

## **SAYREVILLE PLANNING BOARD**

**MINUTES OF April 4, 2018**

The regular meeting of the Sayreville Planning Board was called to order by Thomas Tighe, Chairman and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Davis, Councilman Lembo, Ms. Lee, Mr. Tighe, Mr. Macagnone, and Ms. O'Leary

Absent Members: Mr. Volosin, Mr. Bello, Ms. Mantilla, Mr. Chodkiewicz  
Also present were: Mr. Marc Rogoff, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner.

### **AT THIS TIME, THE MEETING WAS OPENED:**

**Mr. Rogoff informed Chairman to place on the record that Mr. Macagnone's Class IV term has been assigned to the unexpired term of Mr. Kelly's open seat. Mr. Macagnone will expire at the end of the year, 12/31/2018.**

### **MEMORIALIZATION OF RESOLUTION:**

None

### **ACCEPTANCE OF MINUTES:**

**Mr. Tighe made a motion to accept the Minutes of February 7, 2018 meeting. Councilman Lembo made a motion to accept; seconded by Ms. O'Leary and the decision was unanimous.**

### **INFORMAL PRESENTATION:**

**North American Properties – Riverton “Referred within this document - NAP”**

**Nation Lead property**

**Presentation by: Kevin Polston, North American Properties**

This is an informational presentation to the planning board. North American Properties has been working with SERA on the initial concept plan. The structure of this project is Sayreville Seaport Associates, LP has been the redeveloper and NAP has been involved since 2017, along with PGIN is an affiliate of Prudential, they are an investor/partner in the project for approx. 10 years. They requested NAP to assist with this project. O'Neill Properties Group is no longer involved in the project. NAP is a private development company and head quartered in Cincinnati, OH since 1954, Atlanta office founded in 1996. NAP's Mixed Use Development team is based out of Atlanta office. They have development/manage/acquired over \$5 billion worth of property to include mixed use, retail, multi-family, and office sectors. Developed 19M SF retail, 17,000 SF residential, 14M SF of mixed used. Activities primarily are in Sun Belt market, this is their first in NJ Market. Their flagship completed project called Avalon in Atlanta, GA was an 86 acres site. Started in 2011 and over the 6 years they transformed the site with residential, office, retail, hotel, conference center – entertainment driven with well-known local restaurants, movie theater and completed this site in January, this is 86 acres site developed 2.1M SF with a value of \$1B.

NAP approach is to integrate the experience of the plan, creating a place to come together as a community. Shopping, eating, recreational, cultural, family and community gathering. Prudential acquired Avalon in 2017, they thought this concept could be part of what could be in Sayreville. NAP placed a team to study the site through local and US professionals. This concept plan started in October thru December and the plan was approved by SERA in February. This is just a directional plan, many changes will happen to this plan with roads, building sizes etc. Along the highway will be box retail and highway services. The size of this project will be driven by the market that will dictated over time, since completion will not happen in the near future. Per the concept plan ~ 1.5M of retail, 2M of commercial and office space, 800,000 hotel and conference center, 400 slip of marina (max build-out), 2,000 residential – 500 of single family homes and 1500 of multi-family or apartments. Mr. Polston refers to the concept plan to discuss location of these items. Due to the conditions of the site, development would start from south west to north east. First order of business, Bass Pro will be honored. They will build quickly and flexible over time with an active water front. Mr. Polston recaps the square footage and the integration of the project with the different uses and for family and community content, while referring to the plan. He goes on about different suggested events that can be held at this location. The NAP open house video that was played at the Senior Center is being played for the planning board.

NAP is actively marketing this plan to end users to qualify interest, taking feedback to refining the plan based on market and engineering feedback. Also, working on financial modeling since this is a 13 projects within 1 project. Working with SERA professionals to

move forward with the phasing plan. Once completed with SERA, applications for Pilot will be conducted. Questions or comments were directed to the members.

