

FREEHOLD BOROUGH PLANNING BOARD
MINUTES OF OCTOBER 23, 2019

MONTHLY MEETING

The monthly meeting of the Freehold Borough Planning Board was held on Wednesday, October 23rd at 7:00 p.m. in the Council Room of the Municipal Building.

Chairman Reich stated that this meeting was provided in accordance with the Open Public Meeting Act, by providing a copy of the agenda to the official newspaper and posting same on the official bulletin board of the Municipal Building.

ROLL CALL

PRESENT	MR. WILLIAM BARRICELLI
ABSENT	MS. MICHELE GIBSON
PRESENT	MR. GARRY JACKSON
ABSENT	MR. PAUL CEPPI
ABSENT	MR. JOSE GERONIMO
PRESENT	MR. MICHAEL McCABE
PRESENT	MR. ADAM REICH
ABSENT	MR. MICHAEL WILDERMUTH
PRESENT	COUNCILMAN GEORGE SCHNURR

Mr. Reich read Item No. 3 on the Agenda as follows:

Approval of Minutes from Planning Board Meeting August 28, 2019.

Mr. Reich - any questions or comments;

Mr. Barricelli made a motion to approve the minutes, Mr. McCabe seconded.

ROLL CALL

Yes	5	Barricelli, Jackson, McCabe, Councilman Schnurr & Reich
No	0	
Abstain	0	
Disqualified	0	
Absent	4	Gibson, Ceppi, Geronimo & Wildermuth

Mr. Reich read Item No. 4 on the Agenda as follows:

Approval of Minutes from Planning Board Meeting September 11, 2019.

Mr. Reich - any questions or comments;

Mr. Jackson made a motion to approve the minutes, Mr. Barricelli seconded.

ROLL CALL

Yes	4	Barricelli, Jackson, McCabe & Reich
No	0	
Abstain	1	Councilman Schnurr
Disqualified	0	
Absent	4	Gibson, Ceppi, Geronimo & Wildermuth

Mr. Reich read Item No. 5 on the Agenda as follows:

Memorialize Resolution for 618 Park Avenue LLC

Application Number: PB-SP-2019-008

Applicant: 618 Park Avenue LLC

Location: 618 Park Avenue - Block 110 Lot 9.03

Zone: B2-B

Request: Preliminary and Final Site Plan Review and Approval with Ancillary Variance Relief

Mr. Reich – any questions or comments;

Mr. Jackson made a motion to approve the Resolution, Mr. McCabe seconded.

ROLL CALL

Yes	5	Barricelli, Jackson, McCabe & Councilman Schnurr & Reich
No	0	
Abstain	0	
Disqualified	0	
Absent	4	Gibson, Ceppi, Geronimo & Wildermuth

Mr. Reich read Item No. 6 on the Agenda as follows:

Area in Need of Redevelopment – Review of Resolution of Mayor and Council Declaring the Designating Center Core as an Area In Need of Rehabilitation. Investigative Report – 2019 Freehold Center Core Rehabilitation Area Designation by Pennoni, draft, October 7, 2019.

Ronald D. Cucchiaro, Esq. – Planning Board Attorney – explanation for the Planning Boards role; The Borough Council adopted a resolution declaring a certain study area to be in need of rehabilitation, different section of local redevelopment and housing law. Under that law, once the Council adopts the resolution, it comes to the Planning Board, unlike redevelopment, there is no preliminary investigation, not that intense for the Planning Board; you listen to the presentation from the professionals and if there are any comments or recommendations go to Mayor and Council but recommendations are not necessary; you can be satisfied with the report; this is not a referendum as to whether you like it or not, the sole purpose tonight is to determine if the criteria, one or more has been satisfied to determine the area in need of rehabilitation; also it is not about what is going to be redeveloped there, that will come later, through the introduction of a redevelopment plan which will be referred to this Board to determine substantial consistency with the Master Plan. Tonight is very narrow and very focused;

Mr. Reich – is there an approving from the Board;

Mr. Cucchiaro – no, only providing comments or recommendations if there are any;

