

Thursday, November 17, 2022
Minutes of Combined Land Use Meeting
Chairman Eric Hafer presiding

OPEN MEETING – Chairman Hafer announced that adequate notice of this meeting was given by emailing the Courier Post and The Retrospect on January 11, 2022 and posting on the Bulletin Board in the Borough Hall.

FLAG SALUTE – Chairman Hafer lead the meeting in the Pledge of Allegiance and flag salute.

ROLL CALL – recorded as present were Mr. Hafer, Mr. Kane, Mr. Weidler, Mr. O’Keefe, Mrs. Lerley, Mr. Lippincott, Ms. Nasuti, Mr. Lerley, Mayor Barbera and Councilman Redstreak; absent was Mr. Weiss. Planning Board Solicitor Greg DeMichele was also present.

OLD BUSINESS:

- Approval of Minutes of August 18, 2022 - The motion by Mr. Kane, was seconded by Ms. Nasuti, with all in favor, none opposed and Weidler and O’Keefe abstaining.

NEW BUSINESS

Amend 2005 White Horse Pike Redevelopment Plan - Chairman Hafer reviewed Council Resolution #075-2022 DIRECTING THE JOINT LAND USE BOARD TO ENGAGE IN A RE-EXAMINATION OF THE WHITE HORSE PIKE CORRIDOR REDEVELOPMENT PLAN and the “2022 Amendments to the 2005 Determination of needs study (Preliminary investigation) & 2005 Redevelopment Plan” which was previously distributed to each member. Ms. Nasuti was asked to give an overview. Mayor Barbera suggested that questions be saved for the end. Ms. Nasuti began with page one through three detailing the purpose of the Redevelopment law. Factors are obsolescence, vacancy and the need to assemble lots. On Page 3, Ms. Nasuti reviewed the “Changes Since 2005,” highlighting side streets and the Redevelopment Definitions which define the statute. On page 5, the Redevelopment process was reviewed, and the process by which vacant properties were reassessed. It is up to the Planning Board to approve the plan. Ms. Nasuti discussed the Public Hearing, saying once reviewed and approved the Board will have to hold a Public Hearing at a meeting and refer the matter back to Council. On page 7 regarding the “Study Area Boundaries”, Ms. Nasuti said the whole area was looked at and gone through, lot by lot, to determine if they apply to redevelopment including the same areas reviewed in 2005. On page 9, “Property Listing and Description”, there was the 2005 original study area and the 2005 area included by Mayor and Council to implement future redevelopment. On page 8, were properties excluded in 2005, but now included. On page 12, “Statutory Criteria Review”, Ms. Nasuti said the properties were looked at to meet the statutory criteria which are listed on page 12 and 13. On page 13, Ms. Nasuti highlighted a new criterion deemed necessary for assemblage. She reviewed Redevelopment Criterion B, which is primary as discontinuance of use, and reviewed the specific block and lots for Criterion B. She also pointed to Redevelopment Criterion D as primary, because of economic obsolescence saying it was all properties on the White Horse Pike. She reviewed the blocks and lots reiterating that it is essentially all properties facing the White Horse Pike. She also identified Redevelopment Criterion E as primary and underutilized impeding land assemblage and reviewed the blocks and lots saying they meet a number of the criteria necessary and essential, that all the residences fall into the necessary to include for purposes of assemblage, and that not all are to be used but to be made available. She reviewed page 17 saying all lots were identified and each criterium listed. She referred to Figure 3 saying the red is the condemnation zone the pink is the non-condemnation zone. On page 19, she commented that there was a lot of repeat information on the lists, but it was noted that these White Horse Pike parcels are for condemnation and eminent domain. Ms. Nasuti reviewed the objectives, highlighting the land use objectives and the other objectives pulled from 2021 Zoning Ordinance and recent re-examination of the Master Plan. She discussed on page 22 what is permitted from the business commercial zone and conditional and accessory uses, referring to the Zoning Code. Figure 4 differentiates the White Horse Pike Adjacent zone, which are all the properties behind, which would be allowed for residential and professional uses, age restricted housing or accessory use in the business zone. Permitted use in the adjacent zone is the same as residential and age restricted zone, with the verbiage borrowed from townhouses and apartments from

Thursday, November 17, 2022
Minutes of Combined Land Use Meeting
Chairman Eric Hafer presiding

the commercial zone. The rest of the plan material is boiler plate verbiage for land use elements. The eminent domain identification and process was reviewed on page 28. Ms. Nasuti said that the recommendations within the redevelopment plan are consistent with the Borough Master Plan goals and objectives, as provided in the 2021 Master Plan Reexamination and remained consistent with the Zoning Ordinance.

