

The following are my personal notes, not official meeting minutes. For official minutes, please go to the Delanco Municipal Building, 770 Coopertown Rd.

Delanco Township Committee meeting on June 29, 2015 started at 7:37pm

Present: Ciancio, Templeton, Jass, Dillenbeck, Fitzpatrick

Also Present: Mrs. Lohr, Municipal Clerk; Mr. Fox, Township Engineer; Mr. Heinold, Township Solicitor; Mrs. Martin, Deputy Township Clerk; Chief DeSanto, Delanco Police; Mr. Taylor, Township Planner

RESOLUTION 2015-78 ACCEPTING RECOMMENDATION AND DETERMINING THAT THE RHAWN PIPE FACTORY SITE AT 200 RHAWN STREET, BLOCK 2100, LOT 1, IS AN AREA IN NEED OF REDEVELOPMENT (NON-CONDEMNATION) WITHIN THE MEANING AND INTENDMENT OF THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW N.J.S.A. 40A:12A-1, ET SEQ.

Passed with Templeton voting "no"

Templeton: Reading through the redevelopment report, it seems criteria that state statute defines for redevelopment is stretched to make something fit. I wonder if the property is "detrimental to safety, health, and morals of community." Seems property, even though torn down, is deemed unattractive to community.

Fitzpatrick: In the redevelopment plan, which was well-written, pg. 7 "development (missed exact words here) smart growth, provides township control over jobs and employment." For me, that is the key to what we are doing.

ORDINANCE 2015-AMENDING THE ZONING ORDINANCE TO OVERLAY AFFORDABLE HOUSING ZONE ON BLOCK 2100, LOT 1, IN THE I-1 INDUSTRIAL DISTRICT ZONE

2ND READING BY TITLE ONLY AND PUBLIC HEARING

HEARING OPEN TO THE PUBLIC FOR ORDINANCE 2015-7

Resident of Pennsylvania Avenue within 200 ft. of property: Quality of life issues for existing residents as well as those residents proposed. Quality of life issues are two fold. Maximum height of 45 ft and an additional 18 ft above for nonhabitable space is specified for a total of 63 feet. Joint Land Use Board heard application of Burlington Muslim Society and height was a concern. The 63 feet buildings are in our residential area. Plans call for within 15 ft. of railroad tracks. 45ft from railroad tracks will be two storey apartment. That is equal to the Pennsylvania Avenue side. You are asking people to live that close to a railroad. What will the new residents hear from the trains? Commercial trains idle at night for a half-hour. Township can't stop that. Haven't calculated reflected noise. Was an environmental scientist. I'm coming up with 71 decibels. The township ordinance only allows 50 decibels at night. Concerned with 50 ft. clearance. Trees will be gone according to the plans. I will be looking at a two storey or a four storey building. I don't see the developer respecting the fresh water boundaries to get the 64 units.

Ciancio: Plan for the project is a two storey building and there is no projection that it will be anything different than that. Anything else will go through necessary approvals.

Resident: If that is the case, I recommend making it two storey and maintain the 45 ft.

Heinold: I want to assure the public that the language for redevelopment plan is that of the master plan. Restricted to two storey.

Resident of Rancocas: Concerned about height as well. If 63 ft. is in writing, it seems to give permission to go to that height. Thank you for clarifying.

DeSanto: I did speak with Stafford Township regarding police activity with Walters Group. The captain credited them for good management, said they keep it clean and maintained. He advised that the number of calls is the highest they receive by nature of the density of the development. Mentioned that Walters Group had a learning curve. Individual entrances is a great improvement. Management group does reach out to police on a monthly basis and tries to resolve issues by removing people through a process. It is a statewide application for this so you will have people apply from all over the state – not just your local area. It falls in the middle – not perfect, but not as bad as people fear it will be. Reached out to Barnegat as well, but they didn't call back.

HEARING CLOSED TO THE PUBLIC

Fitzpatrick and Dillenbeck: Yes

Jass: I voted no last time because I didn't have the opportunity to review. Have reviewed now, sit on Joint Land Use Board, have taken Mr. Martin's comments into consideration. Yes.