Mr. Cucchiaro – swear in Julie Connochie and Mark Keener; Pennoni has been hired by Borough Council to prepare the plan you will hear tonight;

Ms. Connochie – Mark Keener is a recent addition to Pennoni but very experienced Planner in New Jersey and Pennsylvania;

This is a much less formal process than redevelopment; the report you have reads investigation which is more formal but it is really an assessment of the parcels in the proposed rehab area meet one of the criteria; the criteria are generally easier to meet, standards are lower; there is no condemnation, the financial incentivizes are only up to a five year abatement verses a twenty-five for redevelopment;

I'm going to provide a general overview; we have talked about what the expanded are might look like since we started the NJTPA process, three years ago; the boundary you see in orange (in the extra handout) is the exact same boundary we put forth in the Master Plan that we discussed a few months ago when adopting the Downtown Element;

The first part is the legal foundation, providing background of what Rehabilitation is; it gives a lot of fodder of how it is consistent with the Master Plan, how it is consistent with State development and redevelopment plan; all to help lay ground work for the next steps in the redevelopment plan; here is straight to you and the governing body and public, to say it is not arbitrary; it is in the planning documents, consistent with the broader goals and objectives;

The first criteria – Criteria A, three prongs in “A”, harder to meet; first part is significant structures in the area are deteriorated or substandard; second part is continued patterned of vacancies, abandonment or under utilization of properties in the area; third part is persistent areage, which is tax payments do not get paid and are building up, consistent defaults in tax payments;

The other criteria is much simpler – Criteria B – it is what was used to designate the Center Core plan; you either need the housing stack, more than half of the housing stack to be fifty years old or the majority of your water and sewer infrastructure is over fifty years old; most of the Borough is going to fall into Criteria B; this was leaned on for the previous designation for the smaller Center Core area; this is equally applicable to this;

It will help to separate out the existing Center Core area, encompassing a lot of Main Street, which has seen substantial investment from pretty much everything around that area benefitted from the existing rehab designation being in place; there are still a lot that are patterns we see pretty consistently in the entire Center Core, even though there are areas in the Rehabilitation area that are quite nice, we would all agree wouldn't alone make the criteria; we are looking at holistically that entire boundary; we found a fair amount of deteriorated and substandard structures; some on Main Street, most are the commercial areas and some of the housing you see on Broad and Throckmorton that haven't been converted into professional office uses;

Next we looked heavily around the bus station; this has been a big area focus, the Broad Street Plaza, the bus station area, some of the Municipal Buildings, the Broad Street School building; all of those exhibit these characteristics where they are old, in need of maintenance, circulation around there is not great, could use street improvements; the Borough Plaza shopping center

there is a decent amount of vacancy there; all of those things contribute for meeting this criteria; a continuing pattern of vacancy or under utilization, I would say here are finding shows the under utilization; you have a lot of surface parking in the Center Core area, which is due to inefficiencies; you don't share the uses, so they pile up and become most of your downtown; we see that as meeting the criteria of under utilization, probably the key finding with that; we are not really considering all of Criteria A to be met but we are demonstrating to you is that more than just one thing is present in the study area;

We did not find any persistent area of property tax payment; we reached out to the Tax Assessor and most are all current on taxes and there are no liens for delinquent taxes on any properties; so because you don't meet one, we are saying you don't quite meet; we did want the report to reflect that some of the conditions are there;

Mr. Reich – Criteria A is more stringent;

Mr. Keener – you don't have to meet both criteria, what Julie is explaining is that your pursuing under Criteria B; the Planning Board wants to satisfy themselves, this effort preserves the integrity of previous planning and meets the legislative criteria and proceed ahead. If you look at what the Master Plan says and the State Plan says, there are a long list of things meant to promote, encourage or improve; certainly when you think of the Core Area and the things you want to accomplish moving forward is about exactly those things; the legislative criteria establishes if there is a legitimate public purpose here; clearly you have been at this a long time and believe in that;

