

**MINUTES
SPECIAL MEETING
MT. EPHRAIM LAND USE BOARD MEETING**

Borough Hall Court Office
121 S Black Horse Pike, Mt. Ephraim, NJ 08031
Monday, September 27, 2021, 7:30pm

CALL TO ORDER. Robert Carter called the meeting to order and stated the meeting was advertised and notices posted in accordance with the “Open Public Records Act.”

PLEDGE OF ALLEGIANCE. All persons present, stood for the pledge of allegiance.

ROLL CALL – Mayor Tovinsky, Kim Beebe, Commissioner Gies, Michael Schiavo, Steve Eggert, Thomas Maxwell, Robert Carter, Anthony Stagliano, Michael Marrone, Gary Prinski, Douglas Morgan, present. Charles Alexander, Carmine Rampolla, absent.

NEW BUSINESS

Hearing on The Recommendation of Study Area in need for Redevelopment presented by Scott Smith.

Joe Nardi – explains that this is a special meeting of the Mount Ephraim Joint Land Use Board and the purpose of this meeting this evening is for the board to undertake statutory requirements as directed by the Governing Body of the Borough to investigate a proposed redevelopment area. The purpose of this meeting is to investigate as to whether certain properties that have been designated for potential redevelopment and it must be considered by the Land Use Board this evening. You will hear the testimony by the Borough’s Planner Scott Smith, we will have some presentation and go through an entire investigation of the redevelopment area. What I like to do is give everyone some overview on what this is all about because redevelopment is a complex area of law its done for the benefit of a Municipality when they have that authority but they have an obligation to conduct a study, the Land Use Board’s roll is to conduct that study and make a recommendation of either approving as an area in need of redevelopment or alternatively perhaps not make that recommendation, so that is the purpose of this meeting this evening. I assume all the public here this evening is present because you heard about it and some of you may be property owners that are within the redevelopment area and you have received specific notice, by that I mean you have received registered mail because you are one of the subject properties that have been identified. As part of the statutory requirements publication and notice of this meeting must be established by the board and that notice has been published in the Gloucester City News and the Courier Post for 2 consecutive weeks. What we have produced is the affidavit proof of service and proof of publication. The overview of the redevelopment statute, I believe it’s very important to go over before this meeting, so you are aware of what the requirements are, under the New Jersey statute it’s called the local redevelopment and housing law. The statutory reference 40A:12A-1 and one of the legislative purposes is to provide Municipalities to assist or for the Land Use Board to assist in Redevelopment where they consider it to be an area or something that is

necessary and beneficial to the overall financial health of the Municipality the responsibility of the Land Use Board in this case is to assist the Governing Body in that process and the purpose tonight is for the board to study the proposal, review the study that has been proposed by the Borough's Planner to determine of certain area within the Borough should be designated as a redevelopment area, again that would then be recommended to the Governing Body, it would be up to the Governing Body to determine if the property or the area should be designated as a redevelopment area and the Governing Body has requested the Board to conduct this study pursuant to Resolution 21-35 adopted by the Borough Commissioners on April 1st of 2021, since that time Borough Planners have been putting together the investigation. The redevelopment area is an area determined to need redevelopment pursuant to the statutes, particularly the sections 5 and section 6 and the Land Use Boards authority is found in section 40A:12A-4 to conduct this preliminary investigation they will consider as proposed and testimony given by Mr. Smith the conditions to support a finding in the need of redevelopment or otherwise. As I stated before the first step is this preliminary investigation, with that I like to introduce Mr. Smith who will conduct the investigation or provide testimony, he has provided a preliminary investigation which has been on file with the Land Use Board Secretary its consist of a preliminary investigation report for Block 34 Lots 3, 4, 5, 6, 7, 8, 9.01, 9.02, 10, 11, 12, and 19. Also included is an appendix which includes photographs of the various properties which are included in the study and the resolution that I referenced earlier, Resolution 21-35, also included is a redevelopment area map which is an aerial map photograph of the area and a current zoning map.

Robert Carter – Before you proceed Mr. Smith, I would just like to state is the way that we will be structuring this meeting is Mr. Smith is going to present the plan, then we will open questions to the board and then we will open it up to the public. I would kindly ask that anyone who has questions please hold them until the public portion is open.

