

**MAURICE RIVER TOWNSHIP
ECONOMIC DEVELOPMENT COMMITTEE
Thursday, May 2, 2019 at 6:30 pm**

This meeting has been advertised in accordance with the statutes of the State of New Jersey.

Call to Order

Mayor Oliver called the meeting to order and the pledge of allegiance followed.

Roll Call: J. Roy Oliver, present
Ken Whildin, present
Bill Ashton, present

Members Present: Penny Wells
Brian Griffiths
Robert Baron
K. Louann Karrer, Deputy Municipal Clerk

Guest: Brian Guenther
Marty Garton

Approval of minutes of previous meetings

Mr. Whildin made a motion to approve the minutes of the previous meeting, seconded by Mr. Ashton.

Roll Call: Ayes – Whildin, Ashton, Oliver Nays – None

Discussion Items

1. Review of status of dredge spoils from other communities

Mr. Whildin explained that excess dredge materials from the shore communities are stored in confinement areas to drain down, but they need to get rid of it. The materials are deemed clean by the NJDEP. The township is need of materials to prevent the bay from coming in and wiping out Matts Landing. All parties involved are in favor of this. Ocean City, Sea Isle, and Avalon will pay to get rid of these materials and we are willing to take it for free. The township wants these spoils but a “plan” must be approved by the NJDEP. The plan would involve designing/engineering costs and permits. The problem is who will pay for the plan? CAFRA and Coastal Engineering permitting add to the planning/cost. Mr. Whildin spoke with Jason Hearon, Chief of Lands Management for the State of NJ and the collective discussion was that the formative plans would need to be fluid because the amounts and availability of the spoils would fluctuate. This presents a problem because NJDEP permitting prefers to have specific start/stop dates on plans. This might mandate that the plan be done in sections.

Questions about staging and transport were discussed among those in attendance and agreed the best solution is to simply transport it (the approximate 12 miles from the dewatering area at Pierson's in Ocean View) and dump it directly in the Northwest Reach area of Matts Landing. This would save costs for transport and could mean a revenue neutral outcome. Mr. Hearon is working with Dave France from DEP who works in this type of situation and he can come up with a plan; but he must receive a directive from someone above him to do it. Mr. Hearon will get back to Mr. Whildin to report on any progress. We are moving forward but are caught in the bureaucracy. Everyone at DEP believes this is a great idea.

Mr. Garton asked if the material was silt and expressed doubt it would hold without confinement. Mr. Whildin explained a confinement system would be used and the materials being dredged from the back bays is coarser which would hold better than the type of silt in our bay. A biodegradable coconut core log would be stacked to contain the silt and by the time the logs disintegrate, the meadow grass should be established to hold the meadow, in theory.

Mr. Garton proposed that since the communities are already paying to get rid of this materials, maybe we could use the money for engineering, permits, etc., which Mr. Whildin said might be a possibility, if necessary. Mr. Whildin explained if the shore communities would pay all the expenses and help us, we would all benefit.

Mr. Baron asked if there would be more materials than the township wants and if it could be made available to residents or commercial property owners along the river. Mr. Whildin said DEP permits would be required by property owners. Mr. Whildin also explained that the township's need is perpetual due to continual erosion.

Mr. Whildin also explained that the state is running the project down at the shore and the state would run the project here. He is simply trying to coordinate the plan so it could be done without township money.

Mr. Guenther asked how long this has been a problem and could it be climate change, which might be eligible for federal funding.

Discussion ensued about the lack of maintenance dating back to before the 1980's; the issue of continuous neglect; the effects of Hurricane Sandy; emplacing the temporary use of geotube; the aerial photos off East Point indicating the availability of sand for dredging.

