

CINNAMINSON TOWNSHIP  
PLANNING BOARD  
MEETING  
JUNE 11, 2019

MR. BEDNAREK: In accordance with Section V of the Open Public Meetings Act, Chapter 231, Public Law 1975, notice of this meeting was posted on the Township bulletin board and by advertising this Regular Meeting in the Burlington County Times on January 15, 2019, and in the Courier Post on Saturday, January 15, 2019. In addition, notice was filed with the Municipal Clerk.

Members Present: – Mr. Bednarek, Mr. Jones, Mr. Marshall, Ms. O’Malley, Mr. Segrest, Mr. Sztenderwicz and Mr. McGill.

Also Present: Mrs. Rucci, Secretary and Douglas Heinold, Board Attorney.

MR. BEDNAREK: Public Hearing for consideration to create a Redevelopment Zone within the Industrial Area.

Mr. HEINOLD: The Governing Body acts a Redevelopment Authority. By Resolution 2018-150, they referred the area to us for investigation,

MS. FEGLEY: She gave an overview of her Report.

MR. HEINOLD: Barbara, Table 4 is essentially the conclusions that you reached with respect to each criteria.

MS. FEGLEY: Yes.

MR. HEINOLD: You have a column for Redevelopment Criteria met and another column for Rehabilitation criteria met.

MS. FEGLEY: Right.

MR. HEINOLD: He reviewed Table 4 with Barbara Fegley.

MR. MARSHALL: He wanted clarification on why the Sea Box site fits any of these criterias.

MS. FEGLEY: There is so much going on out there. The excessive land coverage. Visually, there are the Pods and the Containers are visually, everywhere.

MS. O’MALLEY: The Board granted Sea Box authority to stack those Pods. That is a part of their manufacturing process and for storage. They are allowed to be a certain height. There was a height restriction in the Resolution, that we passed. How does that play, in to what your criteria is?

MS. FEGLEY: That is one of the purposes of a public hearing to bring things like that out. Do you know what the height requirement was.

MS. O'MALLEY: I believe it was 3 boxes high on the perimeters. It was supposed to be a beige or flat color somewhat consistent along with the rail lines. That is my memory of what the resolution was.

MR. JONES: Did you contact the property owners or are these just observations?

MS. FEGLEY: These were observations.

MR. BEDNAREK: He opened the public portion of the meeting.

MR. MILES: Miles Distribution (Owned by Bart's Equipment Service) – If something on my property needs to be done, let me know.

MR. TOGNINI: A and R Recycling – 1004 Union Landing Road. He has been 27 years. He purchases scrap metal from about 100 companies. He expressed concern about his property being blighted.

MR. YOUNG: The idea of this is to offer opportunities to businesses.

MR. GILLESPIE: Attorney for Sea Box. He was wondering if it would be helpful to the Board, in light of Mr. Marshall's comments, to have some testimony from a Planner brought in by Sea Box to testify in support of why we would be are an area in need of Redevelopment. We had discussions with the Township for many months.

MR. MARSHALL: In this Graph it has Redevelopment Criteria met, Rehabilitation Criteria met, is there a reason why the Sea Box site itself that needs to be in the Redevelopment Criteria in lieu of the Rehabilitation Criteria?

MR. BEDNAREK: We will take a five minute recess.

MR. BEDNAREK: At this time, I would like to reconvene the Planning Board Meeting.

MR. HEINOLD: He wanted to get a consensus from the Board. There is an ability for the governing body to refer an area of investigation to us. The highest level of determination would be that if something not only does it meet the redevelopment criteria, but it also meets a definition of blight as is set forth in the statue of case law and therefore, Eminent Domain is suitable. That all has to be laid out in notices as we have done here. However, the Board can make a lessor finding which is the redevelopment criteria or statutory criteria set forth on that grid on Table 4. Some properties meet that criteria, but the level of blight determination is not suitable here. If the Board is amenable to that it is certainly within its power to make a determination that a redevelopment designation can apply, but the power of Eminent Domain would not go along with that and that would be the recommendation back to the governing body. That is for the Board's consideration. The impact of that on a property owner would be if they

are within a redevelopment zone, they can take advantage of the benefits associated with being a redevelopment zone. If they decide not to and just continue to operate as they have been, they are free to do so and there is no threat of a taking hanging over them.

MR. GILLESPIE: There are some opportunities available through a redevelopment designation that are not available through a rehabilitation designation. If the Board is inclined to down grade their redevelopment designation, to a rehabilitation designation on the Sea Box property, I would ask that you give us the opportunity to present Planning testimony to you as to why it is a redevelopment area and why it should be eligible for all the tools.

MR. MARSHALL: If we are taking eminent domain and condemnation off the table, I have no problem keeping it in there.

