

**TOWNSHIP OF OCEAN
REDEVELOPMENT COMMITTEE**

DECEMBER 10, 2009
5:00 PM

1. CALL TO ORDER

- ROLL CALL

Dennis Tredy X Joseph Lachawiec X Robert Kraft
 X

FLAG SALUTE

OPEN PUBLIC MEETING ACT – PURSUANT TO THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROPERLY PROVIDED BY SENDING COPIES 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 AND ON THE BULLETIN BOARD OF THE ADMINISTRATION BUILDING.

MEETING MINUTES:

Approval of the Meeting Minutes of October 8, 2009

Motion to table approval of the minutes was moved by Deputy Mayor Lachawiec, seconded by Mayor Kraft.

Roll Call: Tredy: Abstain, Lachawiec: Yes, Kraft: Yes.

REGULAR MEETING

OLD BUSINESS

- Waretown Associates, LLC
 - o Block 242.11, Lots 12.04 & 12.05

Richard Visotcky, Kelly & Visotcky LLC. A major site plan is proposed to establish a retail center on Route 9 at the Northerly end of Seminole Avenue. One building will be a 4,128 square-foot pad site for a proposed bank. A separate 15,182 square-foot, L-shaped retail center is proposed.

Mr. Smildinz, WSB Engineering and the applicant Chris Saroupolus, Waretown Associates LLC and Frank Burley, Architect for the project are present.

Mr. Smildinz, WSB Engineering is sworn in. Mr. Smildinz has been employed with WSB Engineering for 33 years in professional planning and landscape architecture.

Mr. Smildinz is not an engineer.

Mr. Smildinz stated the site is 6.2 acres and 400 feet North of Seminole Avenue on US Highway Route 9. Wetlands and wetland buffers are approximately 25% of the site. Parking lots, walkways and roadway areas occupy about 40% of the site. There is a canopy at the intersection of the two buildings, which make it L Shaped. There are 97 parking spaces. There will be a loading area behind the flex buildings that will exit onto Route 9. The drainage plan will be using permeable pavements, swales, disbursed water, overflow system, and a retention pond. The site is 200 feet away from the residential zone. Uses to the East of the property are single-family residential detached homes. The North of the site is vacant. Townhomes are proposed there. Across Route 9 property is vacant. Sidewalks will be provided along the roadway. Two bike racks will be provided, with ten spaces for each rack.

Permeable pavements are designated for the parking stalls on the site. There are three types of permeable pavements, course asphalt, concrete and permeable pavers, which are paving blocks with gaps filled with aggregate tipstone. In the winter, there is less likelihood of ice build up on permeable pavements.

This plan includes a change to rearrange the entrance to make it in the center and moving the bottom of the L building toward the center of the court. The plan does not show the benches and streets adjoining walkways. Landscaped areas will be added along the walkway in front of the buildings and benches under the canopy. Pavers will be used in the walkways and in front of the building. 29.7% impervious coverage will be provided.

There will be solid wood gates in front of the two trash enclosures. There is a trash enclosure by the bank and one by the Eastern end of the site. There will be signage and fire lane striping to indicate no parking. Dave Roberts, CMX is deferring to Scott Taylor for most of the landscaping, in terms of tree spacing.

There will be a ground-mounted monument sign at the entrance of the facility. Materials for the sign will be the same as the building, cultured stone, display board listing tenants, lighted from ground onto the tenant list. There will be an

ID sign that will say Waretown Plaza or Commons, whatever the name is going to be. There are handicap spaces on the plan. The parking spaces are 9 feet wide by 18 feet deep. The walkway will be 6 feet wide. The do not enter signs will be on the next revision. Employee parking spaces will be identified by signage on poles or on the building. There will be approximately 14 employees utilizing the spaces.

Mr. Baier has prepared a parking analysis for the site. Mr. Ferelly will address the architectural plans for the bank site. Crosswalks will be provided and painted on the pavement. Additional crosswalks will be added to the front of the site.

Scott Taylor, Taylor Design stated design standards for crosswalks have been adopted for the town center.

