

MAURICE RIVER TOWNSHIP

SPECIAL MEETING

Conservation Easement – Sapello Foundry

Monday, April 27, 2020 at 10:00 am

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

This meeting was conducted by teleconference in adherence of the COVID-19 guidelines. Notification was posted on the Township website to provide for public attendance and comment.

Present: J. Roy Oliver, Mayor
Ken Whildin, Deputy Mayor
Bill Ashton, Committeeman
Louann Karrer, Deputy Clerk
Denise L. Peterson, Municipal Clerk

Call to Order & Pledge of Allegiance

The meeting was called to order by Mayor Oliver at 10:07 am allowing for all key attendees to sign in via teleconference and the pledge of allegiance followed.

Roll Call: Mr. Oliver – Present
Mr. Whildin – Present
Mr. Ashton – Present

Attendees: Tiffany CuvIELlo, Township Planner *
Cormac Morrissey, Township Engineer *
Sue Grogan, Chief Planner Pinelands Commission*
Judeth Yeany, Chief of Bureau of Legal Services & Stewardship (NJDEP Green Acres) *

(Asterisk * denotes attendance by teleconference)

The purpose of this meeting is to discuss rescinding the conservation easement on the Sapello property.

Discussion

1. Rescinding the easement on the Sapello property.

Mr. Oliver invited Cormac Morrissey, Township Engineer, to provide a synopsis for the purpose of this meeting.

Mr. Morrissey explained that the Sapello property is deed restricted for recreation and conservation due to its inclusion in LPU program several years ago; the state paid \$400 to MRT for this inclusion. Mr. Morrissey explained presently the site is Brownfields with assessment work being done using USEPA grant funds and cleanup being done also with USEPA funds. The both grants were for \$200,000 each and the cleanup grant required \$40,000 cash match. Additionally, NJEDA HDSRF grant funds have been awarded to characterize the building to determine reuse and disposal.

Mr. Morrissey explained the plan for the property is to extend Fox Street onto the school property by way of the Sapello property to create a back access for school buses. The school presently receives 60+ students from out of the district (Choice School) and the parents must drop them off and pick them up. Presently the school has only one access point with the exit onto Route 47 which can be dangerous for the buses exiting. The back access will allow for a much safer exit for the buses.

Mr. Morrissey explained the other development projected is to move the Compost Recycling Center to the area near Broadway/Weatherby from its present location. Where the Compost Recycling Center is presently located is a 'prime' location for economic development.

Mr. Morrissey explained that the soccer field has been cancelled due to residents not wanting the additional traffic on Fox Street. Mr. Yeany stated that removing the soccer field could 'hurt' rescinding the easement. Mr. Morrissey noted that the area needed for the Compost Recycling would be less than an acre. Ms. Yeany stated that if the rescission is for more than 1 acre it would be a much lengthier process. Mr. Morrissey confirmed that if both the recycling area and the access road were under 1 acre then the request to rescind would meet the requirements. Ms. Yeany stated that under 1 acre is doable but she could not commit.

The water catch basins were questioned. Mr. Morrissey explained that when looking at the entire plan, which included the soccer field originally, he took into consideration stormwater management. Mr. Morrissey explained there are alternatives for the water basins such as on the school property; this will need to be discussed.

Sue Grogan, Pinelands, stated that they will require environmental concerns be addressed and it appears that both proposed items are development in nature. Ms. Grogan added that re-assurances will be needed that this is a special site use. The question was presented regarding the soccer field. Mr. Morrissey explained that Fox Street residents offered complaints about the soccer field being placed on this site due to added traffic and creating a 'hang out'. Ms. Yeany added that the soccer field would fall under Green Acres with a possible funding opportunity. Mr. Morrissey explained that the bus use can be controlled but the public use could not.

Ms. Yeany questioned the access roadway to the Compost Recycling area and Mr. Morrissey explained its positioning on the conceptual plan. Ms. Yeany commented that this may require some deed restriction offset.

It was questioned what the mitigation requirements would be if this was not deed restricted. Ms. Grogan stated it would be through normal process. Ms. Yeany pointed out that there are also cultural restrictions also such as the removal of the old buildings.

