

MEETING MINUTES

TOWNSHIP OF OCEAN REDEVELOPMENT COMMITTEE

OCTOBER 13, 2016
5:30 PM

1. CALL TO ORDER

- ROLL CALL

Dan Collamer X Tina Wetter X Dennis Tredy 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.

REGULAR MEETING

OLD BUSINESS

Carried from September 8, 2016

- **DMK Development – Block 4, Lots 42.05 & 42.06**
 - **Proposed Tractor Supply Company**

Damien Del Duca, Law Firm of Del Duca Lewis, Attorney for the Project, discussed he is here with Chris Kettler, his client of DMK Development and John Palus, Engineer for Dynamic Engineering. The proposed Tractor Supply Company application was discussed last month at the Redevelopment Meeting and is seeking approval. There were a few open issues. The applicant has recently submitted revised plans.

Chris Kettler discussed the revised façade. The sanderling color will be carried up on the front phase and on the sides. That will give a little texture break up to the building and will be more aesthetically pleasing.

Most of the changes took place on the site plan. The applicant added a note on the site plan for a possible cross connection with the neighbor to the south. If the applicant can make contact with the neighbor, and

if the applicant and that owner can get on the same page relative to an easement agreement, that will be considered. Streetscape lighting has been added.

John Palus discussed in the county right-of-way along the bike path, three fixtures have been added. One is on the south end, one is a little more centrally located and one on the north end. The fixtures are ornamental, low-level, designed like a shoe box fixture for the streetscape.

Mr. Kettler discussed the fixtures will match the Buy-Rite store. A major change made due to the concerns of the Township Committee is the display of the trailers. Tractor Supply found it to be acceptable to put a portion of the trailer display along the parking spaces on the north side of the site, to soften the impact from the bike path and from the main road. Those are the main changes made.

Committeeman Collamer inquired how much of the front trailer display was actually moved.

Mr. Kettler discussed one-third of the trailer display was moved.

Scott Taylor, Taylor Design, discussed having notes of having berms or buffering along the frontage to screen the views of the trailers, if Tractor Supply still wanted to have them in the front.

Mr. Del Duca discussed that will be incorporated when the applicant gets to the full redesign. The applicant could not submit the full redesign before the next hearing. The applicant will work with the Township and the County before the revised package is submitted. Mr. Del Duca has the berm and buffering notes.

Committeeman Collamer discussed the height and type of trailers in the display in the front of the store were discussed at the last meeting. The lower to the ground displays would be in front and off to the side would be the higher ones.

Mr. Kettler discussed the nature of the trailers are 5x8 and 6x12 utility flatbed trailers. It is not necessary to restrict just because of what is displayed there. Certainly, there will be a condition of anything above a certain height, minus the gates that stick up, hopefully they could agree to put them on the north side of the site where the other heightened trailer display is.

Committeeman Collamer discussed that is a good idea.

Township Attorney McGuckin discussed it should be shown on the plan.

Scott Taylor discussed it was the height of the gates that was the concern, as most of the trailers are really going to be 24-30 inches high to the top of the wheel well or the rail. When the 4-6 foot gate is up, now there is essentially a chain-link-fence height that is up to 6-8 feet in height. There was some discussion about lowering those gates or having those higher units elsewhere or all the units elsewhere.

Committeeman Collamer discussed displaying the trailers with the ramps down, would solve the problem for the Township.

Mr. Del Duca discussed the north side display would have the trailers up.

Scott Taylor discussed if all the trailers went to the north side, they could all be left up, to avoid the enforcement issue. They would be plainly visible to everyone driving by the site similar to other sites in the area.

Mr. Del Duca discussed there is no question that raising the tail of the trailers up is higher than the trailers itself. The trailers are pretty low. The purpose is to get down to the ground. It is not as high as you may fear. Also, it is a mesh, black, metal trailer. It will not be too intrusive to have several of those in the upright position in the front.