Templeton: I'm not happy about this. My vote is "no" I think the rezoning is done in haste to satisfy the redeveloper's filing dates for funding and it's being driven by hysteria of lawsuits of so-called affordable housing advocates on behalf of developers. Ordinance as published cites uncertainty of affordable housing process and planning process. Township has been ahead of complying with COAH on first and second rounds. Cites 2010 for township to complete any developments. This project wasn't in the works then. (missed something here) Bulk standards have been mentioned by Martin and Ouelette. Plan states that residents can use NJ Transit parking for overflow; not sure NJ Transit is aware of that claim. Does provide access to parks and greenways, but that has been mentioned in other projects, but access has been restricted. Voting No on this ordinance.

Ciancio: Golden opportunity for Delanco – good in the short and long run. Glad Walters Group will be maintaining. They will work with township and police to be sure it is a project that we are proud of. Joint Land Use Board will address concerns of offset and site management. Moving this project forward is in the best interest of the community.

ORDINANCE 2015-8 ADOPTING THE FINANCIAL AGREEMENT, ACCEPTING THE APPLICATION FOR TAX EXEMPTION UNDER N.J.S.A. 40A:21- 1 ET SEQ. AND AUTHORIZING TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES IN CONNECTION WITH THE DELANCO FAMILY APARTMENTS DEVELOPMENT
2ND READING BY TITLE ONLY AND PUBLIC HEARING

HEARING OPEN TO THE PUBLIC FOR ORDINANCE 2015-8

Resident of Rancocas: Having attended special Joint Land Use Board, I had raised question of \$30,200 PILOT (Payment in Lieu of Taxes) and asked if 17000/yr for

land value would be deducted from that. Told that the 30K was the 30K, but ordinance Section 5A states 6.28% of gross revenue B, C, D, and E, the value of land and improvements are (missed this)

Heinold: Our experience on Mansion and Living Springs, where we have affordable housing PILOT, there everything including the land is taken off the taxes. Mr. DelDuca is here and has special counsel for tax issue. Now, in projects like this, the funding requirement law causes them to go under the redevelopment zone tax structure like Deitz and Watson: tax is levied on land, but credited to PILOT. So a portion of the \$30,200 is PILOT and a portion of it is coming as taxes.

Resident of Delaware: I understand that the structure of this agreement is out of your hands, but I need to comment that for a developer to bring 65 families to town without paying any school taxes places that burden on the rest of the people who live in town. Many of those people are at or below income levels that would qualify them for this low income housing. We shouldn't have to pick up Wells Fargo's school taxes.

Heinold: Communicated with Marlene a week ago and sent an email. Shared it with Joe DelDuca today. Couple of changes I sent, we added a sentence that we can do an audit even if the individual wanted to end the PILOT. Another sentence about our ability to take action, we deleted "reasonable discretion" clause. We can't be unreasonable, but by deleting we aren't adding any additional burden to be reasonable.

Templeton: Question on structure of this financial agreement, talks about phases of the agreement. 20, 40, 60% - what is it calculated on?

DelDuca: Statute requires phase in based on full value based on land and building.

Templeton: That is the number?

DelDuca: Different from Year 1 and year 18-20 when the property is devalued.

Templeton: Irrelevant to the money you are taking in.

DelDuca: The way the statute is structured... if the number is higher than the PILOT. At some time before the end of the 30 years it may be.

Templeton: Why is it structured that a municipality is financially penalized for doing this project? The purpose of a PILOT is to allow business to start up – say for 3-5 years to set up and then it's your own business risk and you are on your own. You have 64 renters year 1 and also in year 30 and are collecting rent the whole time. Still a great discount.

DelDuca: Law requires it. State determined that municipalities have great benefit from 100% affordable project. So people can pay no more than 30% of their total income. Debt ratio 1.15-1. Margins are thin. They want you to be right at 1- 1.25. Developer has to be at 1.15 profit. State may give you more money for the schools – may not. Federal tax credits too. It's a great program and there is a cost to whatever you do. I wish they didn't do it, I face the same question. I would prefer that we didn't have to ask for a subsidy from the municipality. You have been very thoughtful and asked good questions.

