

## **CHESTERFIELD TOWNSHIP REGULAR SESSION OCTOBER 27, 2022**

The Township Committee met on the above date in the Municipal Complex, 295 Bordentown-Chesterfield Road, Chesterfield, New Jersey. The meeting was called to order by Mayor Panfili at 6:30 p.m. followed by a flag salute and moment of silence.

The Open Public Meetings Act Statement was read and compliance noted.

### **ROLL CALL OF MEMBERS**

Present: Belinda Blazic, Denise Koetas-Dale, Jeremy Liedtka, Michael Russo and Lee Panfili

Also present: Thomas A. Sahol, Township Administrator; Caryn M. Hoyer, Township Clerk; Rachel Fryc, Deputy Clerk; John Gillespie, Township Attorney; Joe Hirsh, Township Engineer, Mike Davison, Chief of Police and Troy Ulshafer, Public Works Manager.

### **AGENDA MATTER(S) REQUIRING RECUSAL(S) - NONE**

### **APPROVAL OF MINUTES**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve the October 13<sup>th</sup> minutes. Voice vote – All in favor.

### **PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA**

Mayor Panfili recommended extending public comment on the ordinance this evening from 3 minutes to 5 minutes tonight due to the magnitude of the application. Mr. Liedtka made that motion seconded by Ms. Koetas-Dale. All were in favor.

Mr. Russo made a motion seconded by Ms. Blazic to open the meeting to public comment for matters on the agenda except for Ordinance 2022-15. All were in favor.

Agnus Marsala, 42 Cromwell Drive commented on item #13 on the Agenda specifically report of the Mayor and asked Mayor Panfili to comment on anything he learned at the SPC meeting during that time.

Hearing no further public comment, Mr. Russo made a motion seconded by Ms. Blazic to close public comment. All were in favor.

### **ORDINANCE FOR ADOPTION**

**ORDINANCE 2022-15**

**AN ORDINANCE OF THE TOWNSHIP OF CHESTERFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING “OLD YORK REDEVELOPMENT PLAN” FOR**

**CERTAIN PROPERTY KNOWN AS BLOCK 701,  
LOT 2.01, THE FORMER OLD YORK COUNTRY  
CLUB**

Mr. Gillespie stated this is a public hearing on Ordinance #2022-15 which has been posted on the Township website along with related documentation. This ordinance is for a redevelopment plan. This is a legislative record and includes September 22 memo from the Planning Board to the Governing Body advising the Ordinance is not inconsistent with the masterplan and attached to it the Chesterfield Planner memo from Mr. Dochney dated September 9<sup>th</sup> to the Planning Board. Mr. Gillespie stated he received late this afternoon from Attorney, Eric Goldberg representing SaveOldYork.org, a seven page written submission from Carlos Rodriguez a Licensed Planner attached to it are the May 26, 2022 Township Committee minutes which he recommends be included in the record. In addition, Mr. Gillespie stated that the following documents have been on the Township website for some time: Redevelopment Plan, August 1, 2022 Community Impact Statement, the initial information regarding OYCC Redevelopment, numerous traffic documents, July 13, 2022 stream impact memo, January 19, 2022 Flood Hazard Area Verification from DEP, April 1, 2022 Flood Hazard Area Verification from DEP, a July 15, 2022 DEP "deficiency letter" from DEP and OYCC FAQ's. Mr. Goldberg has arranged for a videographer for tonight's meeting in which Mr. Gillespie requested a copy of the video recording by next Wednesday and a transcript if one is prepared from that recording at the same time it is supplied to your client. They have no objections. Additionally, Mr. Gillespie asked that Mr. Goldberg and Mr. Rodriguez speak first on behalf of OYCC during public comment. Mayor Panfili stated the public hearing about the redevelopment plan, not a discussion about design or engineering. Mr. Gillespie stated that is correct except as listed in the redevelopment plan.

Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to open to public comment. All were in favor.

Eric Goldberg, Attorney for Save Old York introduced Professional Planner Carlos Rodriguez. Mr. Rodriguez summarized a memo that was sent to the Township Committee today regarding his reasons why the proposed redevelopment plan is not consistent with the Township's masterplan. He stated there is no basis for the Area in Need of Rehabilitation. He stated this is known as fiscal zoning and not authorized under NJ Land Use Law. He believes there are many other deficiencies with the use of the redevelopment statute.

Ken Kalinowski, 102 Old York Road asked for a written comment of what the last gentlemen proposed. Mr. Gillespie stated that it will be posted on the Township website.