Mr. Whildin reported that the ACOE assessment and costs of the dredging at the mouth of the river was estimated at over \$4M but included transporting the materials to Cape May. By keeping the sand, an approximate \$1.4M, could be saved, per Monica at the ACOE. This would provide an approximate 80,000 cubic yards of sand that would cover approximately 16 acres, about 2- 2 ½ feet deep. But the meadow spread is approximately 70 acres, so we need additional materials. Mr. Whildin further explained that there is not enough revenue on this river compared to other ports, which gives the other ports priority. Monica said if costs of the dredging could be reduced closer to \$2M, a larger job, which might come in millions under budget, and if we had a plan in place, it could go quickly (2021 at the earliest). Monica is actually working on having a plan ready for that.

Mr. Whildin said the importance of addressing the problem with the Northwest Reach is not only for Matts Landing, but also the Bivalve side of the river, because the change in the whole course of the river. Both sides of the river have a significant problem.

Mr. Guenther asked if anyone had contacted Rutgers University, who has an invested interest on the quality of the oyster beds. Mr. Whildin responded that Barney Hollinger, from the Commercial Township side, is involved in the meetings with the ACOE. As an oysterman, and former town council member, he has an interest. Mr. Guenther suggested using Rutgers University resources and their engineering school to get involved.

Mr. Ashton said the problem is the DEP's involvement. Mr. Whildin added that this property is NJDEP property, but the township has an interest in fixing the problem to maintain what's already there. Mr. Ashton added that the revitalization plan, which includes the geotube as the least impact on the environment, has DEP begging environmental groups to allow them to do this. Mr. Ashton concluded, if something drastic is not done, East Point and Matts Landing will be gone. They neglected it for so many years, it's no longer what could have been a maintenance project and will probably run into the billions of dollars. He said, this we have to start somewhere and this might be a baby step but it's necessary.

Mr. Guenther asked who maintains the channel. The answer was it is under the ACOE's responsibility, however the last maintenance dredge was back as far as 1990, and only minimal. Mr. Guenther spoke of a project on the Chesapeake River that worked. Mr. Ashton re-emphasized that was the importance of having a plan or long-term strategy in place.

Mr. Whildin reported that at the last meeting with the ACOE, they presented a possibility of putting a large structure at the edge of the Northwest Reach—the end of the river, to keep it from coming up. The estimated cost was \$30M which was flatly denied to come from ACOE funding for Maurice River/Commercial Township. Mr. Whildin said than an alternative they introduced a “turbulent curtain” that would be anchored at the base of the river, which knocks down the wave action before it gets there. This was a cheaper alternative than the \$30M hard structure, but it is uncertain the longevity of that however it would get something there to help build the meadow up and allow for a root system to take hold.

Mr. Guenther said going to Rutgers, might provide engineers and an action plan, surveying similar projects, etc. by utilizing engineering interns to facilitate this. He volunteered to contact his nephew, an engineering student at Rutgers for contact information to get this moving. Rowan, Drexel, Stockton Universities all might be a resource we could tap into to provide legwork for the plan. They could earn their advanced degrees and provide needed information to facilitate a plan.

Mr. Whildin explained that Mr. Hearon was looking at the Littoral or Audubon Society, non-profit organizations for federal funding. In the past we have worked with the Littoral Society and they might be willing to use federal grant money to provide the plan. This would help the NJDEP and us and move everything along. Although the Littoral Society's agenda is primarily environmental, we could benefit from their interests.

2. Follow-up on NJDEP releasing the easement on the Sapello property

Mr. Oliver gave a brief history of the Sapello property. He reported around year 2000, the township allowed a conservation easement for this contaminated property through NJDEP's Limited Practical Use (LPU) Program to get remuneration from the state. In 2012-2013 Brownfields money became available through the USEPA to clean-up the site. It essentially became a full-fledged Brownfields reclamation project. We are in the clean-up phase that will make the property useable. We have tentative plans to make it more beneficial to the township but the conservation easement would need to be rescinded by NJDEP. The township's engineers are in the process of creating a conceptual plan for the property to relocate the current recycling center from Route 47 to the Sapello property, and split off an acre of land for the recycling operations. This will make this prime business property, outside of the Pinelands, on Route 47 available for development. NJDEP has stipulated that if the township could limit the acreage for the new recycling center to be one acre or less, it would be easier for them to rescind the easement on the Sapello property. Mr. Oliver stated that the township engineer, Cormac Morrissey will be providing a conceptual plan for review at the next township meeting which will be sent to the Pinelands, before the NJDEP will sign-off on the project.

