

BOROUGH of GARWOOD
PLANNING BOARD

MEETING of May 27, 2015

Chair Stephen Greet called the meeting to order at 7:30 p.m. and stated the following:

Meeting Notice:

Pursuant to the Open Public Meeting Law, this is to state for the record that adequate notice of this meeting has been provided to the public by publication in the Cranford Chronicle and by filing of said notice in the office of the Municipal Clerk. This is a regularly scheduled meeting of the Board.

MOMENT OF SILENCE AND SALUTE TO THE FLAG

ROLL CALL

Present: Stephen Greet, Mayor Charles Lombardo, Bruce Paterson, William Nierstedt, Paul Tarantino (arrived at 7:55pm), Michael Vena, Robert Scherer, Kathleen Villaggio, Gene Jannotti, Craig McCarrick (Alt I), Patricia Quattrocchi, (Alt II) Steve Napolitano (Alt III), Timothy Hak, (Alt IV)

Absent: None

Excused: None

Also present were Board Attorney Donald Fraser, Planner/Engineer Victor Vinegra from Harbor Consultants and Board Secretary Adele Lewis.

MINUTES

• **MINUTES OF THE MARCH 25, 2015 MEETING**

On a motion by Kathy Villaggio and seconded by Mike Vena, the Board voted by general consent to adopt the minutes of the March 25, 2015 Planning Board meeting.

RESOLUTION

Determination that **Block 211, Lot 6** with a property address of **75 North Avenue** (identified as 93 North Ave on building) meets the statutory criteria pursuant to NJSA 40A:12A-1 et seq. in order to deem it "In Need of Redevelopment" pursuant to the Review of report entitled **Preliminary Investigation Report for the Redevelopment Study of Garwood Paperboard Property** dated February 2015.

Donald Fraser stated that the resolution was not yet prepared as his office lost power prior to completion of the resolution. It will be adopted at the June meeting.

Redevelopment Investigation

Public hearing to discuss the proposed designation of an “area in need of redevelopment” pursuant to the *Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.*, for the following parcels of land:

Block	Lot	Street Address	Acreage	Zone
401	1	450-90 South Avenue	2.86	LI
401	2	50 Center Street	2.24	LI
401	3	20 Center Street	0.014	LI
401	4	400 South Avenue	0.173	LI
401	5	70 Center Street	0.0356	LI
403	1	453 South Avenue	0.367	GB
403	2	451 South Avenue	0.0918	GB
403	3	447 South Avenue	0.0918	GB
403	4	439 South Avenue	0.1837	GB
403	5	435 South Avenue	0.0918	GB
403	6	423 South Avenue	0.3673	GB
403	19	424 Willow Avenue	0.2754	RES-B
403	20	432 Willow Avenue	0.0918	RES-B
403	21	438 Willow Avenue	0.1148	RES-B
403	22	440 Willow Avenue	0.0689	RES-B

and determine if the study area meets the statutory criteria pursuant to NJSA 40A:12A-1 et seq. in order to deem it "In Need of Redevelopment". Review of report entitled
entitled **Preliminary Investigation Report for the Redevelopment Study of Block 403 & 401 South Avenue**

Jeffrey Janota of H2M architects & engineers, Parsippany, NJ 07054 P.P., A.I.C.P., reviewed the report he prepared. Technical difficulties prevented him from using the power point presentation he had prepared and brought with him, however he stated that he would transmit the power point to the Board office for placement on the Borough website.

He referenced the report he prepared and reviewed the existing conditions of each individual property.

Mr. Janota cited the permitted uses in each zone and referred to the Master Plan which notes the history of obsolete industrial uses and noted that the bulk of the industrial properties are relatively non-functional with insufficient loading and circulation, in addition to their dilapidated condition. He added that there have been no improvements to the industrial properties in many, many years.

Mr. Janota reviewed the Local Redevelopment Housing Law and cited the relative criteria. Mr. Janota informed the Board that a property must meet at least one of the criteria and added that many of the properties meets several of the criteria.

A- The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any such characteristic, or are so lacking in light, air, or space as to be conducive to unwholesome living or working conditions.

B - the discontinuance of the building previously used for commercial manufacturing or industrial uses

D - Areas with buildings or improvements which by reason of dilapidation obsolescence faulty arrangement or design, and deleterious land use

H - the designation of delineation area is consistent with smart growth planning principles adopted pursuant to law or regulation

Additionally, he referenced a Section 3 designation in which a property can be included when it is crucial to the cohesive development of a site.