Ms. Connochie – we're leaning heavily on Criteria B, used for Center Core Area; 100% in the Center Core area is over fifty years old, you can use based on that; I gave you all the information on Criteria A, so you had all the information, some might still say public purpose, public need for the Rehabilitation; the other thing really key, from the New Jersey Department of Community Affairs perspective, they will review once Council determines this area is in need of rehabilitation; what they are looking for is consistency with their state plan; there are two types of areas they consider to be priority areas where they want to see rehabilitation; those are the only areas they will endorse, Freehold has both of them; one is a PA1, urban area, with an Historic area and walkable downtown; the other is a designated town center, walkable commercial centers where the State wants to encourage investment; one way to encourage investment is through rehabilitation and redevelopment designation.

We also point out in the report you will not have any issues with DCA, meeting their criteria. It is pretty simple and straight forward; the recommendation is you meet this area in need of rehabilitation designation based on the criteria; questions

Mr. Cucchiaro – comments will be transmitted to the governing body; they can take them into account, some, all or none; they will adopt the resolution and it then goes to the DCA; in order for the DCA to approve, subsequent to or contemporaneous with it, eventually a redevelopment plan introduced; keep in mind, whether you are an area in need of redevelopment or an area in need of rehabilitation they still call it a redevelopment plan; they should call it rehabilitation; so there will be redevelopment plan of rehabilitation because of the statute; when it is introduced for determination of consistency with the Master Plan, then second review with public hearing; this is simply to introduce the rehabilitation, facilitate the plan and open the door for the five year tax abatements;

Mr. Reich – potentially what comments is the governing body looking for;

Mr. Cucchiaro – whether or not you think it meets the criteria;

Councilman Schnurr – if we pass the resolution tonight, it then goes to the DCA;

Mr. Cucchiaro – goes back to the governing body; if they adopt the resolution approving the area as in need of rehabilitation, the governing body will submit their resolution to the DCA; we submit nothing to the state, the governing body does;

Mr. Reich – when you use Criteria B, the age of the housing and water and sewer lines infrastructure, does that mean the infrastructure has the potential to be improved;

Mr. Cucchiaro – it means the governing body feels a plan can be put in place to help the municipality;

Mr. Cucchiaro – Hoboken still has water lines that are wood, going back to the Civil War;

Mr. Cucchiaro – just restating what was said; all the properties listed are fifty years or more, the housing stock; also, this is not a reflection of the conditions of properties listed, just part of a zone that identified as in need of rehabilitation based upon age of housing; Also, why are things not available; some block and lots, some addresses, some owners;

Ms. Connochie – this comes from the New Jersey MOD 4 data, property tax data from the State; I also had Kerry help with some of; this data does not make it into the system; we can run by the Tax Assessor again but as far we are know there information is not readily available through the data that we have access to;

Mr. Cucchiaro – there are odd small parcels that are rights of way or easements; in Howell they have some odd lots, subdivided and environmentally sensitive areas; some go back a hundred years where lots were created;

Mr. Reich – we don't have any comments;

Mr. Cucchiaro – it is appropriate to make a motion that the Planning Board has no comments or recommendations regarding the plan for the Council;

Mr. Barricelli – I make a motion to approve, we do not have any comments to put forth to the Borough Council; Mr. Jackson seconded the motion

ROLL CALL

Yes	5	Barricelli, Jackson, McCabe & Councilman Schnurr & Reich
No	0	
Abstain	0	
Disqualified	0	
Absent	4	Gibson, Ceppi, Geronimo & Wildermuth

Mr. Reich – thank you for your time, will we see you soon with other reports;

Mr. Cucchiaro – when there is a redevelopment plan, it will be referred to this Board; it is now up to the Council;

Councilman Schnurr – Ron will you relay to Kerry so it is on our agenda;

Mr. Reich – do we have anything for the next meeting;

Dominica Napolitano – two use variances and a bifurcated site plan;

Mr. Reich – anything else to come before the Board;

Mr. Barricelli made a motion to adjourn, seconded by Mr. McCabe. All in favor, Aye (all), opposed (none). Meeting adjourned at 7:30 PM.

Respectfully submitted,

Dominica R. Napolitano