Joe Nardi swears in Scott Smith, Key Engineer, Professional Engineer.

Scott Smith – As Mr. Nardi explained I prepared a preliminary investigation report, and the map has been on file in the office for some time for review. He shows them on the map where they will be doing the study to determine whether the properties which are shown meet the criteria. There are several sections in the criteria which we will be going over to determine if these properties all meet it. The largest property in which this consist of in this area is the Sacred Heart Church, we also have 4 residential homes and then a commercial property in this study. Currently, I am going to be referring to the report for most of my testimony.

- During the testimony Mr. Scott goes through all the chapters and reads it to the public of his preliminary investigation that he distributed to the members of the board and the Solicitor and the Borough Engineer. We also have the investigation file in the Municipal building which can still be reviewed by the public.

Scott Smith – explains that Mount Ephraim has been designated in the New Jersey State Development and Redevelopment Plan as a Metropolitan Planning Area. He explains that

Mount Ephraim is a fully developed community with little to no vacant land available. The town does fall into the category where we have areas that could potentially be redeveloped so that the viability of the community is maintained and, hopefully, advanced. Scott Smith continues to read the paragraph in Chapter 2 of the investigation report. He points out that on an important note that the Resolution indicates that the Borough may exercise the power of eminent domain, should the property in question be determined to need redevelopment, in accordance with the statutory definition. He explains that all but one of these properties we in the redevelopment study done in 2006. The property which was not in the study originally was block 34 lot 19, the issue with the original studies is that they were performed prior to regulations coming out in response to a law suit that was happening, there was a redevelopment authority and they had put public notice out for the redevelopment study and this actually predated 2006 by a lot, but around 2006 this law suit was emerging from the courts and the conclusion was that if a redevelopment study has any possibility of exercising the roll of eminent domain it needs to say that clearly. So, therefore we are looking at these properties again and wording our notices correctly stating that there is a possibility that the Borough could take the properties by eminent domain, not saying it will happen we just need to clearly state it could happen.

- Scott Smith goes back and starts reading the paragraphs in the investigation, still reading Chapter 2 which is available to view at the Municipal building.
- Scott Smith goes over the 8 criteria that are reviewed in making the determination in whether these properties are in need for redevelopment.

Criteria

- **12A-5a.** The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- **12A-5b.** The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- **12A-5c.** Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

- **12A-5d.** Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.
- **12A-5e.** A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety, and welfare.
- **12A-5f.** Areas, more than five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished, or altered by the action of storm, fire, cyclone, tornado, earthquake, or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- **12A-5g.** In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L.1983, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992, c.79 12 (C.40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L.1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L.1991, c.441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the action and fulfilled the requirements prescribed in P.L.1992, c.79 (C.40A:12A-1 et al.) for determining that the area needs redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- **12A-5h.** The designation of the delineated area is consistent with smart growth principles adopted pursuant to law or regulation.
 - Scott Smith that he has not applied 5g. to the investigation, it is a very long-winded criteria that does not apply.

- Scott Smith continues to read through Chapter 4 – Specific Information Regarding Subject Properties of the investigation report.
 - A. Block 34, Lot 5, 6, 7, 9.02, 10, 11, and 12 (Sacred Heart Church) zoned in the CBD Central Business District.
 - B. Block 34, Lot 8 (Zone CBD), single family home and detached 2-car garage, shared paved driveway with Lot 13, Lot 13 contains a commercial nail salon business in a storefront and appears to have residential use on the second floor.
 - C. Block 34, Lots 3, 4, and 19 contain single family homes in good condition, each being located on 50 feet by 150 feet lots. Lots 3, 4 and 19 are in the R-1 zoning district. The rear of Lots 19 and 4 have a retaining wall along the common line with the church properties.
 - D. Block 34, Lot 9.01 contains an Italian restaurant known as Tony Roni’s, the property is in the Central Business District. The property has frontage and multiple driveway lots on NJSH Route 168, known as the Black Horse Pike and on Camden County Route No. 551. The parcel is comprised of nearly 100% impervious surfaces, including the building and parking area.

