

**LAKWOOD INDUSTRIAL COMMISSION
MINUTES**

OPEN SESSION • MEETING OF: MAY 13, 2015

Adequate Notice of this meeting was provided in accordance with the provisions of the Open Public Meetings Act, P. L. 1975, C. 231.

1 The meeting was called to order by Chairman Robert Kirschner at 11:35 AM

2 Roll call for attendance

<u>Commissioners</u>	Present	Absent
Brooks, Neil (NB)	x	
Calabro, Thomas	x	
Flancbaum, Justin (JF)	x	
Katz, Shlomo (SK)		x
Schuster, Edwin (ES)		x
Stafford-Smith, Gregory (GSS)		x
Kirschner, Robert-Chairman (RK)	x	
Quorum Count:		
<u>LIC Professionals and Staff</u>		
Reinman, Steven- Exec. Dir.	x	
Kean, Sean – Comm Atty	x	
Doyle, Anita–Scty-Designee	x	
Staiger, Jeff – Comm. Engineer	x	

Also in attendance: Fran Kirschner/Frantasy Enterprises;

3

4 **MINUTES OF THE APRIL 15, 2015 MEETING:**

5 Commissioners deferred action on the minutes of April 15th to the next meeting.

6

7 **STATEMENT OF ACCOUNTS:**

8 The Statement of Accounts reflected that a land lease payment of \$529.00 was received by the
9 Commission office as a land lease payment for the AT&T cell tower. Also Bank interest was credited
10 to the LIC’s account. Available balances were identified as approximately \$1,317,176.06 (pending
11 update of bill list for this meeting) and held in escrow is a sum of \$277,600.00 until closings take place.

12

13 **BILL LIST:**

14 The following bills were presented for payment approval to be paid by Industrial Commission budgeted
15 monies.

Num	Name	Memo	Original Amount
3047	Monmouth Medical-Southern Campus Foundation	2 tickets to May 16th Event	500.00
3048	Frantasy Enterprises, LLC	Marketing and Public Relations Services - May 2015	1,636.36
3049	Watchung Spring Water Co., Inc.	Acct#127214 Inv#6500685 Meeting supplies	71.93
3050	Cleary Giacobbe Alfieri & Jacobs	Legal Services through April 30, 2015	3,997.00
3051	Israel Reinman	Executive Director's Car Allowance 5/1/15-5/31/15	400.00
3053	Anita B. Doyle	Administration Mgmt Services provided 4/1/15-4/30/15	1,470.00

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3054	Lakewood Chamber of Commerce	Association Dues 1/1/15-12/31/15 Lakewood Industrial Commission	50.00
3055	Kaitlin Williams	April 2015 Newsletter Layout / Editing / Data / Graphics 4/16/15-4/30/15	84.00
3057	Duvy's Media	Inv# 15079 -Website Management Services through 3/31/15	298.58
3056	Yussi's	Refreshments: Meeting of 5/13/15 (Final)	190.50

Updated 5/13/15 10:41 AM

Bill List Total: \$8,698.37

16

JF/NB Motion to approve payment of items 3047 – 3056 as listed.

17

18

On Roll Call:

Commissioner	Yea	Nay	Abstain
Brooks, Neil	x		
Calabro, Thomas	x		
Flancbaum, Justin	x		
Katz, Shlomo	-		
Schuster, Edwin	-		
Stafford-Smith, Greg	-		
Kirschner, Robert	x		Abstained from voting on item # 3048

19

BUDGET TO ACTUAL REPORT:

20

The Budget to Actual report was provided to the Commissioners for their information. No action was required to be taken.

21

22

23

PRESENTATION:

24

Mr. Yosef Kahn of YK Development Group addressed the commissioners on behalf of 126 Forest Development LLC

25

26

27

- A proposal is being presented to the Zoning Board regarding Block 396 (American Store and Lock property) and the intent to subdivide. Most of the site is currently used for parking. The property is up for sale for redevelopment.

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29

30

- Located on Prospect Street in the M-1 Zone.

31

32

- This is located in an area where heavy residential development is taking place across Prospect Street, dubbed the “Golden Triangle”.

33

34

- 8.62 acres

35

- Requires a Zoning Variance

36

- Will need CAFRA approvals due to parking

37

- Property is 84% impervious

38

- CAFRA may require a maximum 80% impervious coverage only.

39

- Supporting the development of this property as a retail center is a benefit to the Township, if a variance is granted and development takes place.

