

STRATFORD JOINT LAND USE BOARD  
MINUTES  
August 22, 2019

The meeting was called to order by Chairman Santora at 7:01 pm and the public statement was read that the meeting was advertised in the Courier Post, the Collingswood Retrospect and a notice was posted on the bulletin board at the Borough Hall stating the time and place.

The Chairman led the board in the pledge of allegiance and a prayer.

ROLL CALL:

Present

A. Santora, Chairman Class IV  
M. Mancini, Vice Chairman Class IV  
J. Keenan, Mayor Class I  
F. Hartman, Councilman Class III  
T. Kozeniewski Class IV  
R. Morello Class II  
P. McGovern Class IV  
R. St. Maur, Class IV  
T. Hall, Alternate 1  
L. Mount, Alternate 2  
M. Wieliczko, Solicitor  
A. DiRosa, Engineer  
S. McCart, Secretary

Absent

J. Keenan Class IV

Mr. Wieliczko stated given Mr. Keenan's absence Mr. Hall will fill our board as ninth member and he should be poled on all votes.

APPROVAL OF MINUTES: Motion was made by Mr. Hartman and Seconded by Mr. McGovern to approve minutes of March 28, 2019. Roll call vote: Mr. Mancini, yes, Mayor Keenan, yes, Mr. Hartman, yes, Mr. Kozeniewski, yes, Mr. Morello, yes, Mr. McGovern, yes, Mr. St. Maur, abstain, Mr. Hall, abstain, Mr. Santora, yes.

APPROVAL OF RESOLUTIONS: Resolution 19:05 Adoption of Rules of Procedure

Mr. Wieliczko stated this is adoption of rules of procedure. It is rules of procedure that is consistent with other Joint Land Use Boards across South Jersey.

All of our proceedings as a Joint Land Use Board is governed by Municipal Land Use Laws. We are told what the laws are. That Municipal land use law guides this board and guides the professionals of this board and recommends to the Joint Land Use Boards the necessity of having a proper and orderly function and for the adoption of rules so that there are workable, clear and concise procedures for the meetings and that the adoption of those rules will provide for more orderly proceeding that will greatly benefit not only the board and the public but also the applicants and anyone else that is interested.

Motion was made by Mr. Hartman and seconded by Mr. Mancini to open to public for questions pertaining to resolution.

Tom Speer, 8 College Circle, was sworn in. He stated he appreciated that applications would not go into the wee hours.

Mr. Santora stated the Board wants to make sure it is as fair to the public as it has ever been. This is one of the things we are trying to do so that nobody misses anything and that you are all involved in the entire process.

Jennifer Tully, 4 Winding Way Road, was sworn in. She asked does the policy and procedure determine how board members are picked? Mr. Wieliczko stated no. This only pertains to the procedures of meeting. Ms. Tully asked why can't the Joint Land Use Board have a general email box with the borough. Mr. Wieliczko stated for our purposes of the JLUB members don't run that component of it. Administratively, our secretary is here. It is something they can take into consideration but to the extent that you are going to

have people to accept and receive it. Ms. Tully stated I think people have questions and not everyone can attend the meetings. Normally with a council meeting I can send an email prior to a council meeting and get questions answered. Mr. Wieliczko stated procedurally you can answer questions but substance cannot be answered. People may email and ask exactly how many homes are going to go in and how many bedrooms and a lot of that we cannot answer.

Catherine Decker, 5 Warwick Road was sworn in. Ms. Decker stated she had a couple of questions regarding communication. She asked if digital, potentially virtual, attendance a possibility. Mr. Wieliczko stated the board does not make that decision. The Board is not the governing body. He stated in some towns they do live stream; however, it is not an interactive live stream. Ms. Decker asked if there were any provisions in the rules for that and Mr. Wieliczko stated no, there isn't. Ms. Decker stated some people could not get into see plans during normal business hours, could applications be accessible on line. Mr. Wieliczko stated there is no provision that compels Municipal entities to do it. Ms. Decker stated nothing that prevents it and nothing that requires it. So, if the town chooses to it could but they are not required to. Mr. Wieliczko stated the difficulty with Land Use is that the application process is fluent so that what's there today may get supplemented tomorrow. I am not aware of any other town that does it.

Motion to close public portion was made by Mr. Mancini and seconded by Mr. McGovern. All Ayes.

Motion was made by Mr. Mancini and seconded by Mr. St. Maur for the adoption and memorization of Resolution 19:05 for the adoption of Rules of Procedures. Roll call vote: Mr. Mancini, yes, Mayor Keenan, yes, Mr. Hartman, yes, Mr. Kozeniewski, yes, Mr. Morello, yes, Mr. McGovern, yes, Mr. St. Maur, yes, Mr. Hall, yes, Mr. Santora, yes.

BOARD ACTION: None

PUBLIC PORTION: Motion was made by Mr. Hartman, and seconded by Mr. McGovern to open Public Portion.

