

MINUTES OF THE
EAST BRUNSWICK TOWNSHIP
PLANNING BOARD

October 28, 2020

STATEMENT - Open Public Meetings Act

MOMENT OF SILENCE

ROLL CALL -

PRESENT:

ABSENT:

Shawn Taylor, Chairman
Laurence Bravman
Charles Heppel
Brad Cohen, Mayor
Joseph Criscuolo
Sharon Sullivan
Laurence Reiss
Steve Philips
Muhammad Hashmi

Julie Clarke

ALSO PRESENT:

Lawrence B. Sachs, Esquire
Loren Morace, Secretary

MINUTES

October 14, 2020 - Motion to approve by Mr. Philips,
second by Mr. Bravman. Minutes approved.

RESOLUTIONS

Determination if properties along Edgeboro Road,
block 834, lots 4.17, 4.19, and 4.23, should be
designated a noncondemnation redevelopment area.
Motion to approve by Ms. Sullivan, second by Mr.
Heppel. Resolution approved.

ADJOURNMENT

Meeting adjourned. Next meeting is November 4,

2020.

THE CHAIRMAN: Good evening, this is the October 28, 2010, East Brunswick Planning Board meeting. In accordance with the Open Public Meeting Law, on December 17, 2020, notice of this meeting stating the time, date, and location was sent to the Home News Tribune, filed with the township clerk, and posted on the -- in the lobby of the municipal building. A copy of this notice will be incorporated in the minutes of this meeting. Also, due to the pandemic virus, this meeting is happening remotely, and for any member of the public who has a comment, you are free to call in at 1-646-558-8656. Once again, that's 1-646-558-8656. These meetings will continue to be held virtually until we deem it safe to all meet once again in person. The town is doing this as part of their very successful effort to combat the horrible effects of COVID disease.

The planning board tonight will entertain no new business after 10 o'clock and will close all proceedings by 11:30. Once again, we will give that number once again when we open the public portion.

In lieu of the pledge of allegiance this evening, I would like to ask for a moment of silence for all those families and individuals who have suffered from or are suffering from this horrible coronavirus.

(Moment of silence)

THE CHAIRMAN: Thank you, and now I would ask Loren to call the roll, please.

MS. MORACE: Mr. Hashmi. Miss Clark.
Mr. Philips.

MR. PHILIPS: Here.

MS. MORACE: Mr. Reiss.

MR. REISS: Here.

MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Here.

MS. MORACE: Councilwoman Sullivan.

MS. SULLIVAN: Here.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Here.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Here.

MS. MORACE: Mayor Cohen. Chairman
Taylor.

THE CHAIRMAN: Here.

MR. CRISCUOLO: For some reason -- excuse me, sir. For some reason, the mayor's access code isn't letting him in. Loren, could you --

MS. MORACE: Do you want me to resend it?

MR. CRISCUOLO: Please.

THE CHAIRMAN: And, Loren, did you get everyone, because I see my friend Muhammad on my screen, but I didn't hear him.

MS. MORACE: I thought I heard him.

MR. HASHMI: I did. You did ask, and I did say yes.

THE CHAIRMAN: Okay. I heard you that time, Muhammad. Thank you. Just want to make sure you get marked down as present.

Okay. Joe, would you like us to wait for the mayor to call in, or should we move ahead?

MS. MORACE: I'm resending it right now.

THE CHAIRMAN: Okay. We'll give him a sec to get on. I fear with this agenda tonight, by the time he dials in, we'll be gone.

MR. SACHS: Yeah, this is a heavy night.

THE CHAIRMAN: Yes.

MR. SACHS: Shawn, if you want, you can do the minutes if you want to just do that.

THE CHAIRMAN: Yeah, that's a good thing because the mayor actually was absent for that meeting. So our first item of business is adopting the minutes of October 14, 2020, which we all received for our review. I remind the board that we adopt minutes by voice vote. What is the board's pleasure for the October 14, 2020, minutes?

MR. PHILIPS: I'll move to approve it.

MR. BRAVMAN: Motion to approve.

THE CHAIRMAN: They've been moved, and was that a second I heard?

A BOARD MEMBER: Yes.

THE CHAIRMAN: They've been moved and seconded.