Mr. Oliver further explained that the plan will include the recycling plan, a soccer field for the school and playground area. And if acreage limits allow, the plan is to run an alternative access road from Weatherby Road to the school for buses during the Route 47 summer traffic season. A meeting with the school officials may be required since only a quarter of a mile of the road will be on township property and the balance will be on school property. We should work jointly with the school for funding, grants, etc. NJDOT will probably not grant funding for this type of access.

3. Status of Bricksboro Bulkhead project

Mr. Oliver reported that a bid has been awarded and a pre-construction meeting is planned for May 7 at 10:00. The township came up with capital funding in the amount of \$100,000. The bid was awarded at \$84,000. They are going to clear out the cedar trees along the berm, take out the old berm and old pipe. They will emplace 100 feet of interlocking fiberglass bulkhead on the swale in the middle of Bricksboro. They will replace the berm and install a new 24" pipe in place of the existing pipe. This will prevent water from heavy storms or Nor'easters from piling up between tides. Adjacent property owners will be allowed to negotiate with the contractor to extend the bulkhead at their own expense under the township's general permit at either end of the new bulkhead. This will reduce flooding for all the residents of Bricksboro.

The public works department started trimming the area to allow access to the contractor.

This project is to save the village of Bricksboro, which is related to economic concern for the township.

4. Marina property negotiations

Mr. Oliver reported that although this project at Matts Landing has been ongoing for many, many years, the current township committee is in complete agreement about what they want to do and a possible solution. The 5.7 acre tract of land that is part of the NJDEP's parcel has not

been split off for the township. The original proposal was to swap land for land with the NJDEP. The idea was to amass junk township properties and trade with NJDEP for this 5.7 acres. The issue is the marina owners lease the property from NJDEP which impedes the marinas from making investments in the property which could be lost should the state decide to withdraw the agreement. By the township acquiring this parcel, it can be subdivided and sold to the marina owners so they can do what's necessary to make their business work.

Mr. Oliver said in our current position we initially offered 2 properties to the NJDEP, but the appraisal of the properties came in at \$15,900—far short of the \$185,000 which the state is asking for to consider as an equitable trade. Last month, additional properties in excess of 300 acres were submitted for the state to consider. However the re-appraisal process is lengthy and the amount may still not be adequate. A special meeting has been scheduled for May 9th, at 5:30 PM with the marina owners, township committee and our professional staff to address issues the marina owners have with the tax assessment of the properties and how the taxes are paid. The meeting is designed to explain how the properties are assessed, the amount of the assessment, and the ramifications for paying or not paying their taxes.

Mr. Oliver reported the township committee has come up with an alternative plan and may make that information available at the May 9th meeting, but the township committee wants to hear what the marina owners have to say, and dispel or clarify any questions they have regarding their tax scenario and then unveil a fast-track solution which must be fair to the taxpayers in general of Maurice River Township. The committee also wants to be fair to the marina owners and help them develop properties that will be a revenue plus for the township. There will be some give and take, but it will be dependent on the marina owners to hold up their end of the bargain to work. If the desired outcome is accepted, the township will withdraw their offer of 300 acres from the state and make a different type of proposal to the state.

Mr. Whildin clarified that the sale of the property to the marina owners would be at a minimal cost, not to make money. Mr. Garton asked if the \$185,000 would be recouped by the sale to the marina owners. Mr. Oliver explained that the amount paid to DEP would not be recovered by the initial sale, but the property taxes collected from the business properties would be realized over 5-6 years for these properties. The condition is that current taxes must be paid for the township to make any offer to these marina owners.

