

## CINNAMINSON TOWNSHIP COMMITTEE

June 1, 2020

### Meeting Minutes

Mayor Horner announced that the Regular Meeting of the Township Committee was being held electronically via Zoom. This meeting was held in accordance with the “Open Public Meetings Act,” P.L. 1975 c.231, having been duly noticed to the Burlington County Times and the Courier Post on January 11, 2019.

In attendance: Mr. Conda, Mrs. Kravil, Mr. McGill, Deputy Mayor Segrest, Mayor. Horner. Also present: Administrator Eric Schubiger, CFO Julia Edmondson, Municipal Clerk Lisa Passione; Michael Minton, Director of Economic Development; Stuart Platt, Solicitor;

Mayor Horner opened the meeting with the Pledge of Allegiance.

A statement was made by Mr. McGill on behalf of Township Committee - We would like to take this time to acknowledge the tragedy that occurred in Minnesota and its impact on our country. We support a citizen’s first amendment rights and peaceful protesting, as well as our law enforcement officials who are entrusted with maintaining public safety within our community. We believe that working together and having a civil discourse is the proper way to address this important issue. Thank you.

### ORDINANCE PUBLIC HEARING

Ordinance 2020 – 4 Amended – An Ordinance of the Township of Cinnaminson, County of Burlington, And State of New Jersey, Adopting A Redevelopment Plan for Block 610, Lots 2.01, 2.02, 2.03 And 3 And Block 702, Lots 39 And 40 On The Official Tax Map of the Township of Cinnaminson in Accordance with The Requirements of the Local Redevelopment and Housing Law (N.J.S.A. 40a:12a-1, Et Seq.) (“LRHL”)

Mayor Horner requested that Mr. Minton review the background of Ordinance 2020 – 4 Amended.

**Mr. Minton** gave a background of the ordinance. It stems from an original action on May 1<sup>st</sup> and referred to the Planning Board on May 12<sup>th</sup>. The needed improvements are for the industrial zone. The Master Plan was updated in November 2019 which states that there are aged developments within the industrial zone and encourages redevelopment of these areas

There are two changes from the published document per recommendations by the Economic Development Committee. Any references to marijuana/cannabis will be removed. Secondly, the following wording will be added at the end of permitted uses. “All other uses not identified above and nothing contained in herein shall be construed to now permit uses not expressly provided for herein. Instead all other uses not specifically permitted shall continue to be prohibited notwithstanding their omission from this list.”

**Mr. Platt** added that generally, it provides overlay zoning for the parcels in question and clear and definite standards. There are other parts of this phase and this project which still need to be concluded. This recommendation by the Economic Development Committee to take out medical marijuana/cannabis use provisions as well as language concerning permitted uses are not substantive changes.

Mayor Horner asked for a motion to open public comment on Ordinance 2020 – 4 Amended. MOTION TO OPEN PUBLIC COMMENT ON ORDINANCE 2020 – 4 AMENDED MADE BY MR. SEGREST, seconded by Mayor Horner. Voice vote. All aye.

Ben Young, 116 Woodview Lane – Questioned how the Township will address the conflict with the drainage plan. He also commented on the dimensions of the loading dock of 9' x 40', the Taylors Lane frontage setback of five feet, the 0' setback and the size allowed for new signage.

Michael Goins, 100 Purnell Avenue – He is concerned about permitted uses as well as the height limit of 75'. He also questioned the impervious coverage and the loading space of 9' x 40'. Lastly, in the Planning Board comments several items were addressed in revised plan but not all of them. Why?

As no one else came forward Mayor Horner asked for a motion to close public comment.

MOTION TO CLOSE PUBLIC COMMENT ON ORDINANCE 2020 – 4 AMENDED MADE BY MR. CONDA, seconded by Mrs. Kravil. Voice vote. All aye. Public comment was closed.

Mayor Horner asked Mr. Gillespie of Parker McCay and Mr. Stout of Stout and Caldwell to respond to the questions from the public.