- Scott Smith goes over Chapter 5 – Applied Redevelopment Criteria

- A. Blocks 34, Lots 5, 6, 7, 9.02, 10, 11, and 12 (Former Sacred Heart Church and School) I have stated that N.J.S.A. 40A:12A-5d states that “Areas with buildings or improvements which by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout or any combination of these or other factors are detrimental to the safety, health, morals or welfare of the community”.

The former church and school properties satisfy the criteria set forth in N.J.S.A. 40A:12A-5d based on the site inspection, site history and the glaring specificity of being a former church and school facility. The property has remained idle for many years. Despite multiple attempts to keep the Sacred Heart Parish intact and thriving at these collective properties, including renting the school facility to another entity, the parish eventually closed. Services for the remaining Sacred Heart parishioners have been moved to Saint Rose of Lime in Haddon Heights.

Buildings designed as large churches and schools are built for a very specific purposes and their ability to be utilized for any other purposes is greatly limited.

With the location of the church properties being located on two commercial corridors that have great potential for redevelopment, the obsolescence of these facilities is clearly detrimental to the welfare of the community including residents and business owners.

N.J.S.A 40A:12A-5e states that “A growing lack of or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the “public health, safety, and welfare”.

The former facilities of the Sacred Heart Church, school and rectory satisfy the criteria set forth in N.J.S.A. 40A:12A-5e because of the following reasons:

- The property has remained idle for a period of several years with no physical activity taking place on the land. Buildings and facilities are of a large scale and were intended to handle large congregation of parishioners and students. The physical improvements on the property today had very specific purposes during their prior useful life. It has become clear that adaptive re-use of these structures and facilities is not practical. In my professional opinion, the property would be considered “valuable for contributing to and serving the public health, safety and welfare,” as recited in the statute.
- N.J.S.A 40A:12A-5h states: “The designation of the delineated area is consistent with smart growth principles adopted pursuant to law or regulation.”
- The properties exhibit the qualities consistent with N.J.S.A 40A:12A-5h by virtue of its location in an otherwise functional business district with in-place infrastructure. The site is located on two heavily travelled highways, the Black Horse Pike and Kings Highway. The area is characterized by the presence of existing businesses and a busy downtown district. It is critically important to note that all the Black Horse Pike corridor within the Borough of Mount Ephraim has been deemed in need of redevelopment through prior studies.

B. Blocks 34, Lots 3, 4, 8, 19

These parcels are used residentially. The home on Lot 8 is licensed as a duplex and in the CBD District. The home on Lots 3, 4 and 19 are single-

family, one-story homes and are zoned R-1. While these properties are not dilapidated or obsolescent, their location as adjoins to the former Sacred Heart facilities makes the properties a key component in achieving the redevelopment of the overall area.

The definition of a Redevelopment Area in the State Statute states that an area determined to need redevelopment may "...include lands, buildings, and improvements which of themselves are not detrimental to the public health, safety, or welfare but the inclusion of which is found necessary for the effective redevelopment of the area in which they are a part". (See NJSA 40A:12A-3 Definitions)

For this reason, the residential properties listed above are, in my professional opinion, in need of redevelopment. Inclusion of these residential properties with all Sacred Heart properties and Block 34, Lot 9.01 (Italian restaurant) will create a 2.5+ acre, nearly rectangular, property for redevelopment purposes. The parcel could readily accommodate a large commercial enterprise and provide adequate space for buffering, stormwater management and safe access.

Based on my review of a prior 2006 Redevelopment Study and Plan prepared for the Borough by Edward Fox, III, P.P. A.I.C.P. and the DVRPC, Mount Ephraim Avenue/Black Horse Pike Study, the residential properties would also satisfy NJSA 40A:2A-5h, which states, "The designation of the delineated area is consistent with Smart Growth Principles adopted pursuant to law or regulation".

C. Block 34, Lot 9.01

As stated previously in this report, this property has a long history dating back into the 1800's as the site of the Mount Ephraim Hotel. More recent history includes use of the property as a gasoline filling station and auto service garage, a donut and coffee shop and the current use as an Italian restaurant.

