

BOROUGH OF SPOTSWOOD
77 Summerhill Road
Spotswood, New Jersey

Planning Board
March 29, 2022
7:30 PM

The regular meeting of the Planning Board of the Borough of Spotswood was called to order by Charles McCook at the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

The notice requirements provided for in the “Open Public Meetings Act” have been satisfied. Notice of this meeting was properly given in the new schedule of meetings of the Spotswood Planning Board on December 9, 2021 and December 22, 2021. The new schedule was transmitted to The Home News Tribune; it was filed with the Clerk of the Borough of Spotswood and posted in the Spotswood Municipal Building, 77 Summerhill Road, Spotswood, NJ.

The following Planning Board Members and Professionals were present at the meeting:

Mayor Jackie Palmer, Business Administrator Ryan Michelson, Larry Kraemer, Charles McCook, James Farley, Mark Koppel, Dulce Branco-Rivera, Diane Charlesworth, Kim Heyer, Michael Lengel (via zoom), Andrew Mashanski Zoning Officer and James Kinneally, Esq., Ernie Feist (Borough Planner).

The following Planning Board Members and Professionals were absent from the meeting:

Vincent Davis, William O’Bara (Borough Engineer).

Redevelopment – Schweitzer Property
85 Main Street
Block 98, 99, 100 Lots 2/2/2-6

Redevelopment Study:

Borough Engineer Ernie Feist gives testimony and an update on the Schweitzer property that needs to be acted upon. Mr. Feist explains to present Board members that this is a continuation process that was started back in September with a directive from the planning board. He also discusses that 85 Main Street was a blighted area in need of redevelopment and since the planning board made that decision it was then sent over to the Borough Council. He tells them that the Council has drafted the necessary resolution making a declaration that the property known as 85 Main Street was an area in need of rebuild. Mr. Feist goes on to explain that what brings him here tonight was the development of a redevelopment plan what will become after that a declaration of an area in need of redevelopment is made. Mr. Feist explains that this has been an ongoing process for the last several months the administration, himself and the potential redeveloper which is the Rockefeller Group who is now the owner of the property and that they have had several meetings and discussions with regards to what they envision for redevelopment site and what the administration sees as for redevelopment site and several drafts of the plans that the Board Members will be seeing this evening. He explains to the board that at the March 21,

2022 Council Meeting that an introduction of an ordinance which is to adopt the redevelopment plan which is before the board this evening. Mr. Feist explains that the role of the planning board this evening is to review the plan which was distributed in advance for tonight's meeting. Mr. Feist is here tonight to see if anyone has any questions but the boards duty tonight is to provide input to the Council on the plan specifically the reinstatement development law which were the planning board able to make a determination this evening that this redevelopment plan is consistent with the Master Plan of the Borough of Spotswood. He explains that the statue also provides that if there are any other comments that you wish to send back to the Council related to the plan prior to the second reading in a public hearing and presumably an adoption that would also be forwarded to the Council.

