



**CITY OF ABSECON  
Municipal Complex  
500 Mill Road  
Absecon, New Jersey 08201**

**PLANNING & ZONING**

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**PLANNING BOARD  
REGULAR MEETING MINUTES  
FEBRUARY 24, 2016**

Vice-Chairman, Betty Howell called meeting to order at 7:00 p.m.

**FLAG SALUTE**

**NOTIFICATION OF MEETING** – Betty

ROLL CALL: Thomas, Ciccone, Smith, Sugden, Horton, Seher, Dacanay, Howell  
Absent: Armstrong, Preston

**REGULAR MEETING**

**OLD BUSINESS:**

Vote: Approval of Minutes of January 13, 2016 meeting  
Motion to approve – Kim Horton – second – Greg Sugden  
All were in favor.

**APPROVAL OF BILLS**

Andy Previti – Visions \$1,155 and \$1,875  
Mike Fitzgerald – Absecon Gardens \$26; Conifer \$65; General Planning Board matters \$39  
Rob Reid – Visions \$1,732.50

Motion to approve – Kim Horton – second – Jeff Ciccone  
All were in favor.

## **NEW BUSINESS:**

**Presentation** - request from City Council to investigate whether or not the Absecon Creek Study Area qualifies as a "Condemnation Area in Need of Redevelopment" and/or an "Area in need of Rehabilitation".

Ed Dennis and Stuart Wisner from Remington Vernick & Walberg appeared to explain the process.

**Eddie** - discuss the possible redevelopment of the Absecon Creek area. Action will be needed to be taken tonight by the Planning Board. Everyone received maps of the area in question but he had a larger colored scale for the presentation. In late 2015 the city applied for a grant to the Atlantic County Improvement Authority to do a redevelopment study (the Absecon Creek study area). The vision is to redevelop the lands in that area for different types of uses that are conducive to marine type activity, whether it be new marinas, restaurants, new housing, etc. There is no set presumptions on what may end up there but by going a statutory process we can essentially rezone the lands within that area to afford the city certain powers that would otherwise have to attract developers come in to redevelop those lands. He then explained the process and how it would work. They would do the report and come back before the Planning Board and present it to them for their comments and approval, which would then be sent to City Council for their approval. That area means a lot to the city and it's an under-utilized asset for sure. They are ready to get rolling and hopefully as quickly as possible. He then spoke on two projects that have been in the works already in areas of the Creek.

**Stuart Wisner** – has done many of these redevelopment projects throughout the State. He explained the city's plans for the possible development. The Atlantic County Improvement Authority started to take over the role of economic development for the County itself and issued notice to all municipalities for projects that they thought might be good for their towns. The city submitted this project to them in concept form and they have been working with the Authority and the city to get here tonight. Included was a funding application round where the city did receive funding for this process. Council adopted a resolution for the Planning Board to undertake the study to determine if any portion of the area or all of it to see if it qualifies as an area in need of redevelopment or rehabilitation under the State's housing law. The Planning Board has to approve a resolution authorizing Remington Vernick & Walberg to begin with the study and then they would come back to the board with an analysis of the area. Public notice would be given and they could give their thoughts at that time. The board can make recommendations as well and a formal resolution would be approved and sent to Council for approval. After that, they would get directed to do a Redevelopment Plan for the City for the specific area and he explained what goes into that plan when done. It would come back to the Planning Board for approval again and any recommendations back to city council, who will then adopt it by ordinance. Once that is adopted, then the city is free to seek a developer and negotiate with them to make the project happen. One concern that is always out there is eminent domain and he explained how that comes about and that it might not ever even be used. It's a tool that the city can be used if needed. The resolution and large scale map will be on file with the City Clerk who will have it for reference if anyone wants to come in to see it.

**Mike F.** – knows how the procedure works and that it would be months before they come back. It's just has to be done the right way and carefully. Our budget for non-application work is thin too.

**Betty** – she and the chairman had some concerns. Since the Planning Board is responsible for the plan, they want to make sure the Planning Board professionals are included with the process and everything

**Ed** – the funding mechanism is not up to us, but we have no problem with working with anyone.

**Mike** – the heavy "lifting" they will do, but in the end, the board needs to take the report and make an independent judgement. They will look to guidance from their own professionals. The more you discuss with them and keep them apprised, the easier at the end it will be to get the board to accept it. We don't want to end up going through the whole process and at the end there are some issues.