The site was developed with excessive paved surfaces, limited green space and no formal stormwater management facilities. Site grading directs runoff to the adjoining Black Horse Pike and Kings Highway roadways. Scott Smith - explains that issue that has been stated reflects the age of the site and how long it has been developed, it doesn't have those types of things that we would see in a site plan with today's standards. Everything is graded on the site its nearly 100% impervious as far as the planters' boxes along the right of way but essentially the entire property is all impervious coverage.

It is noted that there are two driveway access points along the Black Horse Pike. They have designated with signage on both the in driveway on the north side and the exit driveway which puts you at parking space which is not a good situation as far as traffic. The other thing that I also noticed in my site inspections, there are 4 parking stalls along the east wall of the restaurant, the tips of the parking spots are within 19 feet of the sidewalk, what that means if a vehicle with a crew cab pick up on it was in that space to back up you would have to go onto the sidewalk to get out of that spot and turn around, it's been functioning that way but it still is something that I spotted. The other thing that I noted during my site inspections, the design of the front stalls, the area is very cramped with the design of the site. The southeasterly drive access opens next to the traffic signal stop bar, creating a confusing situation for customers attempting to exit onto southbound Black Horse Pike.

The Kings Highway frontage contains an entry drive cut immediately after turning onto westbound Kings Highway from southbound Black Horse Pike. There is a delineated exit drive at the west end of the property where it adjoins the property line with Block 34, Lot 10.

Trash containers (dumpsters) are exposed and open to public view at the rear of the subject property parking lot.

Like the residential properties discussed in Item B, the facilities on the property are not dilapidated. However, the way in which the site developed over a very long period, progressing from a time (1800's) when motor vehicle traffic did not exist to a time (1930's) when motor vehicles were becoming more common place and to current times where traffic volumes are more considerable. The early stages of site development including the transition from a filling station to donut shop and to an eventual restaurant use in the 1970's would not have been subject to today's site design standards with respect to highway access, stormwater management or lot coverage requirements. As such, the site exhibits obsolescent control of site access, excessive coverage, lack of stormwater management facilities and lack of protection for pedestrians along the Kings Highway sidewalk that directly adjoin the parking spaces that face that sidewalk. These characteristics satisfy the criteria found at NJSA-12A-5d as set forth in the statute as follows:

- **12A-5d** Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

Furthermore, and like the argument set forth for the residential properties identified in this study, this property also satisfies the definition of an area in need of redevelopment as established in NJSA 40A:12A-3, definitions specifically because it is property that may:

- "...include lands buildings and improvements which of themselves are not detrimental to the public health, safety, or welfare but the inclusion of which is found necessary for the effective redevelopment of the area in which they are a part".

The physical location of Block 34, Lot 9.01 establishes itself as a cornerstone to any redevelopment project that would include the Sacred Heart Church, school, and rectory facilities in the future. The position of the property provides a visual gateway for motorists approaching from the east on Kings Highway or from the south on the Black Horse Pike.

Finally, in my professional opinion, the inclusion of this one third of an acre parcel into a larger scale redevelopment that would include all Sacred Heart parcels and the residential properties would provide a sensible and accommodating parcel for any future redevelopment project.

Scott Smith – goes back to the investigation report and explains what the next steps would be if this were to be approved and how the Redevelopment Plan would work.

Robert Carter – at this time I would like to open it up to the board members.

Steve Eggert – will a traffic study take place further down the road?

Scott Smith - yes.

Robert Carter – any other questions from the members of the board, hearing none at this time I would like to open it up to the public.

Joe Nardi – I just want to ask this for clarification, you began your study on June 29th, or it was prepared on June 24th and finalized on June 29th, but since that time I believe the Borough has already purchased the Sacred Heart property.

Scott Smith – yes that is correct.

Joe Nardi – so earlier in the study the diocese still owned the property.

Scott Smith – yes that is correct, I was reading strictly from the investigation report, but currently the Municipality owns the property.

Robert Carter – at this point I will open it up to the public.

Rocco Vespe – 32 James Street, Mt. Ephraim. My question is can you point out on the map the outline of the property that the town owns now.

Scott Smith – goes to the map and shows Mr. Vespe what the town owns.

Rocco Vespe – Thank you.