Mr. Kettler discussed guessing five feet above would be how high the gates extend out. The nature of those trailers are very similar to one another. The trailers displayed in the front and on the side are all the same, with the exception of the dimensions of 5x8 and 6x12. All the utility trailers have the same height. If the gates have to be down in the front area, Mr. Kettler can ask Tractor Supply. Five feet is not that intrusive as to how the trailers will be displayed.

Jason Worth, T&M Engineering, inquired if five feet is above the deck of the trailer or five feet above grade.

Mr. Kettler discussed five feet above the ground.

Mr. Del Duca inquired if the Committee is comfortable with five feet.

Committeeman Collamer discussed personally, he would be comfortable with five feet.

Mr. Taylor printed out a copy of the Vineland Tractor Supply site.

Mayor Tredy discussed the applicant was supposed to submit the measurements today.

Committeeman Collamer discussed whether the gate is up or down it still has the same advertisement. It is not too much to ask to display with the gates down.

Mr. Kettler discussed not seeing a problem with that.

Mr. Del Duca discussed from a practical standpoint, it may not just be trailers. If there is a concern about height, it should be addressed so there is no enforcement concern.

Township Attorney McGuckin inquired if just the trailers are being displayed and is there anything on them.

Mr. Kettler discussed never seeing anything displayed on the trailers.

Mr. Del Duca discussed some objective limitation is probably best for everybody.

Deputy Mayor Wetter discussed Mouny Holly, Berlin and Little Egg Tractor Supply sites do not have trailers displayed out front.

Mayor Tredy discussed it has to do with the lot size and available space.

Mr. Taylor discussed if the parking was moved forward, it would give more than enough room to put the trailers on either side and would actually increase the amount of trailer display space. The Township ordinance does prohibit this in any other developments in the last 10-12 years. Outdoor sales and storage in the front yard has not been approved and the other Tractor Supply sites do not have trailers parked in the front. The applicant can use the six parking spots and extend them back 100-200 feet.

Committeeman Collamer discussed there would still be good visual exposure.

Mr. Kettler discussed at the last meeting, it was an uphill battle with Tractor Supply. They always want to see their operations and maximize sales. Mr. Kettler was happy with getting Tractor Supply to relocate a portion of that to the side. At the last Redevelopment Meeting it was discussed to alleviate the whole display in the front. Mr. Kettler then went a step further and told Tractor Supply the Township Committee wants to see that area broken up. Mr. Kettler was able to get that approved and would like to keep with the plan, even if it means a height restriction.

Committeeman Collamer discussed the Township Committee did definitely lead in the direction of considering some display items in the front.

Mr. Taylor discussed part of that predicated on the testimony that this is what Tractor Supply does.

Township Attorney McGuckin discussed there are pictures that show that is not necessarily the case.

Mr. Taylor discussed it was not quite that deliberate, but it was indicated that Tractor Supply lines the trailers in the front. It became evident it is not an exclusive thing and there are other options. It is fair for the Redevelopment Entity to reevaluate that discussion. The majority of stores in South Jersey have the trailers in the side yards, with the exception of Vineland.

Committeeman Collamer inquired if putting the trailer display on the south side would jeopardize parking.

Mr. Taylor discussed due to the set back and the wide right-of-way, if they want to open up some room in the back of the site or shifted the building and parking forward about two feet off of the front property line, trailers could be lined down the side and wrap them down the other side and have a larger area. No one is going to not realize that Tractor Supply sells trailers.

Mayor Tredy inquired if Mr. Taylor suggested to move the entrance and if it was moved, how will that effect Route 9.

Mr. Taylor discussed the entrance would stay there and was just suggesting that if the applicant was very constrained for a space for stormwater or grading, if the parking was moved forward to give their store and parking a closer relationship to the street, and the trailers were moved to the side, Mr. Taylor would be willing to give variances or relief for that. The Township has given relief for parking within the front yard or parking within a buffer but not for storage issues. Mr. Taylor would understand to allow some of the trailers in the front yard, but continue back instead of a solid wall 135 feet long. There could be 150 feet of storage down the side.