**John Gillespie** from Parker McCay on behalf of 1001 Taylors Lane LLC/Sea Box - Some of the issues that were not addressed in the amended redevelopment plan will be reflected in the redevelopment agreement. He deferred to Mr. Stout to respond to the remaining questions.

**Robert Stout**, Stout and Caldwell on behalf of 1001 Taylors Lane LLC/Sea Box – The site has never had some of the newer stormwater management facilities put together. New DEP regulations require reducing of runoff by 20%. To do this we have done soil investigations. We are comfortable with what we can do to help reduce that storm water. One of the issues is contamination issues. The best way to remediate it is to cap or close it.

Regarding the 9' x 40' loading space, Mr. Stout confirmed that this was a typographical error and that it was changed to 11' x 40'. Regarding the 0' setback, this is not for the perimeter, this is only for the interior, and the 5' setback is for the perimeter especially on Taylors Lane, Union Landing Road and the railroad. This will allow for any vehicles parking plus fencing and or landscaping. The buildings are much farther back on the site.

**Mr. Gillespie** – In response to Mr. Young's inquiry concerning the signage, it will not be that big based on the size of the building. The redevelopment plan actually reflects 1000 square feet less than what the Planning Board had suggested.

Regarding fencing, Mr. Young commented that there was no height mentioned. The existing ordinances for that zone calls for 6' to 9' which will not be changed.

About having a rain tax, the amount of money that Mr. Brennan is going to spend on underground stormwater system is much more than what a rain tax would be. Mr. Stout comments that just the underground system alone is going to be close to five million dollars. We think this is more than fair provision to include in the redevelopment and the solution that this creates for East Riverton. The governing body is always free to allocate its revenues as it wishes and retains the discretion on how it utilizes its funds.

Responding to Mr. Goins question regarding permissible uses, it is that type of concern that the Economic Development Committee was thinking about when they added language at the end as per Mr. Minton's comments. Regarding the 75' height where everything else was 45', there are a number of neighboring towns where the height has been increased to 75'. That is what the market is trending towards. We are not alone in having 75' height standards in Burlington County.

**Mr. Minton** commented that the height originally requested was 100'.

Lastly, **Mr. Platt** clarified that there are three amendments to the redevelopment plan. The amendments include removal of any reference to medical marijuana in its entirety, change to the chart of bulk provisions on page 10 to note that the loading dimensions will be 11' x 40' instead of 9' x 40' and the addition of general language read into the record by Mr. Minton as follows: "All other uses not identified above and nothing contained in herein shall be construed to now permit uses not expressly provided for herein. Instead all other uses not specifically permitted shall continue to be prohibited notwithstanding their omission from this list." be added.

Mayor Horner asked for a motion to adopt Ordinance 2020 – 4 Amended.

MOTION TO ADOPT ORDINANCE 2020 – 4 AMENDED AS NOTED BY MR. PLATT MADE BY MR. CONDA, seconded by Mayor Horner. Roll call vote. All aye. Ordinance 2020 – 4 Amended was adopted.

Mr. Gillespie thanked everyone on behalf of Sea Box, 1001 Taylors Lane, Mr. Brennan and Mr. Begley. They are looking forward to working with the Township.

## **CONSENT AGENDA**

Resolution 2020 – 66 Appointing 1001 Taylor's Lane, LLC or It's Successor's and Assigns as Redeveloper for the Industrial Zone Redevelopment Area, Box Park, A Gated Industrial Park, Phase I

Resolution 2020 – 67 Approving a Declaration of Restrictive Covenants and Easement Agreement ("REA") and Site Development Agreement ("SDA") and Authorizing the Mayor or His Designee to Execute Same in Connection with The US Route 130 And Highland Avenue Redevelopment Plan

Resolution 2020 – 68 Authorizing Execution of First Amendment to Agreement of Sale for Sale of Property Known as Block 1304, Lot 18, The "Azalea Farm"

## **END OF CONSENT AGENDA**

Mayor Horner asked for a motion to open public comment on consent agenda only. MOTION TO OPEN PUBLIC COMMENT ON CONSENT AGENDA ITEMS MADE BY MR. SEGREST, seconded by Mayor Horner. Voice vote. All aye.