Mr. Smildinz intends to use the same pavers for the sidewalks on the crosswalks. The site situates so a tractor trailer truck can enter at the main entrance point, travel through the center isle, access the loading areas and exit the site.

The CMX letter discussed comments on drainage, general engineering, DEP, CAFRA, Ocean County Planning Board and Ocean County Soil Conservation.

Mr. Smildinz read bullet points in the letter operations, deliveries, and parking turnover. Hours of operation are Monday through Saturday from 7:00am to 9:00pm. Bank hours will be 9:00am to 3:00pm during the week and 9:00am to 12:00pm or 1:00pm on the weekend. Bank window will probably be open until 3:00pm on Saturday. Sunday may be a delayed opening of 10:00am to 7:00pm. If there is a restaurant the closing will probably by 11:00pm.

There is a bypass lane at the bank, next to the drive-up windows, so people do not get stuck behind drive-through customers.

Mr. Taylor stated one of the goals in redevelopment is to minimize curb cuts and increase safety for pedestrians. There might not be an opportunity to connect to the adjacent site. The small one-way should be reduced and loading should be in the bottom right corner.

Mr. Oris stated the activity in that area is a concern. The amount of activity needs to be limited in the loading area. Loading should be in a specified area away from the rear.

Mr. Smildinz stated the design and size of the outdoor eating patio is on the Northerly site. The applicant is a restaurateur and is offering to put a café on the site.

The entire site will be irrigated with a separate system for shrubberies, trees and grass. There will be a landscape berm with oriental and evergreen plantings.

Residential homes are 100 feet away East of the site. If there is visibility, some evergreens will be planted there.

Mayor Kraft inquired if the applicant can comply with the landscape architect recommendations.

Mr. Smildinz stated yes.

Mayor Lachawiec inquired if the applicant considered the utilization of solar panels on the roof or as a canopy in the parking lot in the center of the facility. There is a potential of 10,000 square feet of solar panels.

Mr. Smildinz suggested speaking with the applicant directly. The building has been laid out so that it has solar access. The long axis of the building is towards the sun.

Mayor Lachawiec inquired if the applicant considered CFL lighting throughout and tankless water heating.

Mr. Smildinz is sure they will. Only the architect is here tonight.

Frank Baer, WSB Engineering, is sworn in. Mr. Baer is a licensed professional engineer in the State of New Jersey and a partner in the firm. Mr. Baer obtained his license in 1984 and testified before almost every board in Ocean and Monmouth Counties.

Mr. Baer addressed portions of the CMX letter. The 97 parking spaces meet the required 5 spaces per 1,000 square feet. Mr. Baer suggested providing space for 10-12 spaces but leave them green.

Mr. Oris inquired if there is a variance being sought for parking.

Mr. Baer does not think there is a need for one.

Dave Roberts, CMX stated this is a C1, conforming use zone. The parking issue is either handled as a straight conforming application under the existing C1 zoning or the redevelopment parking plan.

Mr. Baer stated this is a shopping center and the definition of the township ordinance is 5 spaces per 1,000 feet, which is 97 spaces.

Mr. Roberts stated this is a shopping center. If the uses were taken separately, there would be 100 spaces required.

Mr. Baer stated the green-banked parking spaces could be reinstated.

Committeeman Kraft thinks it is a great idea.

Mayor Lachawiec stated there might be a restaurant there with 30-40 people. The restaurant parkers might take spots in front of the other stores.

Mr. Baer stated the bank will be operating at certain peak hours and with the drive-through, parking needs will become somewhat reduced. If the restaurant is there, parking becomes shared.

Mayor Lachawiec reported that he owned a dry cleaning shop and every time an organization had a luncheon at a restaurant in the same center, they took all his parking spots. Extra parking spots are needed.

Mr. Baer stated as an eating institution comes in, depending on its size, that is how the parking requirement starts to grow. The trends that occur with centers of this size generally run about 4 spaces per 1,000 square feet. If the parking is at 5 spaces per 1,000 square feet, there will be enough spaces.