Chairman reminded the members that this is an information presentation. Mr. Rogoff informed members what an information review based on Provision 4055D-10.1. Mr. Rogoff read that in full and felt the members should know, no public notice was required, questions or inquiry should be centered with planning goals, no opinions or mention of approval or not approving should be stated since this may come in front of the board as a hearing that requires public notice, comments and evidence. Mr. Rogoff was handed a letter dated March 29, 2018 for the first time from Mr. Robert Krzyzkowski. The board members should not be considering these type of letters or communications. This letter is addressed to SERA and in Mr. Rogoff's legal advice, this letter will not become evidence or part of the record and no public comment shall be made on this informal matter.

Ms. O'Leary asked the anticipation of completion or the time line for the project. Mr. Polston stated they are committed to get the Bass Pro building off the ground this year with a 14 month construction schedule from start. The next physical construction, Power center – 100 acres along the highway and southern part – 12-18 months in pre-development for leasing purposes (he directed to the concept plan). Mixed Use Core – 2 year pre-development period. Actively working on both of these phases. Longer term build-out, Avalon was 86 acres took 7 years. This is 322 acres – 3 times the size of residential and commercial.

Mr. Macagnone asked if NAP owns the property, Sayreville Seaport Associates own the property, ground lease in the redevelopment agency that structure is in place due to remediation and clean up. Remediation status cannot be answer since NAP is not handling this aspect of the project. Mr. Macagnone asked, he Mr. Polston was familiar with Market Commons in Myrtle Beach, he was not and would check out this development. Mr. Macagnone asked if he could comment on which retail commitments they are speaking with, he could not comment on that but stated they are actively securing commitments. Mr. Macagnone made note that retail/box stores, are not doing well. NAP does not build malls, the mall and retail business is challenged. The retailer they feel would be a success are retailers that service an experience, customer service and demonstrations.

Mr. Macagnone's last question asked about the PILOT, why do you feel that you need to pursue with that and have you completed that with other developments - Mr. Polston stated they will be moving forward with a pilot is unique to NJ, great location, fantastic opportunity, piece of land economically challenged, history of the site as industrial, condition of site, the amount of material needed to be able to build on the site is going to be very costly.

Mr. Leoncavallo asked if the 500 single family homes will be for sale housing, Mr. Polston answered yes, the approved concept plan is for 2000 units. The allocations is 500 single family would be townhomes and the 1500 would be rental apartments. This can change within time. Mr. Tighe referred to the condo if they would be for purchases, such as buying a floor. Mr. Polston stated the plan for today is for apartments. They are designing a product that is today's market need which is apartments over retail. Mr. Tighe referred to a building in to Weehawken to North Bergen, along the Hudson, they are all condos and the price increases by floor. He stated he would like some of these units to be consider sale units. Mr. Tighe made mention about Asbury Park as well for sales. Mr. Polston stated the 2000 units will take several years, the product will reflect the market at that time. Mr. Polston refers back to the plan in regard to the mix use concept.

Ms. Lee had asked about the type of tenants they are approaching, what is the climate of reaction is NAP receiving – Mr. Polston mentions there are still many retail companies can't find appropriate space for their products and new store location and within the overall market reception is very positive feedback. Feedback from leasing is very busy, meeting with realtors across the country and bringing them to the site.

Ms. Lee curiosity about this lovely plan and how will the impact of the eye sore of the Amboy Cinemas. Mr. Polston stated they would like to acquire that parcel and make part of this project.

Mr. Davis asked if this project is his baby, Mr. Polston moved recently into the area with his wife, he joined NAP, commitment to make a change and delivery this project and they are looking forward to learning more about Sayreville, Middlesex County and Central Jersey as a community. Mr. Davis welcomed him to Sayreville.

The board and Chairman Tighe thanked Mr. Polston for his presentation.