MS. O'MALLEY: Most of the people on this Board were very concerned that we weren't confident that we were meeting a blight standard, which is why we are taking Eminent Domain off the table. All we are really trying to do is if there is an ability to give any of you, if you have future buyers, an opportunity to go higher build differently, you have that opportunity.

Leslie (Inaudible) She spoke about having and Industrial Business.

MR. RILEY: He spoke about using the local businesses.

MR. MITCHELL: Project Manager and Site Manager with Hoeganaes Corporation. They made significant investment. We look at this like opportunity. He hopes they can take advantage of the plan.

MS. TONETTI: It would be useful, helpful and productive to understand at the opening that this is positive not negative.

MR. LONGO: He thanked the Board for doing the right thing.

MR. BEDNAREK: He closed the public portion of the meeting.

Mr. Heinold and the Board discussed Table 4.

MR. HEINOLD: He listened to the Board's discussion and the only real distinction was that the redevelopment criteria met would remain a yes, but with an understanding that it does not meet the definition of Blight and therefore, does not include the ability to have Eminent Domain applied.

A MOTION IS MADE BY MS. O'MALLEY, seconded by Mr. Jones that the following properties meet redevelopment criteria without the ability to use Eminent Domain: Airgas Specialty Gases, Sea Box, Myles Warehouse, Hoeganas, the Sea Box L Shaped Lot and Homet Realty. For Rehabilitation Criteria the properties that would be included would be: Colonial Land Enterprises, Airgas, Sea Box, Myles Warehouse, Hoeganas, Du-Mor Blade Company, Colonial Land Enterprises, A & R Recycling, the Sea Box L Shaped Lot and Homet Realty. The

following properties would not qualify under either: TNT Equipment, L & L Redi Mix, the two Pierson Cinnaminson Properties, Waste Management, none of those properties are checked off for either redevelopment or rehabilitation. ROLL CALL VOTE: AYE, Mr. Jones, Mr. Marshall, Ms. O'Malley, Mr. Sztenderwicz, Mr. McGill and Mr. Bednarek, Abstain, Mr. Segrest, no opposed, motion passes.

MR. HEINOLD: He asked if the Board could take another five minute recess. He has a Resolution to memorialize what we did tonight. We made a couple of minor changes in the hearing process. He needed time to mark up the Resolution.

The Board took a recess.

The Meeting reconvened.

MR. HEINOLD: He reviewed with the Board the revisions to the Resolution recommending area in need if redevelopment and/or rehabilitation to the Township Committee – Industrial Area.

A MOTION IS MADE BY MS. O'MALLEY, seconded by Mr. Sztenderwicz to approve the Resolution recommending area in need if redevelopment and/or rehabilitation to the Township Committee – Industrial Area. Block 610, Lots 1, 2.01, 2.02, 2.03, 3 and Block 702, Lots 30, 31, 32, 33, 34, 36, 37, 38, 39 and 40. ROLL CALL VOTE: AYE, Mr. Jones Mr. Marshall, Ms. O'Malley, Mr. Sztenderwicz, Mr. McGill and Mr. Bednarek, Abstain, Mr. Segrest, no opposed, motion passes.

Mr. Heinold will coordinate with Barbara Fegley to have Table 4 updated

A MOTION IS MADE BY MR. SEGREST, seconded by Mr. Sztenderwicz to approve the Resolution granting minor subdivision approval to CSH Siena, LLC, 600 Hilltop Road, Block 2102, Lots 55.01 and 33. ROLL CALL VOTE: AYE, Mr. Marshall, Mr. Segrest, Mr. Sztenderwicz, Mr. McGill, Mr. Bednarek, Abstain, Mr. Jones, Ms. O'Malley, no opposed, motion passes.

A MOTION IS MADE BY MR. SEGREST, seconded by Mr. McGill to approve the Resolution granting Minor Subdivision Approval to Richard Greco, 723 Public Road, Block 1713, Lots 1 and 1.01. ROLL CALL VOTE: AYE, Mr. Marshall, Mr. Segrest, Mr. Sztenderwicz, Mr. McGill, Mr. Bednarek, Abstain, Mr. Jones, Ms. O'Malley, no opposed, motion passes.

The Board will adopt the May 14, 2019 Meeting Minutes at the next Planning Board Meeting,

MR. HEINOLD: He updated the Board on the Affordable Housing Hearing date. The target date is August 13<sup>th</sup>.MR. BEDNAREK:

MR. YOUNG: He stated that the standards need to get done.

MR. BEDNAREK: He closed the public portion of the meeting.

MS. O'MALLEY: She suggested that we need to be more open and forthcoming and to explain this better to the public. We as Board members need more clarity.

A MOTION IS MADE BY MR. SEGRETT, seconded by Mr. Sztenderwicz to adjourn the meeting. The meeting is adjourned. VOICE VOTE: ALL AYE, no opposed, motion passes.

Duly passed and Adopted

Respectfully submitted

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Patricia Rucci