikail owns in town.
- Mr. Barlow stated that by statute a councilmember is a member of the Planning Board and he reports back to the council and stated that the Planning Board's job is to determine if the properties meet the criteria. Other questions are unfair. The Council votes.
- Mr. Mikail feels businesses were pushed away after Sandy and the study is also to get rid of his rooming houses. Mr. Mikail submitted a letter to exclude his 5 properties from the study

Mr. Beck questioned Mr. Bletcher about existing uses. Mr. Bletcher stated that this refers to the preexisting nonconforming clause/grandfather clause Mr. Bletcher stated that when a new ordinance is changed there is a "grandfather clause" meaning that the existing uses are grandfathered in – they can remain the way they are in perpetuity. The rights of the property are vested in the land, not the property owner.

Michael Pelsky, 15 Ferris Street

- Stated that many Redevelopment Plans are discussed, paid for and put on a shelf

Daniel Andre, 41 Hollander Street and Bedrock Construction

- Other towns who have gone through redevelopment plans have been successful
- He has invested in this town, change is good and hopes that the Planning Board will pass it on to Council

Shawn Hausserman, 211 Willett Avenue

- His personal opinion (not on behalf of Council), he is asking to delay the vote.
- The Master Plan has in it a Main Street Rehabilitation District. Mr. Bletcher commented that it was a Revitalization District that needs further study. Mr. Hausserman questioned the Reid Street area for rehabilitation; from what Mr. Hausserman understands the Reid Street study never went any further
- Questioned the preexisting nonconforming clause and technicalities

Mr. Beck questioned the closing and reopening of same business or totally different business. Mr. Bletcher explained process.

Tabatha Forge, 84 Ferris Street (Home Owner and Landlord)

- Questioned why businesses are leaving, if properties are vacant for 6 years and you want to open up a business – how long does it take? Mr. Barlow and Mr. Bletcher explained the use/zoning process.

Motion was made by Mr. Trenga, seconded by Mr. Clancy

PROFESSIONAL/BOARD COMMENTS ON STUDY

Ms. Urbanik

- Ms. Urbanik stated that the study needs revisions of typos/errors that she will give to Planner
- Questioned “delineations”, for those that opted out of plan, can those areas be delineated
- Ms. Urbanik stated that it doesn’t seem that there are many in support of the study
- Questioned what the guarantee is that the current owners don’t need to conform to elements of the study if adopted. Mr. Barlow commented that there is no adoption, a recommendation is made to the council and the council decides to accept or reject the study. It is not a personal decision of the property owner to volunteer to be in or out.
- Commented that condemnation is not included but there is still opposition
- Ms. Urbanik questioned if elements listed in study can be changed after public hearings and workshops; Mr. Barlow stated that the section she is referring to is the Zoning Code currently in place.
- Questioned how many votes are needed pass the study, who can vote and what are the motions.
- Mr. Barlow stated majority vote, 9 votes. Mr. Jones cannot vote since he was not a member at the last meeting. Mayor Krenzel cannot vote tonight because he was not here at the beginning of the public hearing; if it was to be carried, then Mayor Krenzel can listen to the beginning of the tape and vote at the next meeting. Recommendations to adopt all, none or some of the properties in the study.

Ms. Farren

- Confirmed that the study is based on current Land Use Laws
- Questioned where the Criteria’s were obtained from; Mr. Bletcher stated that it is State Legislature
- Questioned “charrettes” discussed, Mr. Bletcher defined as community workshops

Reopened to the public by Ms. Urbanik, seconded by Mr. Beck

Resident

- Questioned the two parcels that “may be excluded”
- Mr. Bletcher stated:
 - #5 Block 161, Lot 21.01 – small parcel owned by person on Washington Street (residential back street)
 - #6 Block 321, Lot 11 – Whitehead area, residential – not a part of Downtown Main Street area

Mr. Trygar, 44 Ferry Street

- Questioned why Kelly’s Cab is not in the study area; Mr. Bletcher explained it was based on the geometry of the study area

Mr. Clancy moved to close the public portion, seconded by Mr. Trenga

Mayor Krenzel questioned what happens if the Planning Board makes the recommendation; Mr. Barlow explained the procedure. Mayor confirmed that if the Planning Board makes the recommendation to the Council. Council may either accept or reject it by resolution. If it is accepted, then the Planning Board proceeds with charrettes, seminars, etc.

Mr. Beck question if there is a timeframe for this to be completed; Mr. Bletcher stated that there is no timeframe.

Motion made by Mr. Trenga to adopt the study excluding Block 161, Lot 21.01 and Block 321 Lot 11; Mr. Beck seconded the recommendation.

Ms. Farren questioned if Council can consider those that have submitted letters requesting to be excluded. Mr. Barlow stated that those property owners can be heard before the council.

ROLL CALL VOTE:

YES: Mr. Clancy, Mr. Evanovich, Ms. Farren, Mr. Trenga, Ms. Wilk, Mr. Beck
NO: Ms. Urbanik
ABSENT: Mr. Davis, Mr. Santos
INELIGIBLE TO VOTE: Mr. Jones, Mayor Krenzel

PUBLIC COMMENTS

Mr. Barry, 137 Main Street

- He is not objecting to the plan but questioning how the plan will affect his building.

Mr. Trygar, 44 Ferry Street

- Commented on lower Main Street

Magdi Mikail, 11-15 Main Street, 65 Ferry Street, 8-10 Washington Street, 1 Reid Street and 6 Eberwein Street

- Questioned if the Board members studied the 185 pages.
- Mr. Beck and Ms. Farren both commented that they did.

Mr. Clancy moved to close the public portion, seconded by Mr. Trenga.

COUNCIL COMMENTS

Ms. Urbanik welcomed Mr. Jones to the Planning Board.

Mr. Clancy wished everyone a Happy St. Patrick's Day!

AJOURNMENT

Mr. Trenga moved that this meeting be adjourned. Mr. Jones seconded the motion. All present in favor. Meeting adjourned at 9:25 PM.

Minutes approved at Planning Board
meeting held on March 15, 2016.

Respectfully submitted on
March 9, 2016

Sheryl L. Nevin
Sheryl L. Nevin
Planning Board Secretary