Antonio Carollo – 107 Easton Place, Cinnaminson. You were talking about my corner property; you know how long I have owned this property 42 years. You talk about trucks turning but have you ever heard of any accidents happening at my place.

Scott Smith – no I have not.

Antonio Carollo – the way you are talking about my property, its like you own the property and know so much about it.

Scott Smith – no I am looking at it as if it would meet today's design standards, and no it does not. I am going by NJDOT.

Antonio Carollo – I am understanding that, but nothing ever happened on my property. So, what I am trying to say is that my property is very safe so far, knock on wood.

Robert Carter – Sir, this was the point he was trying to make about the property, it's the point of the study that he did and what he reviewed. Do we have any more members of the public?

Stephen Beach – 241 James Street, Mt. Ephraim. I am the construction official in the town for 28 years. I don't want us to create another Wawa.

Joe Nardi – Sorry Mr. Beach can I have you be sworn in and I just noticed that with the last person as well. As this is open for questions if we are going to have people make statements about this, I would like to have them sworn in. He has Mr. Beach swear in.

Stephen Beach – I don't know who did the traffic study at Wawa but come on, there are accidents there all the time, with one egress that people come in and out of. With a supermarket like this we are going to need multiple exits and entrances and be able to always get in and out with tractor trailer trucks during the day and night. I like the idea of a supermarket rather than a PJ Whelihan's because that is open to like 2-3 am. The study on the egress should really be looked at before we go any further.

Robert Carter – Mr. Beach, I would just respond to your question and note that a lot of these issues specifically with traffic and with site design are going to come through the Land Use Board when there is an application and will be addressed as part of a site plan application. The purpose of this meeting is just to focus on is it an area in need of redevelopment.

Stephen Beach – Ok, Thank You.

Robert Carter – do we have any other questions from the public?

Nick Constantino – 28 W. Buckingham Ave, Mt. Ephraim. Joe Nardi swears him in.

Nick Constantino – if this does go through, what would be the time frame, I need to sell my house, will this be done a year from now 2 years from now, what is the time frame.

Joe Nardi – I think the easiest way to answer that is nobody knows at this point, this is the beginning of the process, which is to identify a redevelopment area and the if the recommendation is such, then it goes to the Governing Body, then that begins a whole new process. A study as to what is the best use for this parcel that has now been identified and then after that perhaps try and see if there are interested parties that might want to participate, submit proposals, concepts, plans, so its really the earliest stages. I think if you get beyond this point and that big discussion begins at the commissioner's level there are notice provisions in the redevelopment law, so areas affected will always get notified when there will be public hearings, or even frankly if you come to a public meeting and ask about the status of this project you will get the answer. So, I don't think anyone can give you an exact time, so like when you say I need to sell my house, nobody here or in the Governing Body or involved in this process would be able to say that's a good idea or bad idea to sell your house because we just don't know.

Nick Constantino – ok, thank you.

Robert Carter – any other questions.

Renee Nusbaumer – 15 W Buckingham Ave., Mt Ephraim. Joe Nardi swears in the resident.

Renee Nusbaumer – so I live across the street from this area, I am a little disappointed that I was not notified about this, I found out on Facebook, even though it was printed out in the newspaper. Is there a way that the properties around there can be notified a little bit better for these meetings, so I can be educated and a good citizen?

Joe Nardi – so what I can tell you from experience its always difficult to include anything beyond the statutory requirements, that’s the obligation, my experience has been that a redeveloper who is interested typically they will conduct meetings at the town hall where they would not necessarily be personal mailings to everyone but broad publications or at least notices given on the website, things of that sort. This was on the website of course and then in the paper, so I can’t tell you exactly how it will be done but I can just let you know what I have seen in the past, but there is not statutory requirement to do that. The board does have the requirement that when they make a formal application that there is a minimum requirement that is met.

Renee Nusbaumer – well I am going to be part of that traffic study since I am on W. Buckingham.

Joe Nardi – Listen its good that the Mayor and Commissioner Gies are here, this is completely new for the Borough and its important that there is input, and I have seen that in other Municipalities where its something new and the residents want to know what’s going on, even residents who may not be technically subject to notice requirements, they just have an interest in knowing what is going on with the town.

Renee Nusbaumer – Thank you.