Mr. Janota stated that the Section 3 designation crucial for bank and residential property.

Board members asked questions of Mr. Janota

Paul Tarantino asked for clarification on designation. The Wells Fargo and residential. The residential meets the designation D as it is a non-conforming use and does not meet the minimum lot size requirement and bulk requirements.

Mr. Nierstedt recommended that the report be amended so the residential be listed as both criteria D and the Section 3 designation as it is crucial to the development. Mr. Nierstedt continued that the Master Plan envisioned a transit oriented development and this non-conforming use does not advance this goal. He opined that it will be difficult for the owners of the residential home but they would be offered fair market value for their home.

Mr. McCarrick stated that he disagrees with Mr. Nierstedt as the Section 3 designation logic could be applied to all the lots in the subject area.

Ms. Villaggio stated that she was surprised at the condition of the buildings and she believes the owners of the individual property should negotiate their own agreement with the developers and is generally opposed to Eminent Domain.

Mike Vena stated it is crucial to consider the entire area as a whole. He opined that the corner building would be the building he would like to see preserved.

Eminent Domain was explained by Board Attorney Donald Fraser. He noted that all property owners were given notice to participate in the hearing for the designation.

Mr. Janota reiterated that in his professional opinion, the Wells Fargo site and the residential site are necessary to development in this area. He added that the Wells Fargo site has a small building with excess parking for the site.

Mr. Scherer stated that the Surgeants Gymnastic uses the Wells Fargo lot for parking. Mr. Janota stated that this designation helps the bank by increasing the property value.

Kathy Villaggio stated that the Borough held a two day event with NJ Transit in 2009 with a follow-up report in 2010. Many residents came to the public meeting to discuss their vision for the development.

Gene Jannotti stated he was surprised at the poor condition of the buildings and noted two typographical errors in the report which referenced incorrect street names on the map. Mr. Janota stated he would correct them.

Comments from the Public

Chair Greet asked if any members of the public had comments or questions. Brian Tresdall of the Westfield Leader asked questions of property ownership and the process for acquiring them.

Bill Nierstedt explained that the Eminent Domain provision and added that developing around the residential home would be deleterious to the home and the development.

Ileen Cuccaro asked for clarification on the contract purchasers and ownership of properties. She inquired if the 2009 Master Plan reexamination is the most current available.

Mallory Megan in process of purchasing home across the street on Willow Ave. asked for timeline of development. Chair Greet explained the process.

Chair Greet thanked Mr. Janota for the comprehensive Study and stated that he would like to see the next steps move forward. He noted that this would be a deliberate on-going process.

Mr. Paterson inquired if two parcels, the Wells Fargo bank and the two family home, could be removed from the study. The general consensus of the Board was that the entire study area meets the statutory criteria should be determined to be an area in need of redevelopment. Mr. Scherer inquired if the Eminent Domain component can be removed. Mr. Nierstedt explained the Borough's position that is to ensure parking and that is a council function.

On a motion by Gene Jannotti, and seconded by Kathy Villaggio, the Board voted Affirmative (8) Michael Vena, Stephen Greet, Kathleen Villaggio, Robert Scherer, Gene Jannotti, Craig McCarrick, Patricia Quattrocchi, Negative (1) Bruce Paterson, the Planning Board does hereby recommend to the Governing Body to designate Block 403 & 401 South Avenue as an area in need of redevelopment. And that it meets the statutory criteria pursuant to NJSA 40A:12A-1 et seq. upon review of Preliminary Investigation Report for the Redevelopment Study of Block 403 & 401 South Avenue.

Invitation to the Public to Address the Board

Stephen Greet asked if anyone would like to address the Board- there were no comments. Victor Vinegra provided the Board with an update on Westfield Senior Housing stating that they have received their TCO (Temporary Certificate of Occupancy)

CLAIMS

On a motion by Mike Vena and seconded by Gene Jannotti, the Board voted by general consent to approve the following vouchers for Harbor Consultants from the escrow of:

- *Inv # 21288 for \$212.50 for Westfield Senior Housing*
- *Inv # 21398 for \$1630.00 for Westfield Senior Housing*
- *Inv # 21411 for \$240.00 for 105 Center Street*

ADJOURNMENT

There being no further business, the Board adjourned 9:15 p.m.

Respectfully Submitted,



Adele C. Lewis, Board Secretary