**BLOOMINGDALE PLANNING BOARD**

**101 Hamburg Turnpike**

**Bloomingdale, NJ 07403**

Minutes

Special Meeting 7:30pm

October 18, 2023

**CALL TO ORDER @ 7:30pm**

**SALUTE TO FLAG**

**LEGAL**

This is the Special Meeting of the Bloomingdale Planning Board of October 18, 2023 adequate advance notice of this meeting has been provided by publication in the Herald and News and also posted on the bulletin board at the Council Chamber entrance in the Municipal Hall of the Borough of Bloomingdale, Passaic County, in compliance with the New Jersey Open Meetings Act, N.J.S.A. 10:4-6 seq.

**FIRE CODE**

Per State Fire Code, I am required to acknowledge that there are two “Emergency Exits” in this Council Chamber. The main entrance through which you entered and a secondary exit to the right of where you are seated. If there is an emergency, walk orderly to the exits, exit through the door, down the stairs and out of the building. If there are any questions, please raise your hand now.

**ROLL CALL MEMBERS/ALTERNATE MEMBERS PRESENT (\*denotes alternate)**

James W Croop Bill Graf Dominic Catalano Margaret Covert\*

Mark Crum Edward Simoni Mayor D’Amato

Bill Steenstra Craig A Ollenschleger Robert Lippi\*

Bill Graf Barry Greenberg Wayne Hammaker\*

**MEMBERS ABS/EXCUSED**

Bill Steenstra – ex

Brian Guinan - ex

**PUBLIC HEARING**

Meer Tract Area in Need of Redevelopment Preliminary Investigation Report, Block 5105, Lots 14.01, 53, 55, 58, 59, 61, draft copy dated 9/11/23. Prepared and presented by Elizabeth K. McManus, PP, AICP, LEED AP of Kyle McManus Associates.

The Board Attorney, Richard Brigliadoro states that in accordance with the redevelopment and housing law we are required to provide notice in the adopted newspaper of the Borough of Bloomingdale for 2 consecutive weeks at least 10 days prior to the meeting date. The notice was published in the 9/29 and 10/6 editions of the Herald News.

Subsequently, a notice of the Special Meeting was published in the Trends on 10/4 and the Herald News on 10/6. This means that all the requirements of notice were met, and the board has jurisdiction to proceed.

At this time Mr. Brigliadoro swears in Elizabeth McManus, Licensed Planner representing the Borough of Bloomingdale.

Ms. McManus presents, to the board and the public, her report of the Meer Tract Area in Need of Redevelopment Preliminary Investigation Study on block 5105 lots 14.01, 53, 55, 58, 59 & 61 dated 9/11/23.

The following are the topics which she discussed:

1. Aerial Map
2. Statutory Authority and Process
3. Powers Granted Under the LRHL
4. Benefits of Redevelopment Planning
5. Study Area Description Characteristics
6. Study Area Description Map
7. Study Area Description History Overview
8. Redevelopment Criterion
9. Criterion applicable to the Study Area
10. Lot 14.01 Criterion C – Previous Designation
11. Lot 14.01 Criterion C – Development History
12. Lot 14.01 Criterion C – Topography
13. Lot 14.01 Criterion C – Access
14. Lot 14.01 Criterion C – Conclusion
15. Lots Necessary for Effective Redevelopment - Map
16. Lots Necessary for Effective Redevelopment - Photos

At this time Chairman Simoni asks the board for questions or comments pertaining to Ms. McManus’s report.

Comm. Croop states that he agrees with the fact that lots 53, 55, 58 , 59 and 61 alone do not meet the criteria, but in order to make the bigger picture work, combined with 14.01, they are necessary to promote redevelopment. He states that with three of the five lots being owned by the same owner and that they are all non-condemnation makes it an easier decision.

Ms. McManus states that no one is under any obligation to sell if the area is designated to redevelopment.

Comm. Croop confirms that the current use would remain in effect forever.

Ms. McManus states that there would be no requirement for homes to sell. But the benefit would be that the Borough could be more restrictive in its planning in the zoning area.

Mr. Brigliadoro follows up on Comm. Croop’s comments in terms of the redevelopment superseding the zoning as to whether it be more or less restrictive.

Ms. McManus states that this is only the case if the area is designated as an area in need of redevelopment.

Comm. Greenberg asks that being an area of non-condemnation, why were there two lots of homes not included in the study?

Ms. McManus states that the study only includes the properties that the governing body declares. The Planning Board can make a recommendation to include these properties if it chooses to do so.

Mr. Graf states that in terms of the 7+ acres it is reasonable to rely on the 2018 study however the problem with the report is the word “claims”. The board needs more to hang its hat on. He is hoping that maybe the report can be strengthened to provide some concrete proof that the 7+ acres does meet Criterion C rather than just a claim, maybe a more appropriate word could be “necessary”.

Mr. Brigliadoro asks Ms. McManus to make clear, to the board and the public, the changes that she will be making to the report that the board will be voting on tonight.

Ms. McManus states for the record that there are 3 changes she anticipates making,

The first is to strengthen the report in regard to the additional 7 acres that were subsequently added to lot 14.01 after the 2018 designation. The second being that she will strengthen the language regarding the 5 lots along Union Avenue stating that they are found to be necessary to effectuate the redevelopment of the area. And the third change would be to amend the language in the conclusion to add that lot 14.01 meets criteria “C” and that the additional lots are necessary.

**PUBLIC**

A motion is made by Comm. Ollenschleger, 2nd by Comm. Greenberg, to open the meeting to the public for questions of Ms. McManus. Voice vote shows all in favor.

Smita Hussain, 10 Orchard Street, Bloomingdale, previously sworn in, asks if the area in the redevelopment study will be eminent domain.

Ms. McManus responds that it will not be eminent domain. This will be a non-condemnation area of study.

A motion is made by Comm. Crum, 2nd by Comm. Croop to close the meeting to the public for questions of Ms. McManus. Voice vote shows all in favor.

A motion is made by Mayor D’Amato, 2nd by Comm. Greenberg, that the Planning Board recommend to the Mayor and Council that they declare the Meer Tract Area in Need of Redevelopment Preliminary Investigation Study for Block 5105 Lots 14.01 & 53,55,58,59 & 61 as a non-condemnation area in need of redevelopment and that lot 14.01 satisfies criteria “C” of the local redevelopment & housing law under N.J.S.A 40A:12A-5 and that lots 53,55,58,59 & 61 are necessary pursuant to N.J.S.A 40A:12A-3 as a non-condemnation redevelopment area. Roll call shows 9-0 in favor.

A motion is made by Comm. Croop, 2nd by Comm. Crum that the addition of block 51.05 lots 56 & 57 be considered by the Mayor & Council as a non-condemnation area in need of redevelopment. Roll call shows 8-0-1 with Mr. Catalano abstaining.

**PUBLIC DISSCUSSION**

A motion is made by Comm. Croop, 2nd by Comm. Crum to open meeting to public. Voice vote shows all in favor.

A motion is made by Comm. Crum, 2nd by Comm. Greenberg to close meeting to public. Voice vote shows all in favor.

**ADJOURNMENT**

A motion is made by Comm. Croop, 2nd by Comm. Crum, to adjourn meeting at 8:59pm.

Voice vote shows all in favor.

Respectfully submitted,

Barbara Adubato, Secretary

Bloomingdale Planning Board