Jason Worth discussed even with the stormwater basin on the north side shifted, the display could be adjacent to the storage. The driveway that goes around the building is not going to be for everyone's use.

It will only be for deliveries. If people want to cross that, it is safer than walking through the entire parking lot to get to the display areas.

John Palus discussed the applicant is not in a position to agree to it. If that is a condition the Township is proposing, the applicant will take it back to Tractor Supply and they will either approve it or they won't. The trailers will not be a substantial visual obstruction. The company has desires and policies. Policies do change with these national stores.

Mr. Taylor discussed the applicant did a good job with the architecture and the other items.

Jason Worth discussed it just came down to these few remaining issues. Stormwater or circulation can be reviewed at the next stages in the process.

Mr. Collamer discussed every inch closer to Route 9 is a benefit.

Mayor Tredy inquired if Mr. Taylor suggested to move the building back further.

Mr. Taylor discussed no, the building and parking could be brought closer. That would give more room in the back and to get the trailers on the sides.

Mr. Kettler inquired if the concern is more for setting a precedence for future use or is it specifically to anything done on site.

Mr. Taylor discussed it is for both reasons. The ordinance clearly seeks to not permit storage in the front yard, particularly right at the right-of-way.

Mr. Kettler inquired if there is something the applicant can do by way of limitations relative to height or type of product in that area that would allow the applicant to leave the trailers there. It will be an uphill battle to go back and get that approved. Moving the trailer display on either side is going to be difficult at this point. Mr. Kettler was hoping that maybe there are some things relative to restrictions to the front area that could be talked about such as height restrictions and allowing the trailer displays without the tailgate up.

Mr. Worth discussed there was some discussion at the first meeting to possible berms and landscaping. At the same time, the applicant indicated not being agreeable to berms that block the view from Route 9 of those trailers. Anything that would fully screen the trailers were not agreed to.

Mr. Kettler discussed the applicant agreed to do the hedgerow and it will be part of the landscape plan. It would be preferable to keep the display with restrictions than to modify the site plan. The applicant has already submitted site design and plans through CAFRA and the Department of Transportation. With every change that is made, plans have to be updated.

Mr. Del Duca discussed the applicant is asking the Township Committee to make a determination instead of having the applicant come back.

Committeeman Collamer discussed if the display trailers' tailgates are down and height was reduced as much as possible, personally, Committeeman Collamer would agree to it. However, what has been presented tonight is a better plan and there is not a real detriment in the original plan.

Mayor Tredy agreed with Committeeman Collamer.

Deputy Mayor Wetter inquired if there will be trailers on the north side.

Mr. Del Duca discussed yes.

Deputy Mayor Wetter inquired if there will be no trailers on the south and the rest will be in the front.

Mr. Kettler discussed, yes.

Township Administrator/Clerk Ambrosio inquired how many trailers will be in the front.

Mr. Kettler discussed not knowing the actual number of trailers.

Jason Worth discussed it is 135 feet.

Committeeman Collamer would like to see the restrictions, how many trailers will be there at any given time, the heights.

Jason Worth discussed with most of these trailers, even though they come larger, the height off the ground is constant. The gate itself should be a constant height.

Deputy Mayor Wetter suggested having one trailer in the front and the rest on the side.

Mr. Del Duca discussed the understanding is that Tractor Supply will approve a condition that the tailgates be down.

Jason Worth inquired if Scott Taylor would recommend a condition of the berm and landscaping.

Committeeman Collamer recommended the application be moved to the Planning Board level.

Jason Worth inquired if the applicant is looking to estimate how many pieces of equipment and/or trailers would fit into the 135 feet.

Mr. Del Duca discussed the trailers are different dimensions and there is space between the trailers.

Deputy Mayor Wetter discussed 12 trailers in front is alot.