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- 40 ○ Taxes on the property currently are about \$70,000 a year.
- 41 ○ A comparable site, at Westgate Shopping Center, brings in \$188,000 a year in taxes.
- 42 • Most of the neighbors are agreeable to Zoning changes
- 43 • Planned:
 - 44 ○ 30,000 SF Supermarket (requires 200 spaces + 30)
 - 45 ○ 36,000 two-story building - Retail on first floor with office space on second floor
 - 46 ○ Need to provide 500 parking spaces for the site
 - 47 ○ Ingress and egress plans include right turn in and right turn out (easy)
- 48 • The self-storage facility will be totally demolished.
- 49 • Can the utilities to the site support this development?
 - 50 ○ Sewer is an issue
 - 51 ▪ There are plans for improvement to the system out there
 - 52 ○ Water on Prospect Street – NJ American Water will provide water
- 53 • Who will dictate, before issuing permits, that the storage facility gets removed? Should we
- 54 recommend?
 - 55 ○ Zoning Board does not require our input. They are a quasi-judicial entity and act on
 - 56 evidence presented.
- 57 • Mr. Kahn is coming before the Commissioners for an indication that, if they go before the
- 58 Zoning Board for a change of use, that the Commission will not object to the change from
- 59 Industrial to Retail/Commercial and which serve the area and remain a job center and a good
- 60 ratable for the town. Will the Commission be in sync with what they are trying to do?
- 61 • Is there any signalization planned?
- 62 • If the Commission is neutral, we can express this.
- 63 • Mr. Kahn asked, if the applicant/applicant's representative were to testify to the Lakewood
- 64 Zoning Board that the LIC has no objection, would that be accurate?
 - 65 ○ Hoping to get a positive feedback regarding the change of use.
- 66 • There will be traffic and the additional load in that area and it'll be a mess.
- 67 • Mr. Kahn: On the zoning change, we would like a response of "no objection".
- 68 • The commission was of the general opinion that as a change of use, they would have no
- 69 objection but the commission wants to take traffic and safety into consideration.

70 Mr. Kahn left the meeting at 11:54 AM

71
72 Discussion continued on the subject of the heavy residential development in the area of Cross and
73 Prospect Streets and, with the existing parking designations on the streets, it is a nightmare of industrial
74 and residential traffic.

75
76 Suggestion that we request designation of both sides of the street as "No Parking" on the sides of the
77 road.

COMMENTS FROM THE PUBLIC:

79
80 Fran Kirschner / Frantasy Enterprises: The LIC e-newsletter was released in late April.

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81

82 The following resolution was offered by JF/TC and carried to move the meeting into Closed Session:

83 **WHEREAS**, Section 8 of the Open Public Meetings Act, P. L. 1975, Chapter 231, permits the
84 exclusion of the public from a meeting under circumstances; and

85 **WHEREAS**, this Industrial Commission of the Township of Lakewood is of the opinion that
86 such circumstances presently exist.

87 **NOW, THEREFORE, BE IT RESOLVED** by the Industrial Commission of the Township of
88 Lakewood in the County of Ocean as follows:

89 1. The public shall be excluded from discussion of private and confidential matters
90 involving any of the nine (9) exclusions as set forth in Section 7(b) of said law and as
91 hereinafter specified.

92 2. The general nature of the subject matter to be discussed is as follows:

- | | | |
|----|------------------------------|-------------------------------------|
| 93 | CONTRACT NEGOTIATIONS | <input checked="" type="checkbox"/> |
| 94 | PERSONNEL | <input type="checkbox"/> |
| 95 | LITIGATION | <input type="checkbox"/> |
| 96 | OTHER | <input type="checkbox"/> |

97 3. It is anticipated at this time that the above stated subject matter will be made public only
98 when the reasons for discussing and acting on them in closed session no longer exists;
99 said determination to be made by further resolution adopted by the Industrial
100 Commission.

101 4. This resolution shall take effect immediately.

102

103 The meeting moved into Closed Session at 11:56 AM

104 ~*~

105 The meeting returned to Open Session on a motion by JF/NB and carried. At 12:07 PM

106

107 **DIRECTOR'S REPORT:**

108 Mr. Reinman reported on the following:

109 • Lakewood Airport:

110 ○ T-Hangars

111 ■ The Commission subcommittee met with a group which has done a lot of
112 work in Ocean County in terms of how we can do taxiways and in terms
113 of site prep. There is one thing – a drainage pipe that runs diagonally
114 through the subject property needs to be rerouted. But the path is fairly
115 simple and straightforward.