Templeton: You've been great. I've attended four of your road shows. Doug, Scott, Michelle, Marybeth... their job is to keep us straight on the law. Our job is ... we know the town and where we are headed in the future. You have a great project. I'm concerned that you could be bringing students who require services that our school can't provide.

Heinold: 20, 40, 60 can only help the town. I wish they would just pass a law that says, "You shall" because without that it gives the impression that there is a choice.

Jass: I find it frustrating and not a benefit to Delanco. When you think of what the state mandates. Hovnanian is bringing in 103 seniors who will pay into the schools and defray those costs. I scrutinized the document and discussed many things with Doug. Regular contracts are different than a regular PILOT.

Fitzpatrick: For benefit of the public, we had an obligation to provide affordable housing – between 48-60 units. No matter how you look at it, the tax impact is the same. Aubrey has the biggest one – 120 affordable for seniors and disabled. Tax impact is the same. The properties around the mansion aren't senior units, but don't have children. The nonprofits in town with affordable housing tried to pay us zero. This workforce development protects Delanco from litigation. We don't need another RiversEdge to be forced here. Builders are waiting to force us. This is our best choice to satisfy our obligations through 2025. We have all taken this into consideration. I wasn't in favor of it, but now I am. Glad that Walters group is coming. Hovnanian's original plan would have brought more children and affordable would look like a barracks.

Ciancio: Any time a township deals with affordable housing, there is a financial commitment from the township. We have struck a position that puts us (missed it) Not taken lightly. In conjunction with Joint Land Use Board. We can't escape our financial commitment.

Passed with Templeton voting no.

ORDINANCE 2015-9 ADOPTING A REDEVELOPMENT PLAN FOR THE RHAWN PIPE FACTORY REDEVELOPMENT AREA 200 RHAWN STREET (BLOCK 2100, LOT 1)
*1ST READING BY TITLE ONLY AND SET THE PUBLIC HEARING DATE FOR JULY 13, 2015 7:30PM

Jass: Pg. 10D Creation of district – typo – 63 affordable units. Should it be 64?

Heinold: 64 units, but potential that one may not be affordable – used by an on-site manager.

Taylor: May want to adjust language accessory use – one unit caretaker's unit. Would still be 100% affordable.

Passed unanimously

REPORT ON RECEIPT OF BIDS FOR FIELD OF DREAMS PHASE III PROJECT

RESOLUTION 2015-79 AWARD OF BID AND CONTRACT FOR THE CONSTRUCTION OF FIELD OF DREAMS PHASE III IMPROVEMENTS AND OTHER VARIOUS IMPROVEMENTS FOR THE DELANCO SPORTS COMPLEX PROJECT FIELD OF DREAMS–PHASE III, BLOCK 2100, LOTS 12 & 12.01

Fox: Softball field, storage sheds, parking lot lighting and amenities.

(missed company) \$251,476 our estimate for that same work was \$283,000.
Understand construction money is available. Have worked with this company on several projects. Have done excellent work.

Ciancio: Comprehensive and complete?

Fox: Yes. He does his own grading work.

Passed unanimously

MEETING OPEN TO THE PUBLIC FOR COMMENTS AND QUESTIONS

Resident of Pennington Ct: Where is the money raised for maintenance of Field of Dreams?

Fitzpatrick: We have an open space account and maintenance is taken from there. Funds for Field of Dreams – grants from Burlington County and 2% loan from Green Acres which is being paid out of open space. Couldn't spend more than \$270,000. It's not in the municipal budget. We did have an open space budget meeting to see how much we can do for sports association and recreation.

Resident: Hiring extra people?

Fitzpatrick: Not at this point.

Jass: The only thing that is outsourced is chemical application since public works people aren't certified.

COMMENT AND QUESTION SECTION OF THE MEETING CLOSED TO THE PUBLIC

Jass: Last Thursday concert was canceled and is rescheduled for Thursday at 7:00

Heinold: Want to note that Marlene did email me back. Hope to have additional items for agreements circulated before next meeting.

ADJOURNMENT

Submitted by Maureen Barrett