MS. MORACE: Who seconded?

THE CHAIRMAN: Is there any comments or discussions?

MR. PHILIPS: Larry and I did.

MS. MORACE: Okay.

THE CHAIRMAN: Comments or discussions? Hearing none, then all those in favor of approval of the minutes as submitted, please raise your hand and wave. You don't have to wave obviously. Any no's? Any abstentions? The minutes -- the minutes pass.

Is the mayor on yet or --

MS. MORACE: No.

THE CHAIRMAN: Okay. We're going to go forward. The next item is the resolution for the determination of properties along Edgeboro Road. That's block 834, lots 4.17 and 4.19 and lot 4.23 should be designated a noncondemnation redevelopment area. I remind everyone that this is an item that the board has previously acted upon, and the resolution is adopting them in its formal fashion this evening.

Mr. Sachs, is this resolution in order for us to vote on this evening?

MR. SACHS: Yes, it is, Mr. Chairman, and just as -- just to give you some more perspective on this, apparently, after we recommended this to the township council on October 14, at their October 26 council meeting, they are proceeding forward, and at that meeting, they actually are referring an ordinance back to us, which will be reviewed at the next planning board meeting on November 4, and we'll obviously have the authority to issue a recommendation for the council to approve that ordinance at their next council meeting, which I think is November 9. So we'll be moving full steam ahead on this. But yes, the resolution is proper, Mr. Chairman.

THE CHAIRMAN: Okay. Then Councilman Sullivan, since you're -- she can vote on this, right, Larry?

MR. SACHS: Absolutely. Absolutely.

THE CHAIRMAN: Councilman Sullivan, since you are also a member of our council and very interested in East Brunswick redevelopment, I will ask you to do the honors and say a few words if you'd like.

MS. SULLIVAN: It's a great opportunity. The land -- we will now get ratables on the land, which we never got before, so that's exciting, and it's exciting for East Brunswick. Keeping businesses happy, right?

THE CHAIRMAN: Right. So therefore you move it.

MS. SULLIVAN: Oh, so I move it. I'm sorry. So moved.

THE CHAIRMAN: And do we have a second?

MR. HEPPEL: Second.

THE CHAIRMAN: Second. Would anyone else like to say any -- have any comments before I call for the vote?

Mayor Cohen, welcome.

MAYOR COHEN: Thank you. I mean, I just want to make sure that I'm on the right thing since I joined in late. We're talking about the addition to the Edgeboro Road property?

THE CHAIRMAN: Yes, we are. We're adopting that resolution.

MAYOR COHEN: Right, so just --

THE CHAIRMAN: I didn't know the town acted on it after we act on it.

MAYOR COHEN: Yeah. I just wanted to add we had a call today on our usual weekly redevelopment agency updates on what's going on, and the tax revenues that's going to come into the town alone on just the parking lot is more than what we made on the property that we had before we did anything on it. So, I mean, I think we were making \$150,000 a year on the property before we did this whole project, and the taxes we're going to get yearly on the parking lot, which is just the addition to this -- to the project is \$164,000 a year. So I think that it's -- and, of course, that property was MUA property, which brought in absolutely nothing.

THE CHAIRMAN: Nothing.

MAYOR COHEN: So I think that this is a big boost to a project that already was a big boost. So I just want to send a thank you to those individuals who -- on our side and on the redevelopment side who have worked hard to just not let this thing slip in without us having, you know, get some huge benefit to the taxpayers from doing such.

THE CHAIRMAN: Thank you. Any other my fellow members like to say anything? Okay. I just would just like to add that it's just so exciting. This is another great example of how redevelopment is working in East Brunswick. For people who say that nothing's happening, this is a perfect example of how things are happening. This is wonderful. It's not -- it's not on Route 18, nonresidential. It's a great industrial piece, and it's just very exciting, and I am just -- it's an exciting time to be on the planning board, and I'm so happy to be on with all of my friends, who normally sit to my left and right but are now on my screen. I much prefer to have you in person, I can tell you, and hopefully we'll be able to do that soon. But having babbled on longer than I should, Loren, will you please call the roll.

MS. MORACE: Mr. Hashmi.

MR. HASHMI: Yes.

MS. MORACE: Mr. Philips.

