

MEETING MINUTES

TOWNSHIP OF OCEAN COUNTY OF OCEAN BUSINESS MEETING March 11, 2013

Call to Order

ROLL CALL: LACHAWIEC X TREDY X WETTER X

Flag Salute

STATEMENT: Pursuant to the provisions of the New Jersey Open Public Meeting Act, adequate notice of this meeting was properly provided by sending a copy of the Notice of Meeting to two newspapers, The Asbury Park Press and the Press of Atlantic City. The Notice was posted at the office of the Township Clerk

RESOLUTION 2013-122: authorizing the Township Committee to retire into Executive Session for the purpose of discussing: Contractual, Litigation, and Personnel matters

Motion to approve Resolution 2013-122 was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

PUBLIC PORTION:

Motion to open to Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

No public comment.

Motion to close Public Comment was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

- Discussion of Waretown Town Center Economic Redevelopment

Stan Slachetka and Jim Oris of T&M Engineering highlighted details of the draft Town Center Plan.

Mr. Slachetka discussed the Town Center map shows the proposed land use plan in relationship to the property boundaries in the area. In 2007, the Township adopted the current Town Center Plan. It was an amendment to the old Economic Redevelopment Plan that included a conceptual development plan that

was prepared for the Town Center. The amendment incorporated the overall goals and objectives of the Town Center as approved by the NJ State Planning Commission and appended the conceptual development plan. The initial idea in 2007 is that there would be one master redeveloper that would be selected to implement the Town Center, provide the Township with their own concepts and fine tune the final redevelopment plan that would be adopted for the Town Center.

Over the last several years, it has become apparent that there is not going to be any one individual developer that is going to develop the whole Town Center. It is more likely the implementation of the Town Center will be based on the plans and projects on an individual property-by-property basis. At some point in the future, there might be a consolidated purchase of several of the properties. That still is an option.

The primary goal is to modify the conceptual development plan to more accurately reflect the actual property boundaries and be more practical of the ability to implement so that each property will fit seamlessly in the Town Center puzzle.

The revised plan has a lot more detail than the current plan. The overall guide for this was the Tradewinds plan. The Township wanted to set a consistency of streetscape design and intent as expressed in the architectural styles in Tradewinds. It is important the Town Center district develops in a manner that is consistent with all the other pieces in the development area of the Town Center.

This plan specifically addresses the areas within the Town Center district. It does not govern the entire Town Center. There are parts and pieces of the Town Center district that are affected by other components of the Economic Redevelopment Plan. Sub-elements have already been created, like the Ocean Commons tract. A separate Redevelopment Plan was adopted for that area. The standards in that townhouse development plan govern that standard.

The new plan includes the Clayton Block tract, which is just down from the Ocean Commons tract. The Clayton Block tract includes two lots. The Mackres track includes and “out parcel”, which is the restaurant. Mackres owns a substantial part of the Town Center. The WJRZ tract includes areas identified as mixed-use development and residential development. To the south of Volunteer Way is a number of municipally owned properties. Some of the properties that extend in are owned by the Shop Rite tract. The green colored area on the plan is considered to be park and recreation. It has been extended out to the east along Memorial Drive to reflect the Green Acres tract, which is a change from the prior plan. Another change from the prior plan is the area along Volunteer Way, which is the main street of the Town Center and is intended to be a mixed use of residential and nonresidential. The Township removed the various public buildings, the school, municipal building, public safety building. Those areas are now just straight mixed use.

Other key parts of the Land Use Plan are the open space elements. The old concept plan had a centrally organized open space development that the development was organized around. The green space was organized to work around the existing wetland areas and detention basins. The nice thing is part of that is

on the Mackres tract and part is on the WJRZ tract. It provides a good dividing line between the two properties. To the north and south of that on both the WJRZ side and the Mackres tract.

There is a transition closer to Route 9 from a single family to a multifamily type of development, which is also consistent with the prior concept plan. The street layout is defined a little bit more definitively to better reflect what kinds of development could go in there. Changes in the road layout from the prior concept reflect what the Township now knows about the wetland areas. This reflects the road system that was suggested in the draft Mackres plan, better defines the circulation system and creates that block structure the town has been contemplating from the beginning of the plan. That road continues up to the north. The plan for Ocean Commons accommodated the potential to put a road connection up into Route 9. It also provides a parallel route to Route 9, a route into the Town Center and routes that go out to Volunteer Way for distributing traffic and emergency routes from the northern area and east of Route 9.

The red area along Route 9 is identified primarily as commercial and nonresidential. There is also the opportunity to transition to a mixed use or multifamily development. Along Route 9 is probably going to be more of a nonresidential type of development. There might be developers that might want to develop a transition from commercial to mixed use to multifamily to single family. There is the idea of mixed use along Volunteer Way close to the street edge with a main street concept. Just to the south of that between the park area and the existing Shop Rite, there is a proposal for a variety of different residential types, depending on what might come in. It could be multifamily, townhouse or a combination of different residential types in the blocks. One area is owned by the Shop Rite. At one point Shop Rite discussed having a senior multifamily residential development.