Mr. Feist will now briefly step through the development plan he begins with the first six to seven pages have to do with the property, along with tax maps, images, a property survey. On Page 8 it discusses the public purposes for redevelopment goals and objectives and these are what are set forth in the state statue and what a municipality has to strive for in taking on redevelopment. In item B which is most important because the planning boards main purpose this evening is to make a recommendation that this plan is consistent with the Master Plan. Mr. Feist goes through some of the sections regarding the master plan that relate to the property (page 8 Item B to redevelop land occupied by obsolete commercial structures). Mr. Feist comes to the conclusion that the redevelopment plan is consistent with the Spotswood Master Plan. Mr. Feist goes on to discuss the zoning ordinance and states that the property in discussion is in the proper zone and does not deviate with regards to permitted usage and it scales back the actual uses permitted on the property. A list of acceptable permitted uses has been reduced. The biggest changes to the existing property are related to the bulk schedule and pertains to the maximum building height which is 35 ft. In section 3 in the redevelopment plan it goes into principle uses and accessory uses and goes into area yard requirement that pertains to the whole schedule. Also, in the Bulk schedule the maximum building height is 55ft in this plant and also increased building coverage a maximum impervious coverage. The lot area is 25 acres so the depths and widths are in line for what is out there. Mr. Feist also puts in that he made some additional requests regarding landscaping requirements, full landscaping plans that need to be submitted upon site plan approval there are requirements for screening recognizing that there has been a residential development to the East after the Schweitzer property was developed commercially. There are environmental constraints on both the Redevelopment Area associated with the wetlands (State Open Water) which has and will continue to constrain development at the municipal border. This, along with Conrail commercial rail line this will act as a natural and man- made buffer between the Redevelopment Area and parcels in East Brunswick. He checked with the master plan for East Brunswick and they do allow light industrial uses next to residential uses. The balance of this process goes to the administration and how this moves forward from this point. Mr. Feist realizes that there are members from the public that wish to see site plans but informs them that we are not up to that part yet. So with regards to the planning board the result of tonight's meeting is for a recommendation to the Borough Council and at the next Council meeting they will deliberate and hold a public hearing then a second reading of the ordinance will begin to adopt this plan. If the ordinance is adopted at the next meeting which he believes it will be then the administration will begin negotiations with the redeveloper to structure and ultimately enter into a redevelopment agreement and it will set forth the financial aspects of the redevelopment plan, there will be discussions of a pilot payment in lieu of taxes,

public re-improvements that the developer will have to make within the Borough and that will again be negotiated between the administration and redeveloper and then will go to Council for an approval. After everything is settled he believes that the redeveloper will move closer to site plan which may be rather quickly with the application to the Planning Board to get site plan approval and that on-site plan will have to be based on the redevelopment plan.

Once they achieve site plan approval both here, Middlesex County, and other outside agencies it is customary with any site plan application that comes before the board then they would be in a position to move forward with the redevelopment promptly. Mr. Feist states that they have made application for a demolition permit they are intended on starting and most likely completing the process while awaiting site plan approval process so we may see some work out there that is not related to site plan process it is related to demolition process. This process will be over seen by the construction department for the Borough and because some of that demolition will involve back filling the Borough Engineer Reps will also be out there to make sure any back fill material is clean and compaction is done in a proper manner and as long there are no problems down the road. Mr. Feist believes he has gone through the process up to now and is willing to answer any questions the Board may have and if they wish to open to the public.

Mr. McCook asks if this is just the first or second broad brush until we actually get up to site plans? Mr. Feist responds that is correct to which Mr. McCook responds we need to get over all these hurdles first? Mr. Feist responds that is correct. Mr. McCook asks about the changes that Mr. Feist has made if they are just common sense regarding the ones that Mr. Feist has described and at least and make sense with regard to common use of the property for both in the past and future use. Mr. McCook asks Mr. Feist that without these suggestions would it hamper the development of the property? Mr. Feist responds yes. Ms. Branco-Rivera asks how tall is the building there? Mr. Feist states that he doesn't know the exact height but he believes it is excess of 35ft not larger than 40ft but he believes the water tower out there is taller than that. He believes that the existing structure is close to the height of the new building not to exceed 55ft. Ms. Branco-Rivera also asks about storage tanks and Mr. Feist responds that's already within the structure. Mr. Koppel asks if we know what other companies will be working out of there? Mr. Feist explains that as of the last meeting they did not have identified user and that it is a spec building. So Mr. Koppel asks with no known companies there was no traffic study? Mr. Feist believes that they have not completed a traffic study as of yet but they have hired someone. Mayor Palmer believes that they are looking for an e-commerce tenant. She doesn't believe that we will be seeing tractor trailer probably more of a box truck and to Mr. Feist's point that they have been negotiating for a while and the bottom line is to make sure the residents are protected. Mr. Kraemer asks if the County is on board with this since they will be hauling all of that material out of there in 80,000lb trucks multiple ones are they concerned with damage to the County Rd and taking care of it (repaving). Mr. Feist explains it is a county road and they will have jurisdiction over it with regards to what they require from the developer to do in terms of improvements across the entire frontage. There are no other questions from present Board Members.