MR. PHILIPS: I just want to reiterate this is a win for the town, and I vote yes.

MS. MORACE: Mr. Reiss.

MR. REISS: Yes.

MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Absolutely yes.

MS. MORACE: Councilwoman Sullivan.

MS. SULLIVAN: Yes.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Yes.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Yes.

MS. MORACE: Chairman Taylor.

THE CHAIRMAN: Yes. This resolution is approved. And I want to also just take this opportunity to just really thank the staff, you know, Loren, Keith, everybody involved, that these are, you know, difficult times. The Zoom stuff is -- you got to deal with, you know, technological idiots like me, makes your job harder. So I just want to really send a kudo out for -- not only you're doing all the great planning work that you normally did in the office, but with this little wrinkle that adds to work, and don't think it goes unappreciated because it doesn't.

And even though there's not technically need to be a public session tonight, since we are -- do have a meeting and there may be people who have called that are calling in, I'd like to give the opportunity to the public if anybody would like to comment on any town planning issue to do so now. Once again, our number is 1-646-558-8656. I'll give people about a minute or two to call in because if I give them longer than that, my fellow members are going to lynch me because this is normally an early meeting and normally a late meeting, so I don't want to keep everybody too long.

MS. MORACE: Thank you, Chairman Taylor.

THE CHAIRMAN: No one on?

MS. MORACE: There's two people on. If they would like to speak, just raise your hand and I'll pass them through, but nothing so far. We have -- hold on. Okay. Okay. Miss Lee.

MS. LEE: Hi.

THE CHAIRMAN: Hi. Welcome, Miss Lee. Just one second, please. I need to ask my attorney something.

Larry, normally, they would be

commenting on an application or an application that's pending so we would have to swear them in. This is a little different than that. Do I still need to swear in Miss Lee?

MR. SACHS: You might as well swear Miss Lee in anyway, Mr. Chairman.

THE CHAIRMAN: Okay.

MR. SACHS: I'm not sure what she's going to talk about, but it is a public portion, so certainly she can speak.

THE CHAIRMAN: Well, Miss Lee, I would ask you to virtually raise your right hand, and do you swear to tell the truth, the whole truth, so help you God?

MS. LEE: Yes.

THE CHAIRMAN: And, Miss Lee, could you please tell us where you live.

MS. LEE: I live in East Brunswick, New Jersey.

THE CHAIRMAN: Great. How can -- what would you like to address to the planning board tonight, Miss Lee.

MS. LEE: I'm actually a student of Rutgers University.

THE CHAIRMAN: Congratulations.

MS. LEE: My professor is James White. He used to be the township administrator.

MR. SACHS: Never heard of him.

THE CHAIRMAN: I got to tell you, he wasn't that good an administrator. I'm only kidding. I'm only kidding. I love Jim, and please tell him that we loved him and -- love him in East Brunswick and --

MR. CRISCUOLO: And we offer our condolences to you.

MS. LEE: Thank you. Is it okay? He told me that I could ask Mr. Bravman a question.

MR. BRAVMAN: I'm afraid. Ms. Lee, you can ask any questions you want. They may not be answered, though.

MS. LEE: Thank you. Can I please ask you to address, like, the environmental impact of passing this resolution, if there is any.

MR. BRAVMAN: I don't -- well, it's very open-ended, but I'm not really sure specifically if Mr. White is referencing any specific environmental concerns, but I am unaware of any.

MS. LEE: Okay.

MR. SACHS: Ms. Lee, maybe I can jump in, as well, as board attorney. So this -- and it's

a good question. This particular site, much of it is vacant land, and when it ultimately does get developed, there are rules and regulations through the New Jersey Department of Environmental Protection that always have to be complied with. As well, because the township has an environmental commission, when an application for development on this site is ultimately submitted by whoever develops this property, it will be reviewed by the Environmental Commission.

So right now, there's no environmental issues. There's no environmental impacts because all this resolution is doing is declaring this an area in need of redevelopment, and as a result of that, at some point in the future, there will be an application filed for this property. So I think -- hopefully that answers your question.

MS. LEE: Yes, it did. Thank you so much.