It is absolutely essential that each piece of the plan work in concert with each other. The most critical aspect is the road connections. If one property is being developed there has to be opportunity to make those road connections between the two properties. It is important in the future that the plans and proposals have connectivity to the other components of the Town Center plan, especially the circulation plan, infrastructure, storm water management and overall design.

There are three cross-sections. Typical cross-section designs are provided on the plan. The Town Center should look like a full Town Center, not little pieces scattered with buildings oriented one way on one side and oriented the other way on the other side. The Township Committee's attention to these details is going to be critical moving forward. It is the Township Committee's role to review the projects to make sure there is a level of consistency.

Township Attorney McGuckin discussed the intention was to get one major developer to come in with a client and design the Town Center. The economy changed and before the crash that is how development was in New Jersey. At the time, RFP's went out and proposals were received from different developers. The Township was interested in working with one or two, then the bottom fell out.

Mr. Slachetka discussed the existing zone districts. This amendment governs that portion in the Economic Redevelopment Plan that is governed by the Town Center District. There are two Town Center (TC) areas. The big area is the basic area of the Town Center. There is a small area of TC at the corner of 532 and Route 9. There is the MXD district that governs Shop Rite, the MSC property and Tradewinds. Those three properties are in their own redevelopment area and district. The Waretown Village Residential Gateway (WVR) is a separate redevelopment plan that was adopted. It is mostly some residential development along Route 532. A lot of that property was conveyed back to the Township.

This plan restores the C-1 district standards as the underlying zoning with the option that a developer can develop it for mixed use consistent with the Town Center Plan. This is still just a redevelopment plan. It tells what the overall land use is. It gives more detail of the kinds of architectural design, streetscape design, public improvements and what the land use and building forms should be like in certain areas. The next step is to create a specific design standard for the buildings in terms of location to street and property lines. When the application moves to the Planning Board, the Planning Board has the specific standards needed in order to review the application.

Mr. Slachetka has discussed the plan under the authorization received from the Township. The next step would be to create the building standards, which is critical and important.

Deputy Mayor Tredy discussed the plan shows the circulation, which is important right now.

Mr. Slachetka discussed it is critical when the plan refers to a street or road that there is actually a real street there with sidewalks, not a roadway through a parking lot. Part of this approved plan by the state was to make the plan pedestrian friendly and to provide links to the bicycle network. That was not the intent of this plan or the plan that was approved by the state.

Mr. Slachetka discussed there is no underlying zoning. The TC District superseded the prior zoning. The concept plan controls.

Mr. Slachetka discussed the Township can evaluate a proposal's consistency with the concept plan. This plan gives a lot more details in terms of making an evaluation of that plan in terms of its consistency. The TC District Plan, the Township can make a determination whether the plan is consistent or not.

Mr. Slachetka discussed needing authorization from the Township to include the design standards in the plan. The Township would introduce it as an ordinance and send to the Planning Board for their comment, then have the second reading. It is not an amendment to the Master Plan. It is a plan and an ordinance combined.

Township Attorney McGuckin suggested introducing the ordinance.

Mr. Slachetka discussed having the plan and the attached foreign based code and will work together with Township Attorney McGuckin on the language of the ordinance including both components. The ordinance will be a cover ordinance with both documents constituting the Redevelopment Plan. It is not an amendment to the Master Plan and does not have to be an amendment to the Master Plan.

Jim Oris, T&M Engineering, discussed the plan is treated like a zoning ordinance change, which means a notice needs to be sent to all affected property owners.

Mr. Slachetka discussed it's not. If it was a straight zoning ordinance and the Township is adopting it without referencing it in the re-examination report, then the Township would need to send out the notice. From a legal perspective, the Township does not have to notice property owners.

Township Attorney McGuckin inquired if property owners do not have to be noticed because it is a recommendation of the Master Plan.

Mr. Slachetka discussed, "no". It is because it is being adopted as a Redevelopment Plan. Under Redevelopment Law, this process is a separate tract under the Municipal Land Use Law. The public process was designating the area in need of redevelopment. The adoption of the redevelopment plan is specified in the Local Redevelopment and Housing Law. It is adopted with a normal form of notice like any ordinance. The Township does not have to go beyond that. The process is similar to the zoning ordinance, as it gets referred to the Planning Board to verify consistency to the Master Plan.

Deputy Mayor Tredy inquired if the multifamily with 3.5 stories can be changed.

Township Administrator Breeden discussed the height ordinance is 35 feet.

Mr. Slachetka discussed it is 35 feet for single family townhouses. That is the typical standard.

Deputy Mayor Tredy thinks the stories should be reduced to 2.5 stories.

Motion of authorization for T&M Engineering to continue with the next stage of the Waretown Center Economic Redevelopment Plan was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to move to Closed Session was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to move to Open Session was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to authorize settlement of litigation with Mr. Steffins in accordance with the instructions given to Township Attorney McGuckin by the Governing Body was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Motion to authorize Township Attorney McGuckin to institute appropriate legal action in accordance with discussions between Township Attorney McGuckin and the Township Committee in Executive Session was moved by Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Adjournment

Motion to adjourn was moved Committeeman Lachawiec, seconded by Deputy Mayor Tredy.

Roll Call: Lachawiec: Yes, Tredy: Yes, Wetter: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date