5. Dollar General update

Mr. Whildin reported the Land Use Board approved the Dollar General. At the LUB meeting, some neighbors to the site spoke out against it with valid concerns, but it is believed overall it will be a good thing for the township. Traffic was a major concern. The engineers and NJDOT approved the plans. The target date to break ground is in the fall.

Mr. Whildin explained that the current angle for Ferry Lane will be straightened for the exit to work, which the township will need to allow so that the approach on Route 47 will be perpendicular. This will improve the line of sight.

Ms. Wells commented that there is no “sight angle” in that area due to traffic caused by the signal light.

Mr. Whildin explained that DOT was willing to move the existing traffic light, at a cost of \$250,000, which Dollar General is not willing to pay.

Conversation ensued about the traffic issues for travelers and the school caused by the traffic light. Ms. Wells noted the school buses contend with safety issues entering Route 47. Mr. Whildin offered to contact the N.J.S.P. for assistance. Mr. Garton asked about revisiting the part-time special officers concept to assist with this problem for minimal pay and no benefits. Mr. Whildin mentioned this program was closed when it became an insurance liability issue for the township.

As a side line, Mr. Baron opined that Maurice River Township will not attract new residents or developers based on the first impressions of the township by visitors when exiting Route 55. He pointed out properties he believed were unattractive and how excessive temporary signage detract appeal. Mr. Oliver explained that if residents pay their taxes and are in conformity with Zoning/LUB rules, the township has no authority to mandate how residents keep or neglect the appearance of their properties. Outside of that, the township might subject themselves to possible lawsuits for infringement of individual's rights.

6. Dunkin Donuts update

Mr. Whildin spoke with the owner of Dunkin Donuts. As of April 3rd he advised that the septic design is back in the county's hands and they are still moving forward. Mr. Whildin said it is a work in progress and Mr. Oliver added the township has done everything it can. The rest is up to Dunkin Donuts.

7. New Welcome Sign on Mauricetown Causeway

Mr. Whildin met with the county supervisor to determine the location for the sign at the base of the Mauricetown Bridge entering Maurice River Township. The sign will be managed by the Heritage Society. The sign is in the works and he anticipates it will be up in the next 30-60 days.

Mr. Whildin also spoke to Nancy Patterson from East Point Lighthouse who manages the Schooner Landing sign. She said almost all advertisements have been paid up from that sign, which is good.

8. PSE&G properties

Mr. Whildin reported that PSE&G is looking to give away some properties, including two 5-6 acres parcels at the base of Mauricetown Bridge; a meadow piece near Bricksboro Bridge with no road frontage that abuts a DEP property; and 2 acres behind (south side) of the "Suzy Bell cannery" (behind the Veteran's Park). This parcel is basically useless for building, but there are no deed restrictions on it. The township should weigh out that if we do not take these properties, PSE&G might give them to the state which would be an irreversible transaction.

Mr. Whildin expressed interest especially in the parcels at the base of the Mauricetown Bridge as possible sites for a boat ramp someday and the property behind the Suzy Bell. This property connects to the township's property and could add to the value of what could be done with that property someday.

Mr. Whildin said the properties were being offered with "no strings attached." PSE&G is trying to off load some of their properties.

Mr. Baron suggested the piece near the Mauricetown Bridge might be a prime site for a restaurant with a liquor license overlooking the river. All agreed. There are CAFRA and septic issues, but the right investor could make it happen.

Mr. Baron suggested a chain restaurant might work. Mr. Griffiths shared his experience with trying to bring a Rita's Water Ice business into the township and his response from Rita's was "this zip code does not support it." The population factor works against us.

Mr. Whildin had a similar experience with several other businesses he contacted. He said the Dunkin Donuts success will become an anchor business for the township.

Mr. Ashton expressed annoyance directed at the LUB processes. He stated that we need to change our image to show we are receptive to new growth.