MR. SACHS: Okay. No problem. And actually, if need to tune into another more substantive planning board meeting, I would suggest maybe you come on next week because I think we do have an application that evening, so that will give you some insight as to how the planning board operates. You know, tonight's sort of just a housekeeping type of meeting. But anyway.

MS. LEE: Sure. Thank you.

MR. SACHS: Okay.

THE CHAIRMAN: Anything else we can help you with, Miss Lee?

MS. LEE: No, I think that will be all. Thank you.

THE CHAIRMAN: What year are you in in school?

MS. LEE: I'm a senior.

THE CHAIRMAN: Are you -- what's your major?

MS. LEE: I'm a criminal justice and psych major and a PolySci minor.

THE CHAIRMAN: Well, much luck to you on your future career, and please tell Mr. White that we all said hello.

MR. SACHS: Is it -- it's Professor White.

MS. LEE: Yes.

THE CHAIRMAN: I started saying that, but it somehow got caught in the back of my throat so, you know. Tell Jim we said hello.

MR. PHILIPS: From the Clue game,

Professor White did it in the -- with the candlestick in the --

THE CHAIRMAN: In the dining room.

MR. SACHS: That wasn't Colonel Mustard?

MR. PHILIPS: This is Professor White.

MR. CRISCUOLO: Loren, if you can just verify the next planning board meeting for this young lady to make sure she doesn't come on --

THE CHAIRMAN: I spoke to her earlier, but it will be -- it's next Wednesday, November 4, and you will be able to get the link same way you did tonight. We'll have it on there, and the agenda for the meeting will be on our web site by Friday.

MR. CRISCUOLO: And if you have any questions about it, please feel free to reach out to Loren or the mayor's office, and we'll be more than happy to help you with any of your educational needs.

MS. LEE: Thank you so much.

MS. MORACE: Good luck.

MS. LEE: Thank you.

MR. SACHS: Mr. Chairman, before we --

THE CHAIRMAN: Loren, did you say we had another person on the line?

MS. MORACE: She's still there, but she hasn't raised her hand.

THE CHAIRMAN: Okay. Well then, our next meeting is November 3.

MS. MORACE: November 4.

MS. SULLIVAN: November 3 make sure your ballots are in, right?

THE CHAIRMAN: Any other business to come before us this evening?

MR. SACHS: Yeah, one other thing, Mr. Chairman. I think Loren may have e-mailed to all of you a lawsuit that was filed by Ferris Farms of East Brunswick, LLC, in the Superior Court in Middlesex County. It was filed -- let me get the filing date on this. It was filed on October 16, and the plaintiff has sued the following entities: the Township of East Brunswick Township Council, the Township of East Brunswick Planning Board, and the Township of East Brunswick Zoning Board of Adjustment. So I will -- I will be conferring with both Mr. Baker and with Jay Weiner, our zoning board attorney. If the board will recall, we did not adjudicate this.

THE CHAIRMAN: I was going to say, we didn't hear this application. This was a zoning board application.

MR. SACHS: We did not hear this application; however, since it involves some affordable housing component, there are some allegations regarding the fault of the planning board, which I'm hard pressed to find, to deal with this particular project. So I won't comment on it substantively, but anyway, there is a lawsuit. Feel free to review it, and I think at the next meeting we'll put this on the agenda for authorization for me to file an answer.

MAYOR COHEN: There was an affordable housing component to that project?

MR. SACHS: Correct, correct. The only thing I will say is it's somewhat of a ludicrous lawsuit.

MS. SULLIVAN: I don't even think it came -- at least when I was on, I don't think it came on the council, either.

THE CHAIRMAN: Well, let's just leave it where it is for now, and Larry will deal with it and let -- and will fill us in as it goes along at the appropriate time.

MR. SACHS: Will do. Thank you, Mr. Chairman.

THE CHAIRMAN: Anything else, any other members? Once again, you know, next Tuesday, election day. If you haven't gotten in your ballot already, please do. And, you know, it's quite exciting to see people lining up for hours voting. It makes you kind of proud to be an American and sorry that we don't -- that some states aren't like New Jersey and make it difficult for people to vote. What a shame that is. But with that, I will say have a good Halloween, everyone. I don't eat too much candy. I always end up buying the candy I like, and I don't know why, but you might guess the reasons. Have a good evening, all, and we'll see you soon.