Scott Smith – I can add to that as well, the process that we are going through tonight has a separate set of requirements for sending out notices, we just needed to notify the residents who are affected and part of the redevelopment study, whereas the Land Use Board requirements the notices must be sent to residents within 200 ft of the application.

Robert Carter – so if you are within 200ft and they come before the Land Use Board you will be notified.

Renee Nusbaumer – thank you.

Mark MacGarvey - 254 James St., Mt. Ephraim. So it seems like the township is starting to make use of eminent domain to support commercial developers, is there any intent to continue to do this or is this like a one off, I don’t believe in the past this has been a path that the township has taken.

Joe Nardi – Again the requirement is if that is a possibility then it has to be included the recommendation, that doesn’t necessarily mean that will occur, but under those legal requirements if there is an interest in participating in eminent domain there is a requirement that a municipality or and government entity needs to engage in good faith negotiations based

upon appraisals that have been prepared based upon comps of the properties. So, anyone who may be possible subject to a potential claim or condemnation action they will receive a notice, they will receive an appraisal and then they will have the opportunity to engage in negotiations for the sale of the property before any of that occurs. Now, whether that would be a one-off thing, like Mr. Smith was indicating Mt. Ephraim like other surrounding towns they are fully developed the only way you can get any new investments in many instances and according to all the studies is to have the avenue of redevelopment. So, I don't think anyone here would be able to say it's a one-off, I don't know if anyone would ever predict that because I would think that I don't even know when the last time there a condemnation action was here in town.

Stanley Witkowski – 106 Fourth Ave., Mt. Ephraim. I like to piggyback somewhat on this gentlemen's question, some time ago there was an ordinance passed by the Borough in the acquisition of the subject properties, has there been any schedule at this point to settle on those properties and if not, what would be the trigger to get that done.

Mayor Tovinsky – we have the properties, we already made settlement on August 31st.

Stanley Witkowski – ok because it is in my opinion with that being done then it would accelerate this process.

Mayor Tovinsky – yes, it is already done.

Stanley Witkowski – ok, good deal.

Thomas Crehan – 709 Gaskill Ave., Mt Ephraim. Just a question and a possible concern when the Borough purchased the property where there any issues relevant to soil contamination giving the ages of the building.

Scott Smith – yes, we investigated several things, and we had some excavations done, the only outstanding environmental issue is something that will be required during the demolition and that's because of the asbestos, all old construction has that issue. So, they will just need to follow, they, meaning the developer would be responsible for the correct removal process. As far as fuel tanks we did research and there were three tanks removed in 1999-2000, they were removed with no issues and no further action letters were given. A later occurrence where they noticed some fuel odors and that was investigated and then we reinvestigated that 20 years later and we sampled the ground water and there was a temporary monitoring well and it confirmed that there is no longer an issue. Everything went remarkably well with that.

Tom Crehan – thank you.

Scott Smith – again the asbestos is something that will need to be managed with the developer when they demo the buildings.

Rocco Vespe – is there any reason why the gas station across the street was not included in with part of this redevelopment study.

Scott Smith – it's detached from this overall site.

Mayor Tovinsky – I don't know why we would want to purchase that, because everything else that we have is on the opposite side of the street.

Scott Smith – that site that you are referring to, they have some serious ground water testing that they need to complete.

Rocco Vespe – just in terms of Antonio's property, maybe he would want to move across the street and that would be a little easier in terms of getting that corner.

Mayor Tovinsky – well right now we are just trying to get approved by the Land Use Board for this part and get a developer. That could possibly be in the future.

Rocco Vespe – do we have more than one developer interested?

Robert Carter - I am not aware.

Mayor Tovinsky – I am only aware of one, right now.

Robert Carter – to answer your question, I would say we are interested as Mr. Smith mentioned, we had a 2006 redevelopment study done for the Black Horse Pike, we have a redevelopment for the Central Business District along Kings Highway and for me being on this board I can tell you that I am very interested in using redevelopment along the Black Horse Pike to clean up some of the properties that are there and make them more viable, I just couldn't give you a time frame on when that would all happen.

Rocco Vespe – ok.

Stephen Beach – I have one more question, how much money tax revenue are we talking about getting.