Mr. McCook makes a motion to open to the public. It is seconded by Ms. Charlesworth. All present board members are in agreement.

Eileen Cella from 12 Janice Drive in Spotswood wishes to discuss the truck traffic. She hears everyone talking about box trucks and she is terrified since box trucks weigh more than 4000lbs when they are full. She states that when she moved here over 24 years ago there were no trucks because Old Stage Rd is a residential road and it is not constructed for truck traffic. She also states that Main Street is a County Rd but it has residents living on it some only feet away from the road so if the County wants to come in and put sidewalks and drainage these residents will be able to shake hands with the truck drivers. She wishes to know for a friend about the truck operation hours and is concerned that these trucks do not belong on Old Stage Rd and they continuously come down her Road as early as 3:00 am and she cannot get out of bed quick enough to get license plates. She is also concerned about the asbestos and the debris that will be taken out of the area she states that trying to access Route 18 from road is just a fatality waiting to happen. Ms. Cella states that she has so many concerns with this but she has nothing to see since there are no plans to look at. She also complains that she almost missed tonight's meeting and only learned about it through Facebook since she does not get the Home News or the Sentinel and she doesn't make daily trips to the Borough she feels there is no communication. She feels as a citizen she doesn't matter because this is a big part of our community. She states that she prays every day that one day she doesn't wake up with a tractor trailer in her yard because she was told that it was going to take 50ft or more to stop a tractor trailer with the brakes on and her home is less than 50ft from the road and she shouldn't have to worry about that when she goes to bed at night and she knows these box trucks will be coming down Old Stage Rd. She wants to know the current construction hours for Spotswood? Mr. McCook states that if there is someone here from the construction office they will be happy to answer. She looks around since no one has answered and says well if they are allowed to demolish shouldn't we know the answer. Mr. Mashanski is present and he states the times for construction are 7am Monday thru Friday and 8am on Saturday to which she responds "so people that live and work in the area are going to be up at 8am on their weekend when they don't have children to get up for school at 7am because of all the noise in the area. She also wants to know about the idling of the trucks that can last for hours. Mr. Kraemer states that there is an idling law and Mr. McCook states that there is no idling at the site since no trucks are there, Mr. Koppel asks if she is talking about over by Shoprite to which she responds with, "let me finish" and that she was reading an article the other day about demolition trucks taking debris away from a site and how they needed to wait in line and that you just cannot shut off a diesel truck to move up in line. The conclusion to the article was the trucks were there idling for hours and there are residents that live in that area inhaling a diesel cloud. She is also concerned that when this warehouse opens if she will be seeing a lot more truck traffic in her neighborhood. Mr. McCook asks if he is correct that she does not live on Main Street she states No, but I have friends that do. Mr. McCook tells Ms. Cella that as far as he is concerned the main goal of this development is to receive and distribute goods and to ship those goods using smaller vehicles. The larger trucks should be staying on Main Street and not on Old Stage Rd, she claims that what she was told about the warehouses on Cranbury Rd. Mr. McCook says he doesn't believe they are permitted to which she answers but they are. Mr. McCook assures her that they take her concerns seriously but that is a law enforcement issue. She then asks if he is going to look into the idling issue he states they will not but the officials on behalf on the Borough will absolutely and the developers will comply with the law. Mr. Koppel assures Ms. Cella that her concerns are not her own all members of the zoning board are residents within the town and that is why he asked about the traffic study. Ms. Cella tells the present board members that she went to every East Brunsick meeting regarding the

building on the corner across from Shoprite all they talked about was the traffic study and rated that corner as a D and increased it to a C when they put in the center turn lane and her complaint is the traffic study was done during a school holiday on a Saturday Morning she explains that this is a well traveled street that when the traffic study is being conducted they are at off hours. Mr. Kinneally tells Ms. Cella that when the site plan goes before the board she will have the chance to question the traffic study engineer regarding when and how the study was done and she claims to have done that in East Brunswick. Mr. Kraemer also assures her that since he lives close by the redevelopment that if he smells the diesel fuel he will not hesitate to go over there with the police and get it corrected to which Ms. Cella thanks him.