Deputy Mayor Tredy stated if spaces were needed in the future, it would be difficult for the town to get the applicant to do it.

Mr. Oris discussed the ratio of restaurant to retail. The bank has a certain number of spaces required based on the square footage. Mr. Oris inquired if the three walk-up windows at the bank are realistic.

Mr. Baer stated yes. This bank is a branch and not a main office.

Mr. Oris suggested the applicant specify the maximum amount of restaurant parking spaces in the application.

Mr. Lachawiec stated people drive everywhere and do not walk or take bikes.

Mr. Baer stated the applicant has not taken away any parking based upon anticipated pedestrian use.

Mr. Visotcky stated the drainage will conform to the current stormwater management standards that adopts the best management practices manual. The site will have recharge systems and grass swales that will filter the stormwater. The stormwater will go back to the infiltration basin, which will store the stormwater and recharge it.

Mr. Baer stated the slope of the land runs from the Northeasterly corner in a Southerly direction toward the wetland area. There is a large area that will preserve the trees limited disturbance to the green areas. Grading will be confined to minimize drainage.

Mr. Oris stated the applicant will supply an accurate stormwater calculation and an estimate of the seasonable high water table, which will dictate the grade of the site.

Mr. Baer stated there will be an infiltration basin.

Craig Berary, CWB Architecture, is sworn in. Mr. Berary is a licensed architect in the State of New Jersey for 19 years. The structure has multiple façades, with a mix of vertical stone and stucco gables and a vinyl, shingle-style finish. The tower will have a nautical style with a clock.

Township Attorney McGuckin inquired if façade materials have been obtained.

Mr. Berary did not have samples. There will be earthtones, reds and beiges. The roofing will be a darker brown with a gray or charcoal. There are no architectural plans for the proposed bank. Plans will be brought to Committee when a bank tenant is obtained. The HVAC units will be located on the North side of the "L" building.

Mr. Taylor stated the Committee should be given a copy of the elevations. There is going to be sign areas with functional, gooseneck lighting on the façade.

Mr. Roberts inquired if the applicant has a calculation of the sign area.

Mr. Berary will get the sign calculation to the Township Committee and agreed to meet all the requirements of the sign ordinance. Some of the elements of the building will be incorporated in the signs.

Mr. Taylor stated all the tenants' names on the monument will be externally illuminated. The name of the Plaza will be internally illuminated.

Deputy Mayor Tredy stated there is an ordinance against backlit signs.

Committeeman Kraft stated the sign ordinance needs to be revisited.

Any further questions can be directed to Mr. Soroupolus, the owner/developer.

Deputy Mayor Tredy inquired if it would be appropriate for this to go before the Planning Board.

Township Attorney McGuckin stated it appears the Redevelopment Agency is reviewing the process. It would be appropriate for the Redevelopment Agency to act upon their request. The Committee would need to see the finalized version of what is being presented. The Committee needs to decide if they are satisfied with the issues of the parking, signage and architecture and amend the plans to reflect what their concerns are.

Deputy Mayor Tredy stated the Planning Board would be an adequate venue to approve this application, as long as the concept remains the same.

Committeeman Kraft agreed with Deputy Mayor Tredy. The Redevelopment Committee should get applicants to a certain extent and then move it on to the Planning Board.

Mayor Lachawiec inquired if the Planning Board will review Redevelopment's records.

Township Attorney McGuckin stated the Planning Board would consider it. The professionals heard Redevelopment's comments and the Planning Board would reflect that. A Township Committeeperson is on the Planning Board. That would be another check and balance in that process. The question is if this plan is the redevelopment plan for the property.

Dave Roberts, CMX stated this project is different from the others. This project is in a C-1 Zone and is a conforming project. It would be best to send this to the Planning Board with the existing C-1 Zoning. If the Redevelopment Committee is not comfortable with the Redevelopment area designation, a redevelopment plan would be adding on top of that.