Brett Anderson, 62 Brookdale Way – He stated he knows this plan is to allow for 1.1 million square foot warehouse on a 161 acre property that is 41% wetlands and discharges into Blacks Creek. It is also next to at least one preserved farm. He believes the developer is providing incorrect information. He stated this is a mega sized building and should only be allowed in area with sewer service. There are multiple organizations against the warehouse project on this property. He stated towns cannot rezone to plug holes in the budget. He is concerned that the developer

has had more time to discuss their desire for their project than the residents. He urges the Township Committee to deny and not adopt the redevelopment plan.

Lorrie Thier, 40 Foulkes Lane has been disappointed in the Township Committee for the past 2 ½ years. She said that many of the resident's questions and concerns have still not been answered. She stated that DEP has provided notice of application deficiencies. Clean Water Action, Pinelands Preservation Alliance and NJ Conservation Foundation have submitted letters citing their reasons this plan should not be approved for various reasons among which the property is 41% wetlands and she is concerned about Blacks Creek becoming contaminated. She stated it will negatively impact the hydrology and the Pinelands. There is no guarantee traffic will not come through the town. She has been to most meetings since the ANR and has not had her questions answered. She says the warehouse will not help with the Township's financial problems.

James Thompson, Campaign Director for the NJ League of Conservation Voters Listed a number of concerns that his department has with the OYCC project and asked that the Township Committee look into the impacts this project will have on wetlands, stormwater and flooding. He stated the proposal before DEP does not show how the project will impact the wetlands. In addition, the wastewater plan should be reviewed as this is not in a sewer service area. He stated this project is located within the Pinelands and it needs to be looked at closer. He stated the plan as proposed does not meet the environmental requirements by the State to protect our resources.

Noreen Cardineli, 28 Windingbrook Rd. Bordentown - She provided a copy of a letter she sent to the Mayor. She stated the warehouse is proposed near 110 residents and 2 preserved farms. A warehouse is going to increase traffic and noise. The AG zone is to protect open space. Another warehouse on Rt. 206 will not work with another warehouse coming to route 206 in the same location. Warehouses will end up being empty just like shopping malls are today.

Paul Cincotta, 15 Gallop Way supports a warehouse. He said that based on the analysis on the Township website, over \$300,000 will go to the Township a year and \$1.5 million for school taxes. The tax impact has to help. He does not believe the traffic will be an issue and points out that the warehouse built down the street from OYCC has not had any impact on Chesterfield. We do not have frontage on major roads and the location makes sense. He asked in good faith that no more warehouses be allowed in Chesterfield after this one.

Jacquelyn Guthrie, 452 Main Street – She believes more warehouses will be built on Ward Avenue and concerned with the already existing traffic.

Agnes Marsala, 42 Cromwell Drive said that the Planning Board should not have sent the redevelopment plan to the Township Committee. She is concerned about flooding and storm water run-off if the warehouse is built.

Brian Kenny, 2 Greenview Drive is in favor of the warehouse. Says the location is perfect since it is close to 206 and the turnpike. No professional driver is going to drive through a town if Route 206 is the obvious route. He says the truck traffic or

flooding will not be an issue. He understands the residents are worried about the sewage waste however they will be required to meet the requirements. He stated that a golf course uses a lot of chemicals and there was runoff and thinks that would be worse than runoff from paved areas. This warehouse will have little impact on the majority of the town and bring in substantial tax revenue.

Glenn Layendecker, 106 Bordentown-Georgetown Rd. said the warehouse will be in his backyard. A warehouse comes with traffic, noise and smell due to the sewer plant. He is not sure what this will do to his well. He does not want the chaos that comes with a warehouse. He asked if it is worth it. He asks the Township Committee to consider other avenues of tax revenue other than a warehouse.

Steven Hazen, 447 Main Street reminded everyone that the Old York Development has brought in a lot of traffic with over 5,000 cars going past his house on a daily basis. He has to deal with it. The homes on Old York Road and around the Old York Development have to deal with the traffic. He stated that everyone concerned about the traffic should obey the speed limit and traffic signs. He said the residents are the ones speeding, running stop signs and causing accidents. He is in support of the warehouse.

Sherry Dudas, 258 Crosswicks-Ellisdale Rd. is concerned about the farmers in Chesterfield. She asked the Township Committee not vote on the ordinance tonight because this is fiscal zoning and other things should be looked at. She asked the Township Committee to allow cannabis to be grown on preserved farms. She stated that farms use water to irrigate from Blacks Creek. Wastewater and diesel runoff will be a problem for the creek.

Lauren D'amato, 73 Harker Road – She stated we should be promoting the industry of agriculture. Old York County Club is not currently farmed but surrounded by preserved agriculture. Alternate uses of land will not preserve agriculture.

Erika Verschelde, 10 Deerfield Drive Mansfield wrote a letter to the Township Committee expressing all of her concerns on the warehouse. She is a past member of OYCC. As the Garden State she would like to stop rezoning property.