Charles Hagan, 22 Homestead Road, was sworn in. He had some general questions about the Laurel Mills application. Mr. Wieliczko asked him to please hold his questions until that part of the meeting was opened up.

Mr. Speer, 8 College Circle, ask anything that comes before the land use board, redevelopment or any application, individuals that are on the JLUB or alternates, cannot have any interest in the subject matter financially or otherwise being discussed. Is that correct?

Mr. Wieliczko stated there are conflict rules that govern the Municipal Land Use Board and they govern individuals that sit on board. We are a Land Use Board. We do not give opinions. We make decisions on applications that come before us. The Land Use Board is governed by the Municipal Land Use Laws in the State of New Jersey that has conflict provisions in it. As we become aware of any conflicts, we would address it. Each member is a sworn volunteer and they take the oath each year to abide and to serve as a member of the Joint Land Use Board pursuant to the Laws in the State of New Jersey which includes conflict of interest laws.

Mr. Speer asked if the Land Use Board has any role in soliciting or looking for business to come town? It only deals with applications. Mr. Wieliczko stated the board does not solicit. We have a Mayor on our board. There are times that individuals may reach out to him or a member of the board and state that they were interested in coming to this town and the Mayor may have the opportunity to speak to those individuals. Mr. Speers stated you basically react to request that are submitted to you.

Mr. Wieliczko stated we sit as a quasi judicial board. We listen to testimony; we hear evidence and we make decisions. We do not set policy. Council and the Governing Body set policy.

Mr. Reinert, 15 Bucknell Road, was sworn in. He asked who is responsible for trees that are weathered and old and falling. Whose responsibility is it for both the street trees and neighbors' trees.

Mr. Wieliczko asked that he write his name, address and phone number and pass to secretary who can take to responsible party at the borough. The JLUB has no jurisdiction over trees, maintenance or public works.

Motion was made by Mr. Hartman and seconded by Mr. Mancini to close the public portion.

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS: Laurel Mills, 102 Warwick Road, Block 116, Lots 14 and 14.04. Preliminary and Final Site Plan to construct 14,000 sq. ft of retail and 80 townhouse units, including 16 affordable units; and Preliminary and Final Major Subdivision to subdivide existing lot into 70 building lots, 3 open space lots and 1 common area lot, with proposed retail and residential.

Mr. Wieliczko stated that the application was notice and published for this evening. Mr. Wieliczko stated for everyone here this evening, at request of applicant, this application has adjourned and postponed and carried to a special meeting to be held on September 9, 2019 at the Justice Facility, 315 Union Avenue, Stratford, NJ at 7:00 pm. No further notice will be provided to anyone with interest in this other than by published notice. Both the borough and the applicant will be posting and publishing that special meeting notice. However, if you are here this evening and are interested in that application, this is your notice that the application will be heard on September 9, 2019.

Mr. Wieliczko read the letter from Del Duca Lewis asking for application to be postponed until September 9, 2019. Said letter is attached to minutes. This waives the action date.

We will be opening up to the public but cannot speak to the nature of the application.

Motion was made by Mr. Mancini and seconded by Mr. Hartman to open to the public.

Charles Hagan, 22 Homestead Road, questioned building lots vs townhomes. Mr. Wieliczko state we could not speak to the nature of the application. You can review plans at the borough hall. Mr. Hagan question the five-year abatement. Mr. Wieliczko stated that is not part of the application. It may be part of the redevelopment plan. Mr. Hagen asked who he would address that to and Mr. Wieliczko stated the governing body. Mr. Hagen asked about sewerage. Mr. Wieliczko stated that is part of the checklist and there are plans which include all that. They are reviewed by the borough engineer and become part of the hearing. Mr. Hagen asked if retail portion would be built first. Mr. Wieliczko stated we have no knowledge of phasing. Mr. Hagen asked if there was a time limit set. Mr. Wieliczko stated we have no application so we have no idea. There may or may not.

William Scully, 5 Homestead Road, was sworn in. He asked about the demolition of the existing retail site. His concern was to make sure the rodents were address so that when the building was demolished, the rodents would not end up in the resident's yards. Mr. Wieliczko stated if demolition were part of plan and a component of that demolition plan was dealing with live animals then that could be address. Mr. Scully asked if the board took into consideration the health of the people that live on that street. Mr. Santora stated a permit with the Borough would have to be taken out before any demolition were done.

Tom Speers, 8 College Circle, stated he stopped and looked at plans. He wanted to know if green space inside redevelopment was township open space or dedicated to development. The application refers to HOA. Is there going to be a governing hoe owners association with it? Is the property exterior design part of condition? Mr. Wieliczko stated board cannot comment on elevation of building.