Jason Worth discussed 8-10 trailers makes sense with space to walk around them.

Deputy Mayor Wetter inquired how many different trailer models are there.

Mr. Del Duca discussed not too many.

Mayor Tredy inquired how many trailers are in the photo.

Jason Worth discussed probably 8 trailers in about 60 feet.

Deputy Mayor Wetter discussed 8 trailers.

Committeeman Collamer discussed 12 trailers in the front.

Mayor Tredy agreed 12 trailers in the front.

Jim Oris, T&M Engineering, discussed there is still another process where the applicant goes in front of the Planning Board. The details being discussed now can be rehashed at the Planning Board. Mr. Oris suggested the applicant explain to the Planning Board how they want the store to function.

Township Attorney McGuckin discussed the Redevelopment Committee is allowing this front yard display, which is unusual for this zone and the Redevelopment area. A set number of trailers should be agreed upon. The Planning Board should not be allowed to change that number. No more than 12 up front, gates down up front. Berm and screening can be addressed at the Planning Board. A third of the display area would be down the side and 12 in the front.

Mr. Del Duca discussed the applicant will work with the professionals to come up with adequate berming. Hopefully the professionals are comfortable with that open-ended type of condition. Berming is finite in terms of what you can do. Space is limited. The number of trailers is a condition that needs to be set, for better or for worse. The Planning Board should be bound by that. The applicant does not want to pay an engineer for full plans and find out the Planning Board wants to reduce it to four trailers. The applicant would like to resolve that issue tonight.

Township Attorney McGuckin discussed the trailers will not be on ramps or displays, just wheels on the ground.

Deputy Mayor Wetter discussed the Township is breaking its own ordinance by approving this.

Mr. Taylor discussed it is a waiver approved by the Redevelopment Committee.

Committeeman Collamer discussed each application is judged on its own merit, which doesn't always mean the next application will be approved the same way.

Motion to open for Public Comment was moved by Committeeman Collamer, seconded by

Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Jim Oris, T&M Engineering, discussed looking at the plan and would be happy to provide any additional input, if needed.

Motion to close Public Comment was moved by Committeeman Collamer, seconded by

Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Township Attorney McGuckin discussed a motion is needed to approve a Redevelopment Plan with the conditions mentioned, which is no more than 12 trailers in the front, in accordance with the amended plan, gates down in the front, berming to be determined at the Planning Board, trailers will be on ground level in the front.

Mr. Taylor discussed the trailers will be low, flatbed, landscape-type trailers, not enclosed trailers in the front.

Jason Worth inquired if the Redevelopment Committee needs to discuss other equipment that is allowed up front.

Township Attorney McGuckin discussed the trailers is all that is allowed up front.

Mr. Taylor discussed no pallet storage is allowed up front either. Any pallet storage or other storage should occur in the display areas only and not in the parking lot.

Mr. Kettler discussed the trailer display needs to be a condition.

Mr. Del Duca inquired if the conditions are only for the front display, not the side.

Committeeman Collamer stated, correct.

Township Attorney McGuckin discussed no pallets in the parking lot.

Mr. Del Duca discussed the pallets are understood. Mr. Del Duca inquired if the applicant can put a lawnmower in the side equipment display area, not along the right-of-way.

Mr. Taylor discussed where the outdoor equipment display area is and where the applicant asked for a relief for trailers only in two locations.

Mr. Del Duca inquired if the relief is on the side due to the side buffer.

Mr. Taylor discussed, no, because outdoor storage is supposed to be fenced and screened and not in any yard area or buffer area. It was not anticipated that it was trailers, plus anything else, that Tractor Supply may want to put there.

Mr. Del Duca discussed he does not know if that is a concern or not. The applicant needs to understand what the Redevelopment Committee is approving.

Township Attorney McGuckin discussed there will be no other outside display of anything. Anything else would be in the applicant's fenced in area, other than the trailers, which is what the applicant asked for.