A motion of the Redevelopment Committee, concluding its review, taking no further action and referring the matter to the Planning Board for Planning Board review and site plan issues was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes, Kraft: Yes

NEW BUSINESS

- Town Center – (Informal)
 - o Phase 2 – Housing Element

Mayor Kraft, due to a conflict, recused himself and stepped down from the desk.

Henry Kent-Smith, fox Rothchild, represented Coastal Redevelopment Partners on Phase I. Mr. Kent-Smith is representing the Ingerman Group tonight as part of Phase II of the Town Center. Phase I is the Shop Rite commercial development on the west side of Route 9. The Redevelopment Agreement obligated Coastal to provide 36 affordable housing units. This plan is to construct a 100-unit senior development. The Township incorporated a 100-unit senior affordable housing project in the Redevelopment Plan and as part of its COAH submission.

The property is Block 41 Lots 25, 26, 27, 28, 29, 30, 29.03, 29.04, 29.05, 29.06 and 31. These are all properties in the Redevelopment Plan and are incorporated in the proposal for Phase I as well as the concept shown in Phase II.

There is a time sensitivity required by the federal tax offering. The applicant requested the Redevelopment Committee waive further review of the preliminary site plan for Phase II so the applicant may proceed to the Planning Board for a preliminary site plan application. The applicant will be proposing the redevelopment plan for Phase III at a later date.

Lara Schweger, Development Director, Ingerman Group, an affordable housing developer, is sworn in. The Ingerman Group has been in business since 1994 and operates in New Jersey, Pennsylvania, Delaware and Maryland. The Ingerman Group is a development group,

construction group and management group and has developed 5,000 units. Ms. Schweger gives the history of Ingerman's developments.

COAH stated a plan cannot go forward unless a site is under contract and has a construction schedule. The 2 units, 29 units and 10 accessory units are units that can be accounted for. The two areas that COAH is questioning is the 61 units, which is the Coastal Redevelopment property and the 57 units in Waretown Center. Waretown is asked to provide documentation that those are going to be built and the timeline for them. The Ingerman Group can help the town with that. For senior rental properties the town can get 1.33 credits for every 1 unit built.

Phase III of the project would be a townhouse affordable housing community that would help fulfill the town's last piece of housing requirement. The project will satisfy the town's remaining round-two obligations – about 146 units.

The Coastal Redevelopment agreement only requires them to build 36 units and does not require them to build very low-income units. Ms. Ingerman points out the senior building, choice housing and preservation areas on the plan at Route 9 and Volunteer Way. The project will include 100 units and approximately 98 townhouse choice units.

There are two types of tax credit funding. There are 4% and 9% tax credits. 9% tax credits are more beneficial in financing projects today. The state has a ranking system to see what criteria the site meets. This project will rank with 100% of the available points for submission. An application comes out in January and in April the tax credit round is due each year. The state has instituted a special round of 9% tax credits due February 15, 2010. The normal April round is a non-subsidy round. The applicant requested the site go before the Planning Board in January.

The 100-unit building ranks, due to the proximity of shopping and public transportation. Tax credit applications require the site to meet New Jersey green features. Ingerman has built more green-feature projects than any other developer in the state.

The applicant requests the Redevelopment Committee move the application to the Planning Board for preliminary site plan approval, a requirement to submit the tax credit. Once the preliminary site plan is approved in January, the applicant would be submitting for tax credits by February 15, 2010. Award times for the tax credits are April 1, 2010. The Federal stimulus money requires the project begin construction in the 2010 calendar year.

Mayor Lachawiec inquired why Ms. Ingerman mentioned 30 choice units and 90 choice units.

Ms. Ingerman stated the choice funding is \$2 million per project. 90 units cannot be subsidized on \$2 million. The project would be broken up into three phases and submit a phase over the years. The current name of the project is The Willows. The best way to refer to the project would be the Phase II Senior Project of the Waretown Town Center. Phase III would be the choice units.

Mayor Lachawiec requested the applicant address possible contaminants on the site, how it is going to be re-mediated and the benefit to the town.