Douglas Kelly of 167 Szymanski Drive of Spotswood wasn't sure if he missed this question but wanted to know about the timetable of the project when the start and finish would be. Mr. Feist answers the question that the estimated time frame for the project wouldn't be as long if there was an adoption at the next Council meeting and everything is agreed upon between administration, Council and the redeveloper and also subject to site plan approval from this board the time frame would be mid to late summer lasting 9-12 months for construction which would bring them to a year from September. Mr. Koppel asks so the Fall of 2023 and Mr. Feist responds yes.

Mayor Palmer wishes to point out that this is a redevelopment site and what has been on this site for the last 50 years is trucks, Conrail Train, and that these trucks have gone through Spotswood with the prior Snuff factory trucks traveling along Main Street but this site needs to have a usage there and unfortunately the town although a majority residential needs these ratable to keep the taxes down but they do come with truck deliveries. In the long run this will help create jobs that were lost when the factory closed down.

Since no one else from the public wishes to be heard Mr. McCook makes a motion to close the public portion which is seconded by Mr. Kraemer. All board members in attendance agree and the public portion of the meeting is then closed.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Ms. Palmer			X			
Mr. Michelson			X			
Mr. Kraemer		X	X			
Mr. McCook			X			
Ms. Branco-Rivera			X			
Mr. Farley			X			
Mr. Koppel			X			
Ms. Charlesworth	X		X			
Ms. Heyer			X			
Mr. Davis						X
Mr. Lengel			X			

Mr. Kinneally advises present Board members that they will be voting on the resolution specifying that they agree with the presentation made by Borough Planner Mr. Feist and that it is consistent with the Borough Master Plan.

MINUTES – February 15, 2022

The draft minutes of February 15, 2022 were reviewed by the Board. A motion to adopt was made by Ms. Branco-Rivera, and seconded by Mr. McCook. All present voted in favor, and the above minutes were approved.

MEMORIALIZATION – Eric & Jacqueline Dobres
12 Drew Place
Block 111.5, Lot 7&8

The above resolution was circulated and a motion to approve was made by Ms. Charlesworth, which was seconded by Ms. Branco-Rivera. A roll call vote was taken; all eligible members were in agreement.

	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Ms. Palmer			X			
Mr. Michelson			X			
Mr. Kraemer					X	
Mr. McCook			X			
Ms. Branco-Rivera		X	X			
Mr. Farley			X			
Mr. Koppel			X			
Ms. Charlesworth	X		X			
Ms. Heyer			X			
Mr. Davis						X
Mr. Lengel					X	

PAYMENT OF VOUCHERS

Prior to the meeting the vouchers were circulated amongst all present Board Members. A motion to pay the vouchers was made by Mr. Koppel and seconded by Ms. Branco-Rivera. All present voted in favor, and the above minutes were approved.

PUBLIC COMMENT

There were no public comments

CORRESPONDENCE

Prior to the meeting, members received copies of correspondence for their review and comment. Correspondence did not need acted on and was for informational purposes only.

BOARD COMMENTS

Ms. Branco-Rivera requests that the agenda and some of the documentation get sent to them earlier for their review.

ADJOURNMENT

There being no further business before the Board, Mr. McCook asks any Board member would like to make motion to adjourn, Ms. Charlesworth makes a motion to adjourn and it was seconded by Mr. Kraemer. All present were in favor, and the meeting was adjourned at 8:36 P.M.

NEXT SCHEDULED MEETING

April 5, 2022 at 7:30 P.M

Location: Court Room, 77 Summerhill Road, Spotswood, NJ

Respectfully submitted,

Joanna Carlson

Joanna Carlson
Board Secretary

Approved at meeting held on:
Tuesday May 17, 2022