Mayor Tovinsky – if we go forward with the redevelopment and the developers and the Lidl company that I have sat down with, what they

have said to me was 20-40 jobs for people in town, \$130,000.00 a year in taxes, they don't want any breaks, they want to pay their fair share.

Stephen Beach – so all we would be making is \$130,000.00 in tax revenue from this. We could put residential homes in there and make way more in tax revenue.

Robert Carter - I am not sure about that.

Stephen Beach – am I right.

Mayor Tovinsky – I don't believe so.

Robert Carter – No, not when you must factor in the school tax, not to mention it is not zoned for residential, historically it's been zoned commercial.

Stephen Beach – well am I right.

Mayor Tovinsky – no, we haven't investigated that.

Stephen Beach – right but that is a lot of property, to possibly do that. Also, what did we pay for the property.

Mayor Tovinsky – I think it was \$770,000.00.

Stephen Beach – once again just being residential we could make more then that, selling the land.

Mayor Tovinsky – we have nobody interested in putting houses there, we have someone who is interested in paying us the money and demolition the building and build something and get tax money in here.

Robert Carter – I am going to say, the purpose of this meeting now is to hear the redevelopment plan, as to whether this is an area in need of redevelopment. If there was a developer with a viable plan for residential or mixed use, then that would be something that the board and commissioner would consider. The purpose of tonight's meeting again is to act on whether the area needs redevelopment.

Stephen Beach – ok you answered my question, thank you.

Carl Ahlers – 17 Gloucester Ave., Mt Ephraim. I just have a concern about the traffic pattern at the light around the Black Horse Pike and Kings Highway, has anyone else been sitting at the light for a while. It's total gridlock at times. Now has any traffic studies been done yet and I'm sure

you will need to work with the state and county on this. Ever since they have made it one lane it's a mess anymore and tons of traffic.

Mayor Tovinsky – that would come and yes, a traffic study would get done. Right now, we really cannot give you an answer as whoever the developer would be getting the traffic study done.

Robert Carter – any other questions from the board.

Rocco Vespe – can this report be posted on the website.

Tara Weiss – everything was posted on the website. I will again check to make sure.

Robert Carter – any other questions are comments. Hearing none we will be closing the public portion. Do we have any comments from the board? Hearing none I will close it to the members. Do we have a motion?

Anthony Stagliano – can Joe explain what the motion would be?

Joe Nardi – what you have heard now and from the public comment, and testimony from Mr. Smith is and under the statutory requirements the board now has to a decision as to whether they would recommend to the governing body that this area as you have seen on the plan should be designated as area in need of redevelopment. Now what would happen at the next step if that were approved is that a report in form of a motion would be submitted to the commissioners for their consideration and then they would act upon it and they would have the opportunity to make their own determination based upon what this board has recommended.

Motion to approve and recommend to the Commissioner's that this area has been the subject of the investigation, should be designated as an area in need of redevelopment.

Anthony Stagliano made a motion to more forward with the redevelopment of the area, **Michael Schiavo** seconded the motion.

Roll Call: Mayor Tovinsky, Kim Beebe, Commissioner Gies, Michael Schiavo, Steve Eggert, Thomas Maxwell, all voting yes. Robert Carter, yes, and I will add that I believe Mr. Scott you did an amazing job with the redevelopment plan, and I think that this moves forward with goals of the smart growth and is consistent with our 2006 plan that designated this area in need of redevelopment. Anthony Stagliano, yes, and I would like to add I think redevelopment to this property hopefully becomes the beginning to further redevelop other areas in our town and help with the overall

improvement of the town to both commercial and residential areas. Gary Prinski, voting yes.

Resolution for granting minor site plan and variances to Joseph McElhiney for the new tavern located on 267 S Black Horse Pike, Block 116 Lot 11.01.

Anthony Stagliano made the motion to approve the resolution, the motion Seconded by Michael Schiavo.

Roll Call: Kim Beebe, Commissioner Gies, Michael Schiavo, Steve Eggert, Anthony Stagliano, Michael Marrone, all voting yes.

Motion to adjourn meeting.

All voting in favor.

Motion to adjourn.
All voting in favor.