Mr. Kettler discussed and in the sidewalk display.

Mr. Del Duca discussed the sidewalk display is shown on the plan.

Township Attorney McGuckin discussed yes, that is fine.

Mr. Kettler discussed if there has to be a limitation on the side area as far as only trailers, it could be limited.

Mr. Taylor discuss the ordinance prohibits all of it. The Redevelopment Entity is saying in the 135 feet in the front and in the 65 feet in the side, you may put the trailers. Nothing else is permitted and has not been discussed.

Committeeman Collamer discussed the limitations are intended for the front.

Mr. Taylor discussed anything else needs to be stored. The rear yard, side yard and anywhere else is prohibited. It can only be within the fenced in outside area.

Township Attorney McGuckin inquired if the applicant is displaying in the front sidewalk along the front of the building.

Mr. Taylor discussed the applicant has a small sidewalk display that is delineated along the front of the store.

Jason Worth discussed it is about 20 feet wide.

Motion to approve the DMK Development Redevelopment Application (Proposed Tractor Supply Company), with the conditions stated by Township Attorney McGuckin, which is no more than 12 trailers in the front, and in accordance with the amended plan gates down in the front, berming to be determined at the Planning Board, trailers will be on ground level in the front, the trailers is all that is allowed up front, no pallets in the parking lot, there will be no other outside display of anything, anything else would be in the applicant's fenced in area, other than the trailers, which is what the applicant asked for and a small sidewalk display that is delineated along the front of the store was moved by Committeeman Collamer, seconded by Deputy Wetter.
Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes.

Township Attorney McGuckin discussed the applicant will go to the Planning Board. The Redevelopment Committee cannot adopt the resolution until the next Redevelopment meeting, which could not be scheduled for months. Township Attorney McGuckin will write a letter saying the Governing Body will adopt the resolution at the next Redevelopment meeting with these conditions and will approve for the applicant to go to the Planning Board.

Jason Worth discussed speaking with Stan Slachetka, T&M Engineering, who indicated the resolution with the conditions would be an appropriate mechanism. Mr. Slachetka did not feel an amendment to the Town Center Redevelopment Plan would be needed because this is considered one of the only two overlay areas of the Town Center. Design standards are governed by the Town Center Redevelopment Plan but use is governed by the underlying C-1 Zone, which is what the applicant is complying with.

Mr. Kettler discussed moving to the Planning Board as soon as possible.

Township Attorney McGuckin discussed approving the resolution at the next Township Meeting.

Township Administrator/Clerk Ambrosio discussed a special meeting can be scheduled.

Jason Worth discussed the next Planning Board meetings are November 3, 2016 and December 1, 2016.

Township Attorney McGuckin discussed the Redevelopment Committee will not meet until after that.

Mr. Taylor discussed any Planning Board approval could acknowledge the letter referencing this hearing. Condition of that approval would be a formal resolution of this Governing Body.

Mr. Kettler discussed the process from here is the Planning Board application and perhaps a meeting on November 3, 2016.

Township Administrator/Clerk Ambrosio discussed the Planning Board application must be up to par, with the letter from the Attorney and notice of meeting.

Township Attorney McGuckin discussed the applicant has to provide notice 10 days prior to the meeting.

Mr. Kettler inquired if there is anything else needed. The Planning Board requirements have probably already been done.

Mr. Del Duca inquired the deadline for submission to the November 3, 2016 Planning Board meeting, other than the statutory 10 days.

Jason Worth suggested Mr. Del Duca speak to the Planning Board secretary about availability at that meeting. The professionals need time to review the plan.

Jason Worth discussed the next step is the Department of Environmental Protection and Department of Transportation.

Adjournment

Motion to adjourn meeting was by Committeeman Collamer, seconded by Deputy Mayor Wetter.

Roll Call: Collamer: Yes, Wetter: Yes, Tredy: Yes

Signed and Submitted:

Diane B. Ambrosio, RMC
Municipal Clerk

Date