#### **OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS:**

Chairman Tighe refers to the letter from the clerk dated March 27, 2018. Mr. Rogoff notes this letter is in regard to the Redevelopment River Road Addendum which was referred to the Planning Board by the Borough Mayor & Council with respect to review, revise and make any recommendation based on the master plan. Mr. Rogoff to make a correction to the record on Resolution #2018-114, second "Where As" clause refers to August 2, 2017. With his understanding, there will be an amended Resolution to change the date from August 2, 2017 to March 29, 2018. This Redevelopment Plan is part of the HEFSP that was

prepared by Ms. Gruel and was adopted by the board on March 29<sup>th</sup>. It is noted as Exhibit L within that document.

Ms. Lee made a motion to adopt the Resolution #2018-114 with the noted date changes by Mr. Rogoff and send their approval back to the Mayor and Borough Council, Seconded by Councilman Lembo.

**Roll Call:**

**YES:** Mr. Davis, Ms. Lee, Councilman Lembo, Mr. Macagnone, Ms. O’Leary, Chairman Tighe

**NO:** none

**ABSTAIN:** none

Chairman Tighe asked Councilman Grillo to come up to discuss Route 35 Section in Morgan. Councilman Lembo stated that this project had went in front of SERA and was not approved or deemed as an area of redevelopment by them. Councilman Grillo has been the forefront of this project and trying for a long time to bring change to this area and would like to discuss with the planning board. Mr. Rogoff asked if this is part of the open public portion since he has not familiar with the project and has never seen the plan. Chairman Tighe, state yes. Councilman Grillo has requested to the members to take action. Mr. Macagnone asked Councilman Grillo the question that SERA didn’t deem this as an area of redevelopment, but you are looking for the planning board to say it is against what SERA recommended, Councilman Grillo, stated yes. Mr. Rogoff stated this was not a great idea and he is opposed to this legally. This must be referred to us by the Mayor and Borough Council, under the Municipal Law for a request of a redevelopment parcel. Councilman Grillo also looking to discuss the rezoning of route 35 in Morgan, Mr. Rogoff noted we do not rezone property. Councilman Grillo’s concern is that SERA has been absent in considering this and the zoning board does has the capacity to undertake what he is requesting and he believes that the Planning Board would be the proper mechanism since the board is most powerful land use body in this town . Mr. Rogoff stated that is not entirely accurate. Zoning board deals with different issues. Planning board is not the most powerful land use body in Sayreville or in any other town. The planning board has powers statutory from the Land Use Laws and goes on about the different board’s approval categories. Mr. Rogoff asked to Councilman Grillo, what is he seek to accomplish in front of us?

Councilman Grillo provided copies to the members (for the first time) a portion of a study prepared by Rutgers School of Planning. Grillo is looking for the potential of actively arguing for a comprehensive plan of rezoning of route 35 and advocating to SERA to why

this has not been a designated to redevelopment area. Mr. Rogoff, again stated that his legal opinion planning board does not have the power to do. Chairman Tighe made mentioned that the planning board sent this to SERA once via the governing body to review, sent to SERA in which they declined and Councilman Grillo is looking for the member as relief – he stated yes. Chairman Tighe makes note that their attorney suggests that the board not provide any movement per what Councilman Grillo is looking for them to do. Chairman makes a suggestion that Councilman Grillo have the Melrose section residents go to the council meeting and then ask him directly. The board already has approved this. Also, Councilman needs to get the council to bring this back to SERA. When Chairman spoke to Councilman Lembo, he was uncertain what the members can legally do and finding out per the planning counsel, there is very little they can do.

Councilman Grillo thanks Mr. Rogoff and suggests he will need to find an alternative relief to get this matter heard. Mr. Rogoff states, he would need to have the Mayor and Borough Council ask the planning board to investigate this redevelopment. Chairman Tighe already stated, the planning board has already done so in the past with their approval and sent this back for a reason, the board thought it was good planning.

Ms. Macagnone made a motion to open the public portion; seconded by Ms. Lee. No public was there to speak. Mr. Davis made a motion to close the public portion; seconded by Mr. Macagnone.

There being no further business to discuss, Mr. Davis made a motion to adjourn; seconded by Mr. Macagnone. Next meeting is April 18, 2018.

Respectfully submitted,

Beth Magnani  
Planning Board Secretary