Mr. Speers stated the plans a 5' fence with description. The question is that a solid fence? Mr. Wieliczko ask that he refrain from any questions that could taint the application. Mr. Speer stated that plans, as submitted, talk about the phase development and the commercial is first phase. Mr. Wieliczko stated at this point he asked that we refrain from making any more comments about this application until it is in front of us.

Carol Pandza, 14 Rolling Road, was sworn in. She inquired if there was any opportunity to have all parties, who can answer all our questions so that we can have clarity about what the expectations are. Mr. Wieliczko stated we don't make the process. We are just the volunteers that sit on this board and make the decisions. Ms. Pandza was interested in long term value of home. Mr. Wieliczko stated she could see application at the borough. Ms. Pandza wanted to sit in a meeting and have applicants explain application.

Mr. Wieliczko stated we do not have the ability to do that. The board is not charged with having a meeting to say sit down. This board makes decisions on applications that get put before us that are consistent with Municipal Land Use Laws. Ms. Pandza stated some of the residents felt stone walled. Mr. Wieliczko stated we welcome your participation to attend meeting and go over the applications. Ms. Pandza asked if Mr. Wieliczko could tell residents where they could direct their questions. Mr. Wieliczko stated you can contact the attorney for the applicant. You could also contact the applicant to find out what is going on.

Eleanor Speer, 8 College Circle, was sworn in. Mrs. Speer asked if board made the decisions whether a project would be done in phases. Mr. Wieliczko stated if an applicant comes in and says they want to do in phases then that's what they want to do. That's their decision. Mrs. Speer wanted to know who gets to veto what an applicant is doing. Mr. Wieliczko stated we don't veto. Mr. Wieliczko stated we make decision consistent with Municipal Land Use Law and the burdens of proof on what relief is sought. They are seeking Preliminary and Final Site Plan approval and Preliminary and Final Subdivision approval. There are certain proofs that they have to meet. We make decisions whether they have met those burdens so that the relief they request can be granted or denied.

Kathryn Decker, 5 Warwick Road, asked if there had been any previous approvals. Mr. Wieliczko stated on the 9<sup>th</sup> the applicants will have to tell us that. Ms. Decker asked how the date was picked for the special meeting. Mr. Wieliczko stated the date was pick to accommodate all members, professionals and applicant.

Jennifer Tully, 4 Winding Way Road, asked if JLUB has a set of standards that they have to use. Mr. Wieliczko stated we have to use township ordinance, redevelopment plan and building code.

Jack Brennan, 10 Bucknell, was sworn in. He stated he was confused on the process. At the end of the process, what is achieved. Mr. Wieliczko stated the board votes on the application that is made. Mr. Brennan asked if project is approved, what is next step. Mr. Wieliczko stated they can proceed. It doesn't mean that they have satisfied all the requirements. A lot of times you have to get approvals from outside agency. This is just one step in the process and we do not govern what is outside of our circle. Mr. Brennan wanted to know if the approval can be withdrawn if there is enough objection to it. Mr. Wieliczko stated I can tell you as a courtesy the process can be challenged.

ADJOURNMENT: Motion was made by Mr. McGovern and seconded by Mr. St, Maur to adjourn. All members voting aye.

**D** | **DEL DUCA LEWIS**  
LAW FIRM

Damien O. Del Duca, Esquire  
dod@delducalewis.com

August 21, 2019

VIA E-MAIL SHARONMCCART@STRATFORDNJ.ORG  
AND REGULAR MAIL

Ms. Sharon McCart  
Joint Land Use Board Secretary  
Borough of Stratford  
307 Union Avenue  
Stratford, New Jersey 08084

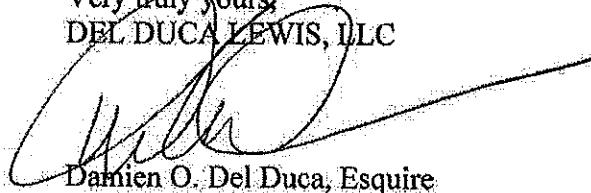
**RE: LAUREL MILLS LLC; BLOCK 116, LOT 14, STRATFORD, NEW JERSEY**

Dear Ms. McCart:

We represent the applicant, Laurel Mills LLC. This application is currently scheduled before the Joint Land Use Board on August 22, 2019. We ask that the Joint Land Use Board postpone this application until a special meeting scheduled for September 9, 2019. Mr. Wieliczko advised me that an announcement will be made at the August 22, 2019 meeting so that no further notice is required under the Municipal Land Use Law. We will publish notice of the special meeting, as required under the Open Public Meeting's Act. The applicant agrees to extend the statutory time for board action until September 30, 2019.

Thank you.

Very truly yours,  
DEL DUCA LEWIS, LLC



Damien O. Del Duca, Esquire

DOD:gml

cc: Matthew B. Wieliczko, Esquire (via e-mail)  
Kavneet Sethi (via e-mail)  
Maninder Sethi (via e-mail)  
David Kreck, PE, CME (via e-mail)