**Andy** – there are really no funds, since they have a contract with the County.

**Rob** – prepared a letter dated 2/24/16 summing up the responsibilities of City Council and then the Planning Board as well. He wants to be included and review it and make his recommendations. You need to be satisfied with the document when done and he is confident that RVW will do that, but as a resident and planner he thinks he can add something to it also.

**Jeff** – the County gave the grant to them to do the work, so will our professionals be able to use that?

**Mike** – that is a contract with the County, but the city needs to have funds to pay their professionals involved. It would be easier to have them involved during the process and not at the end. It should not be a lot of money needed because the heavy work will be done by RVW.

**Eddie** – explained the ACIA went through an RFP process, not sure if they submitted or not, but they prequalified firms and those firms have access to the funding. Everything we do has to run through the ACIA and their attorneys. Those attorneys help us with the solicitation process to get developers when needed. We shouldn't be changing the resolution that need to be approved tonight.

**Mike** – doesn't feel this needs to be put in the resolution

**Greg** – it doesn't make sense to slow this process down. The city selected RVW to do this, so that issue is outside this grant. It will be up to the city to get additional money for them. They just don't want to review it at the end when we get it. We are not asking our professionals to do thousands of dollars of work, but to have some input.

**Rob** – the Planning Board should have been responsible in the process from the start.

**Mike** – the ACIA could have picked another company and there would be outsiders handling this.

**Eddie** – we have been doing work with Absecon for years, so we are not just off the street and work with all the professionals for years now. We won't be waiting until the end to give you this. The Mayor has mentioned that he wants us to be involved with them, so it's been discussed.

**Rob** – the issue is that Council has to put money aside for us to do our job.

**Mike** – it shouldn't be a lot. It would be for consultation and review. We can't change the process now.

**Brad** – asked about eminent domain and how it works.

**Stuart** – it's only authorized under a condemnation redevelopment area. The government can acquire properties by fair market values, but at a last resort, but he has been part of friendly condemnations too.

**Mike** - the city always has that authority. It's an aspect that can be worked into a redevelopment plan to assemble property, which is this context.

**Andy** – how was the study area defined and what criteria used to establish the lots and during the investigation process, can the board eliminate certain parcels?

**Eddie** - the area was determined by the properties that front the westerly side of the Creek. The city came up with the area they wanted to review for redevelopment and included all of the lots for the study.

**Jeff** – asked what the criteria for condemnation was

**Stuart** – read off the 8 possible requirements. The report will have recommendations in it and some lots might not be included.

**Andy** – are any owners in this study aware of it yet?

**Eddie** - he believes so. They've been talking to Council and the Mayor has had meetings with effected residents to get preliminary feedback. This map and Resolution will be made available in the City Clerk's office for anyone to come in and see.

Motion to approve Resolution #1-2016 of the Planning Board authorizing RVW to being the study made by Greg Seher – second – Brad Smith

ROLL CALL: Thomas, yes; Ciccone, yes; Smith, yes; Sugden, yes; Horton, yes; Seher, yes; Dacanay, yes; Howell, yes

## **AB Visions** - Amendments to Site Plan Approval regarding the pool and outside area

**Andy** – in early January Tom Roesch, the engineer for the developer wrote to Rob and himself requesting administrative approval for some amendments to the site plan in September or November of 2015. He agrees except with the modifications to the pool area and the elimination of the fountain area and turning it into a dog park. He feels they should come in and give the board an explanation and decide how it should be done. The board should also give a list of items they want to see on the revised plans before they submit.

**Greg** – concerned about types of gates and the fencing around the areas.

**Rob** – he had concerns of the safety of the pool area too. They have the required self-closing gates by state statute. They provided a detail of the fence itself and he is comfortable with it, but understands if there is no locking capability and anyone can walk in. To get in the clubhouse you have security access if you are a resident, but most of the time someone from management was there and you were able to walk in and locked out if no one was there. His concern was the safety of the pool and has objections to what they are doing. They are enhancing what is there and making it more conducive to the type of use that it is. The fence around the water feature was too low and would have had to replace it.

**Andy** – they need to address how the pool will be managed and accessed

**Kira** – questioned what makes it a public pool. She would like to know more about the dog park as well.

**Rob** – it will be just for the residents of this facility, but considered a public pool due to its size. The dog park as well.

**Andy** - they should submit to the full board, so they have a chance to review them before they come in.

## **ADJOURNMENT**

Motion to adjourn meeting – Brad Smith – second – Kim Horton  
All were in favor.

Respectfully submitted,

Tina M. Lawler

Approved: \_\_\_\_\_