116 ■ The site is basically cleared. There are some small brush pines. Minimal
117 actual clearing needs to be done.

118 ■ We are getting them some topo information for grading plans and
119 elevations.

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- 120 ▪ One company wants to bid on everything. We have asked for a “ballpark
121 sense” of what will be required.
122 ▪ We will have to develop a bid specification.
123 • We will want to separate off the taxiways piece from the actual
124 hangar construction area
125 • Do we want to put it out as a turnkey operation?
126 ▪ We need to look into running in the electric and water.
127 ▪ Site will operate using septic for waste.
128 ▪ There have been 20 deposits received (R Kirschner from Matt Applegate)
129 for hangar space to date.
130 ▪ Attorney Kean advised that we would need action by the Township to
131 authorize us to lease and develop the property (Ordinance adoption)
132 ○ New Hampshire Holdings – Update
133 ▪ They were not on the May 12th Planning Board Agenda as anticipated.
134 ▪ They are supposedly in the last stages of approvals for Local and County
135 – as soon as they have those approvals in place, we can close.
136 ○ Zoning – Industrial Park ABCD Zone expansion and SAFE Zone
137 implementation.
138 ▪ Lately we’ve had more flare-ups of issues from business owners in the
139 park about educational facilities; the proliferation of schools, despite the
140 rising prices in the industrial park – which is great – has not stopped the
141 schools from locating in the park. The Mayor and SR met with two
142 business owners recently and they are frustrated
143 • Issues
144 ○ Nature of the Park
145 ○ Issues of Safety
146 ▪ Business owners / tenants are concerned because when the schools come
147 in on narrower streets, and people are parking on both sides of the streets,
148 the trucks can’t get down the street or find that children may dart into their
149 paths – it adds to a difficult situation. Need to look a next phase of the
150 zoning changes to “commercial only” zone.
151 ▪ We need to look for alternative places to create school zones or places for
152 them to go; obviously as a town, we have to accommodate their need to
153 go somewhere. We also need to recognize the impact to the ratable base
154 is significant. If we change the nature of the park from a commercial /
155 industrial place, there will be serious ramifications for the town. We need
156 to look toward the Township Committee to take action to rezone areas of
157 the industrial park.
158 ▪ We need to return to the Township Committee and ask again that this be
159 put on as a priority item.
160

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161 **ATTORNEY’S REPORT**

162 Mr. Kean introduced the “Blue Claws Lease” (American Baseball Company) and reviewed
163 points with the commissioners explain that there were some minor changes that needed to be
164 made. Major League Baseball has to review every lease of every minor league, major league
165 team.

- 166 • The start date of the lease will be July 1, 2015.
- 167 • First Term is a 6-year initial with many options op to 50 years
- 168 • The Township attorney, over the past few days recorded a deed with the County saying
169 that the Township can’t condemn the property for 50 years. This was required as an
170 assurance that the Town would keep the property as a ballpark for the next 50 years.
- 171 • \$175,000 rent per year to be paid to LIC
- 172 • 30 day notice of changes to insurance policy
- 173 • 10 day notice has to be given if we want to use the premises for something (events) - off
174 season
- 175 • Attorney recommends that the presented contract be executed.
- 176 • Resolution on the agenda is a memorialization of the action taken at the last meeting.
- 177 • This new contract brings the township’s obligations to “zero”
 - 178 ○ No Utilities
 - 179 ○ No repairs / maintenance to the facility

180
181 **CORRESPONDENCE:** Non received

182
183 **COMMITTEE REPORTS:**

184 Mr. Flancbaum reported that the Site Review Committee reviewed Plans submitted for
185 comment:

- 186 • **SP#2118 Lakewood Cheder School Vassar Avenue** - Site Plan for Additional Facility parking
and Play area.
- **SP# 2119 Yeshivas Ohr Hatorah** - Addition to existing school facility of two stories with basement

- **SD 2044 Preferred Enterprises LLC** - Minor Subdivion of Lot 13 with request for variance from
100' setback (down to 50')

187 ***The Site review committee responded to the Lakewood Planning Board as having no exception***
188 ***to the plans as submitted.***

189
190 **OLD BUSINESS:**

- 191 • Mr. Reinman reported that on the 60-acre tract, the work is ongoing. We received an update
192 from GTS on the survey work. They’re out there – they staked it out. And then we can move
193 on to appraisals.
- 194 • Environmental Evaluation is ongoing.