Ms. Ingerman stated listing it on the state brown field site mark, means it is a previous, commercial or industrial-use site that is currently underutilized that may have contamination. It does not mean that it does have contamination.

Mayor Lachawiec inquired if the potential saw-mill contamination is located in one particular area.

Ms. Ingerman pointed to the possible area of contamination.

Township Attorney McGuckin inquired what would happen if the applicant did not get the funding.

Ms. Ingerman stated under the Coastal Redevelopment contract there are two rounds – 2010 and 2011 tax credits. The developer is committed to moving this application through the 2010 and 2011 rounds. If the funding does not go through, the town has a hole in its affordable housing plan and the 4% tax credit comes back. The only way an affordable housing project of this size gets built is with tax credits. Every project Ingerman has received tax credit for has moved forward.

Mr. Kent-Smith is requesting the Redevelopment Committee authorize the applicant to go before the Planning Board with a preliminary site plan only. It will only involve the senior housing. The applicant will be back before the Redevelopment Committee with a far more detailed presentation related to the choice housing, which is Phase III. It is essential to make the February 15, 2010 deadline.

PUBLIC COMMENT

A motion to open to the public was moved Deputy Mayor Tredy, seconded by Mayor Lachawiec.

Roll Call: Tredy: Yes, Lachawiec: Yes

Michele Rosen, 29 Bradley Beach Way, inquired if the applicants request to go before the Planning Board is envisioned in advance on a pilot program and does the town intend to approve the pilot program

Mayor Lachawiec stated yes.

Ms. Rosen inquired if the money in the pilot is going to work the same way as Coastal Redevelopment, where they pay taxes on the land only.

Ms. Ingerman stated the pilot that is required for this site has nothing to do with the redevelopment of the previous site or under the redevelopment law. In order for the developer to submit tax credits under HMFA legislation, the town has to have a pilot in place. Part of the funding comes through a low-interest rate permanent mortgage.

Ms. Rosen inquired if the pilot will have the same effect as the pilot already in place, which is land tax only, no improvements for up to 35 years.

Ms. Ingerman stated no. The developer's is based on the revenue based on the project. As a rental, residential project it is based off the gross rentals that come in from the project. It does not go to the school district or the county. It goes directly to the municipality.

Ms. Rosen stated the 2007 Assembly of Republicans Campaign Committee took a very strong position against pilots. The largest taxing authority within the township is the school.

Mr. Kent-Smith stated this project cannot go forward without a pilot program.

Ms. Ingerman stated the municipality has a round-two obligation that is unmet. Round three has nothing to do with this. The only way to get Federal funding is if this is in place.

Motion to close to the public was moved Deputy Mayor Tredy, seconded by Mayor Lachawiec.
Roll Call: Tredy: Yes, Lachawiec: Yes

RED2009 –1 Resolution authorizing the Township Committee of the Township of Ocean, the Township's designated Redevelopment Entity pursuant to N.J.S.A. 40A:12A-41

Motion to approve was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.
Roll Call: Tredy: Yes, Lachawiec: Yes

BOARD COMMENTS

Deputy Mayor Tredy stated this project would be a great benefit to Waretown. One of the town's problems is the obligation to COAH. This project will help us meet that obligation. It is a senior rental project and will have very little effect on the town's resources - police, school. The school has its own method of getting funds. Past complaints were the commercial units built within the town center. Units outside the town center were not getting business. This type of residential is the best of both worlds. Deputy Mayor Tredy is in favor of the senior project.

Mayor Lachawiec promised there would be incremental growth in this town and will try to see the town center through completion. This is an opportunity for incremental growth. Other benefits are re-mediating the brown site and the 30-unit choice program. The Redevelopment entity of the Township Committee represents the municipality. Mayor Lachawiec offered to sit

down with the school board and go over the budget. Mayor Lachawiec supports the senior project.

ADJOURNMENT

Motion to adjourn meeting was moved by Deputy Mayor Tredy, seconded by Mayor Lachawiec.
Roll Call: Tredy: Yes, Lachawiec: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Township Clerk

Date