Ben Young, 116 Woodview Lane – questioned Resolution 2020 – and 68 what is the time extension that is being granted. Mr. Minton responded that it is the developer's due diligence. This is pandemic driven. They should be in to make a public presentation shortly. The extension is to September 9<sup>th</sup>, approximately 60 days.

As no one else came forward, Mayor Horner asked for a motion to close public comment on the consent agenda.

**MOTION TO CLOSE PUBLIC COMMENT ON CONSENT AGENDA MADE BY MR. SEGREST, seconded by Mrs. Kravil. Voice vote. All aye.**

Mayor Horner asked for a motion to approve the consent agenda.

**MOTION TO APPROVE THE CONSENT AGENDA MADE BY MR. CONDA, seconded by Mr. Segrest. Roll call vote. All aye. Consent agenda was approved.**

### **APPROVAL OF MINUTES**

Mayor Horner asked for a motion to approve the minutes of May 18, 2020. **MOTION TO APPROVE MINUTES MADE BY MRS. KRAVIL, seconded by Mr. McGill. Roll call vote. All aye. Minutes were approved.**

### **APPROVAL OF BILL LIST**

Mayor Horner asked for a motion to approve the bill list. **MOTION TO APPROVE THE BILL LIST MADE BY MR. MCGILL, seconded by Mr. Conda. Roll call vote. All aye. Bill list was approved.**

### **STAFF AND PROFESSIONAL COMMENTS**

Mr. Schubiger thanked everyone involved with the economic initiatives, specifically this redevelopment plan.

### **PUBLIC COMMENT**

Mayor Horner asked for a motion to open the Public Comment portion of the meeting. **MOTION TO OPEN PUBLIC COMMENT MADE BY MR. SEGREST, seconded by Mayor Horner. Voice vote. All aye.**

Michael Goins, 100 Purnell Ave – Stated that Republic was picking up bulk today. Also suggested that the bulk notice be taken down from the website.

Richard Dietrich, 19 Emerson Drive – Commended Mr. Minton and the Economic Development Committee on everything that transpired in connection with Ordinance 2020 – 4 Amended.

Ben Young, 116 Woodview Lane – This is a huge win for Cinnaminson. Everyone involved deserves the town's thanks.

Christine Turner, 1909 Washington Street – Thanked Township Committee for supporting peaceful protests.

As no one else came forward, Mayor Horner asked for a motion to close public comment.

**MOTION TO CLOSE PUBLIC COMMENT MADE BY MR. CONDA, seconded by Mr. McGill. Voice vote. All aye. Public comment was closed.**

**COMMENTS FROM COMMITTEE –**

Mr. Conda thanked everyone for their work on the Redevelopment Plan, Mr. Minton, Mr. Platt, Mr. Schubiger, Mayor Horner, the Sea Box team, going back to Mr. Young. He has only been involved for six months or so but has seen the work that has come before.

Mr. McGill echoed Mr. Conda's sentiments. He appreciates all of the work that has been done.

Mrs. Kravil thanked the entire Economic Development Committee for their effort and hours of work. It is appreciated, recognized and will be a benefit to our community.

Deputy Mayor Segrest thanked current and past people involved. It is a great thing.

Mayor Horner thanked Mr. Young and the Economic Development Committee. We understand the magnitude of the plan.

These are certainly difficult times with the pandemic and everything going on around the country. He thanked the police department for continuing to work with the residents and the peaceful protesters. We need to do the best we can to show compassion and understanding and keep the lines of communication open. If we continue to do that as a township we can hold our heads high knowing that we did the absolute best that we could to make a really bad situation better.

Mayor Horner asked for a motion to adjourn the meeting.

MOTION TO ADJOURN MADE BY MR. CONDA, seconded by Mr. McGill. Voice vote. All aye. Meeting was adjourned.

7:57 pm

Duly passed and adopted:

June 15, 2020

Respectfully submitted:



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Lisa A. Passione, RMC  
Municipal Clerk