Mr. Baron offered that the township could be a better area as a suburb of Philadelphia, but we need to clean up the area. A housing development that would provide faster access to Philadelphia would be a magnet to our area.

Mr. Oliver reminded the committee that 56 percent of the township land is owned by tax-exempt entities: DEP, Nature Conservancy, Natural Lands Trust which prevents development. The Pinelands also inhibits business development. Therefore, the only corridor along the marinas—subject to environmental and biological influences; and limitations and regulations by NJ Fish, Game & Wildlife discourage interested boaters from frequenting the marinas.

Mr. Oliver said that unless we get some relief from the state, the township is limited on what we can do. He said a main attractant to the township is the school system. But from a land mass standpoint, we are severely restricted for what we can do, since so much of the land is off-limits basically being owned by tax-exempt entities.

Mr. Oliver said that state legislators have been contacted to come up with a percentage limit that once exceeded, new lands purchased by these agencies pay full taxes on full assessment. But until our state representative enact legislation to set limits, nothing will change.

Mr. Baron asked about offering tax abatements to encourage development. Mr. Whildin said the committee has considered this, but could only abate the Local Purpose tax, which is only about 18 percent of our tax bill.

Mr. Oliver said this township committee listens to residents and invites public input. The committee is reacting to input.

9. Ackley property update

Mr. Oliver reported the project is in the second phase of Brownfields clean up. It is designated a village highway business zoning. Once it is knocked down and cleaned up, it could be sold to an entity perhaps interested in some river-based activity, such as canoe rentals, kayaking, etc.

Mr. Oliver reported that testing revealed there is lead based paint present and the USEPA will pay for its removal to the appropriate facility. Mr. Oliver stated the goal is to have the property completely cleaned up soon. Mr. Oliver said that two additional underground storage tanks were discovered at the site this week—buried under 8” of concrete which was not detected by the initial radar investigation. They are in the process of removing the tanks. The house has already been removed through the CCIA’s Derelict Housing Program. Mr. Oliver said when the cleanup is complete, it will be a beautiful property as a destination business.

Mr. Oliver reminded the EDC that businesses cannot be dependent on local revenues but must expand beyond the township for support. A business plan is necessary for any prospective business to succeed. With internet and social media, opportunities exist to promote a local business.

Mr. Griffiths asked if a warehouse business might be possible. Mr. Oliver replied that the Land Use Board would weigh in. Mr. Griffiths said this type of business is a new concept where it is not dependent on any traffic to succeed. It would need to be accessible for deliveries.

10. Master Plan Revisions/COAH

Mr. Oliver reported that this topic came up at the Land Use Board meeting last night. The state wants the township to update our master plan to include affordable housing. Failure to include a COAH element could subject the township to builder lawsuits by developers. What is saving us from this is no public water or sewer to support this type of development.

Mr. Oliver said that this could be addressed by designating certain areas for COAH development with the provision that the developer would be responsible for the water and sewer system to handle that development. By doing this, it removes the liability for the township and meets the requirement. Affordable housing has to do with income limits and cannot be specified for specific groups, i.e. disabled veterans.

11. 5G Implementation

Mr. Oliver advised that the federal government is moving away from 4G technology. He said it is his understanding that the federal government will be auctioning off contracts for companies to install 5G systems. These boxes will be installed on poles on various township roads, which will take the place of cell towers. The township will formulate an ordinance, which will take approximately 60 days to limit us to deal with boxes only on township roads. The ordinance

needs to be in place because when applications come in to install the 5G units, there is only a 10-day turn around. If there is no ordinance in place, and applications are received, it could subject the township to liability by not having the ability to meet the 10-day permitting period requirement. This new technology is coming and the township will have minimal control over where the boxes will be installed.

Mr. Whildin added that this is a federally backed program. The FCC will give us only minimal control. If an application is received and this is not in place, they can do it anyway.

Adjourn

Mr. Whildin made a motion to adjourn; seconded by Mr. Ashton.

K. Louann Karrer, Deputy Municipal Clerk