Mr. Hafer opened discussion for the Board, he began by reviewing the red commercial condemnation redevelopment zone. There was discussion of the yellow zones permitted conditional uses, and that they did not want to allow public school because of cannabis or microbreweries. There was discussion of charging stations and parking lots that need charging stations. There was discussion of commercial buildings being allowed on Arch Avenue, to which it was confirmed that the commercial properties must face the White Horse Pike. There was discussion of contiguous lots and building on assembled lots and that they would likely need variances. There was discussion of big box stores encroaching on the residential area, to which it was said that for whatever is in red, it would be allowed, and in yellow, only as long as they are contiguous to properties on White Horse Pike. Businesses like doctors' offices on Arch would be fine, but no other type of businesses facing Arch or side streets. However, if they were fully facing the White Horse Pike, it would be okay. There was discussion of what is attractive to retail, and when they would require a variance. There was discussion of people who would come out for this public hearing, and as a board doing what is best for town as a whole. There was conversation about considering commercial property needs and those attached to property that front on the White Horse Pike. For accessory use on adjacent lots, you must buy a property fronting on the White Horse Pike. There was discussion of what can be done as a Zoning Board body when they come in. Discussion of what would discourage development should they be required to request a variance, saying the downside to it may be that there would be commercial on side streets or on Arch Avenue, even though the backside. There was discussion of the language that says they must face White Horse Pike, and that dumpsters and trucks will come with territory. Buffer strips and fencing will be needed, some of this detail is not in there, they will have to come for relief, then the Board sets the precedent. There was discussion of whether this may scare them away, and whether big boxes would come here anyway. There was discussion of a store called "Just do it, which is a third the size of a Home Depot, of dollar stores. There was conversation that once Walmart opened in Somerdale, ten- or fifteen-years ago, it was thought that development would come our way, but the depth of properties is not sufficient, and adjacent lots are needed for modern development. There was discussion of the criteria which allows lots to be named as necessary for lot assembly. There was discussion of what to allow as accessory uses, to which it was reiterated that they can come in for relief if they want. They would have to negotiate with adjacent property owners for the property and negotiate with the Board for development. Regarding the public hearing, there was concern about the adjacent zone uses allowed, it's possible that once it kicks off there will be a problem with residential. There was discussion about adding broader use than accessory use. Logically developers would want parking in front not in back. It was reiterated that the Board has 30 days to report to council. Public hearing noticing will be in adjacent zone, they will come, with additional discussion of who will come. There was discussion of high taxes versus no commercial ratables, and of ugly properties. It was mentioned that there is less money in the Municipal budget, but taxes go up because revenues go down, which counters the complaining about high taxes. There was additional discussion of residential properties being put in non-condemnation zone just for lot assemblage. They cannot offer the adjacent lots less than market value. There was conversation that it may up the value of properties. Developers will pay for lots if needed and if they want to sell. There was discussion of whether they are more valuable as residential or commercial and how far back in the zone to go, if there was no vision of going all the way to Arch. There was conversation about just being prepared for everything and putting it all in. Previously, everything was about wanting to be nice, with examples of why in the past, certain lots were not included. There was additional discussion about the decision for eminent for commercial and non-eminent for residential, and that the church was included because of rumors that they might eliminate the parsonage. There was conversation about MCI

Thursday, November 17, 2022
Minutes of Combined Land Use Meeting
Chairman Eric Hafer presiding

and Verizon lots and two houses behind included. It was decided not to use prejudice or preference, but to put them all in. There was discussion of how the parsonages are put back on the tax rolls. There was a discussion pointing out that changes need to be made in Chapter 270 as the current 50 feet from residential district should be removed from the ordinance, as they don't need any more problems to overcome. There was discussion of Somerdale's experience with cannabis and that the Borough gets 2% of sales for the town. There was discussion of Bellmawr's revenue. This would make a difference to this town's revenues. There was discussion of adjacent licensing in Stratford and Clementon. There was discussion of state requirements for residency for small stores; and that not everyone on the Board loves the idea, but it seems to be what they are doing. There was discussion of not allowing exits on to Arch Avenue, and of deliveries, dumpsters and perhaps allowing the Arch Avenue properties to be a buffer, to which it was said that defeats the purpose, plus some properties on Arch are problematic. There was discussion of taking Arch Avenue adjacent lots out of the adjacent zone, so as not to have truck on Arch, which was considered counterproductive to the idea of a developer buying the whole block. It was mentioned that in 17 years since the plan was originally adopted, no one has asked for anything. Discussion of condition of structures on the White Horse Pike, and of moving buildings back versus developers not thinking they would have the right to use the adjacent zone and have to gain those variances. There was conversation about them coming in for informal and that it is not smart to take the adjacent lots out.

The motion to approve the 2022 Amendment to the 2005 Determination of needs Study (Preliminary Investigation) & 2004 Redevelopment Plan by Mrs. Ierley, was seconded by Mr. Ierley with Mr. Hafer, Mr. Kane, Mr. Weidler, Mr. O'Keefe, Mrs. Ierley, Mr. Lippincott, Ms. Nasuti and Mr. Ierley in favor, none opposed and no abstentions.

The motion to recommend to Council amend Chapter 270 eliminating 50-foot residential buffer zone by Mr. Weidler was seconded by Ms. Nasuti with Mr. Hafer, Mr. Kane, Mr. Weidler, Mr. O'Keefe, Mrs. Ierley, Mr. Lippincott, Ms. Nasuti and Mr. Ierley in favor, none opposed and no abstentions.

CORRESPONDENCE/OTHER MATTERS

- Dream Tile and 300 Block of White Horse Pike – there was discussion of hearings for full site plan approval and change of use, and site plan review along with what other towns require.
- NJPO Planner was distributed to the Board.

PUBLIC PORTION – Chairman Hafer opened the meeting to the public for questions or comment, hearing none he closed the meeting to the public.

ANNOUNCEMENT - The next meeting of the Laurel Springs Combined Land Use Board is scheduled for Thursday, December 15, 2022, at 7:00 p.m. in the Laurel Springs Recreation Center.

ADJOURNMENT – Councilman Redstreak moved to adjourn at 8:23 pm, with all in favor and none opposed.

Respectfully submitted,

Dawn T. Amadio, Secretary