Ms. Yeany requested Mr. Morrissey forward a JIF shape file with a scaled down plan for the site and they will review and report back. Mr. Morrissey stated he can send the shape file. The site is still subject to environmental cleanup and removal of the old buildings. Other items to be addressed are threatened and endangered review/report.

It was discussed that both NJDEP and Pinelands will require applications be submitted with both entities requiring some of the same reporting. The two entities will see if they can work off of the same reporting so as not to duplicate. Ms. Grogan suggested to get an application to Pinelands as soon as possible as well as to NJDEP and they can be processed parallel to one another.

Mr. Morrissey explained that a NJDOT grant has been awarded for the Fox Street access roadway which has a two-year use window. Additionally, the township is applying for a second grant to fully complete the project.

Ms. Grogan suggested to submitting the application in a normal process for the roadway. Mr. Morrissey explained that the school already has a permit through Pinelands. Ms. Grogan said to list all properties involved on the application. Mr. Morrissey questioned the need for preliminary review. Ms. Yeany stated she would talk to Robin Madden and find out if the Pinelands investigation could be used by NJDEP. Ms. Grogan confirmed that Pinelands will require some investigation.

Ms. Yeany questioned what the township was proposing for re-imburement of lifting this easement such as other property owned by the township. Mr. Morrissey questioned lifting the easement on the entire property. Ms. Yeany replied this would require a much lengthier process and suggested for the township to proceed with the Compost Recycling and the Fox Street Access first. It was discussed that generally the cost would be 2 for 1 (acreage) to lift the easement.

Ms. Grogan explained that less than one acre normally requires no mitigation; zoning sometimes but there is no formula for this. Under Pinelands no mitigation requirements; Pinelands interest is money that has been used to preserve the property to-date.

Ms. Yeany added that the rate would be 2 to 1 (area) but may incorporate the value. Ms. Grogan added that one review originally Pinelands questioned it being listed in the LPU program due to its former use.

Mr. Oliver offered that instead of a soccer field maybe passive recreation would be a better fit due to the stigma around the site. There were old sand castings but it was determined they were not contaminated. Ms. Yeany suggested that if passive recreation is being considered then it should be added to the applications and Ms. Grogan concurred. It was discussed that endangered species will need to be reviewed.

Mr. Morrissey confirmed with Ms. Grogan that to start the preliminary process the best course would be to submit the applications and also do the redesign and submittal. Ms. Grogan confirmed. Mr. Morrissey indicated that it may be possible to submit the application to Pinelands in June. Ms. Yeany stated she will talk to Sean Moriarty in her department to check the easement requests. Ms. Yeany suggested that all the supporting documentation for this request be repackaged by the township with the updates so that Green Acres can look at 'all' the information. The Township will need to submit a written request for the rescinding of the easement and make an offer on the mitigation (sample: 2 to 1). Further the release of the easement must not conflict with Pinelands requirements/regulations. Ms. Grogan suggested that the township submit the application to Pinelands as a starting point; this submittal will start the detailed review.

Mr. Ashton noted that the roadway and proposed extension are not on the contaminated section of the property and asked if this could be reviewed first to expedite the work. Ms. Yeany stated total proposed redevelopment area must be under 1 acre and at least a month is needed to prepare for the public hearing. A public hearing must be held for Green Acres transaction and must be advertised 3 times (1 ad for 3 consecutive weeks); the township will pay the expense of this advertisement.

Ms. Grogan stated that two applications could be filed but does not believe it will be helpful to separate and offered it will be better to keep everything together. Mr. Oliver questioned whether a Public Hearing is required for Pinelands. Ms. Grogan stated 'no' Public Hearing is needed for Pinelands and they will accept comment at a regular meeting of Pinelands.

Ms. Yeany possibly land use ownership may be a question needing to be addressed by the Township Land Use Board. Ms. Cuvillo stated she would check with the Land Use Board.

Public Comment

Mr. Whildin made a motion to open the public comment session at 11:12 am; seconded by Mr. Ashton.

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

There being no public comment, Mr. Whildin made a motion to close the public comment at 11:13 am; seconded by Mr. Ashton.

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

Adjournment

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

Denise L. Peterson, Municipal Clerk