Tom Flaherty, 151 Chesterfield-Georgetown Rd He believe a warehouse will permanently scar Chesterfield and urges the Township Committee to not adopt the OYCC Redevelopment Plan.

Amanda Layandecker, 106 Bordentown-Georgetown Rd is concerned about the traffic and believes it will get worse with the warehouse. She stated we will never know the impact unless it is built. The planner presentation outlined the reasons why it shouldn't be approved. Please listen and make a decision we can all be proud of and what Chesterfield is all about. She asks that the Township Committee not adopt the ordinance to approve the warehouse.

Ariel Hilton, 110 Bordentown-Georgetown Rd is directly adjacent to OYCC. She is concerned that DEP has issues with the warehouse being built on this property. They already have water table and settlement issues with her property and she is

concerned what will happen to her and her neighbor's properties once the warehouse is built.

Hearing no further comments, Mr. Liedtka made a motion seconded by Ms. Blazic to close public comments. All were in favor.

Mayor Panfili asked the Township Committee if they have anything to add. Ms. Blazic has nothing to add. Ms. Koetas-Dale asked that the recent letter that the Township Committee and Environmental Commission received be included in these meeting minutes. The letters are from Clean Waters Action, Pinelands Preservation Alliance and New Jersey Conservation Voters. Mr. Gillespie agreed and suggested also including the letter received tonight from Ms. Cardineli, 28 Windingbrook Rd. Bordentown, letter from CME regarding traffic study review and a memo from Mr. Sahol titled "Data related to Township Land Use PVD and Assessment Value". All Committee members agreed. Mr. Liedtka wanted clarified that Chesterfield Township is not in the Pinelands. Mr. Liedtka also said that Bordentown and Mansfield Township are both putting warehouses close to Chesterfield Township property and consistent with what they are doing in that area. He stated there is also a small truck stop going in. Mayor Panfili stated he would like to make some changes to the Redevelopment Plan regarding the following: The Black House for clarification and remove the flexible language "best effort or reasonable efforts." There should be no flexibility. Mr. Gillespie read section 4.5 of the redevelopment plan. Remove reasonable effort and shall be required to relocate. On the next page the end of the paragraph demolition will be removed from the paragraph. Mr. Panfili asked that renewable energy needs to require a percentage of renewable energy. Mr. Gillespie stated there is already a requirement and asked if they wanted more. Mr. Panfili asked to confirm that we could enforce the truck traffic on all roads in the Township. Mr. Gillespie stated in the Redevelopment Agreement we could address the stray truck issue. Mr. Panfili stated the County has not seen this application yet, however suppose they do not agree with the way in or way out. Mr. Gillespie stated there is not application at this point just a zoning ordinance. When an application is filed it would go to the County Planning Board for review. This redevelopment plan has a lot of requirements built into it that would not typically be addressed in an ordinance. Mr. Gillespie reminded the Committee that section 4.1 of the redevelopment plan requires a redevelopment agreement which will address the community concerns, phasing, performance guarantees, etc. If no agreement, then there is no project. If adopted, then the Township identifies a developer who will enter into a Redevelopment Agreement with the Township. Mr. Panfili stated that the Planning Board would be the body addressing the concerns of wetlands, Stormwater, recharge, among other things. Ms. Koetas-Dale asked about a time limit on getting the permitting through DEP considering DEP has already denied their submittal. Mr. Gillespie stated that this would be address in the Redevelopment Agreement. He stated there is no applicant yet. The application submitted to DEP was by the contract purchaser at their own risk.

Mr. Gillespie advised the Township Committee of their options to either act on the Ordinance as is and if adopted, immediately add another Ordinance to amend it and introduce it tonight then adopt at a future meeting. Or, continue the public hearing only on the amendments which will take the process into December meetings. The Township Committee agreed to adopt and amend tonight.

Mr. Liedtka made a motion seconded by Ms. Blazic to adopt Ordinance 2022-15.

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAYS: Koetas-Dale, Russo

Mr. Gillespie read aloud all of the amendments to Ordinance 2022-15 which will be incorporated into Ordinance 2022-17. Mr. Liedtka made a motion seconded by Ms. Blazic to add Ordinance 2022-17 AN ORDINANCE TO AMEND ORDINANCE 2022-15 WHICH ADOPTED THE OLD YORK REDEVELOPMENT PLAN FOR CERTAIN PROEPRTY KNOWN AS BLOCK 701, LOT 2.01, THE FORMER OLD YORK COUNTY CLUB to the agenda.

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAYS: Koetas-Dale, Russo

Mr. Liedtka made a motion seconded by Ms. Blazic to introduce Ordinance 2022-17 - AN ORDINANCE TO AMEND ORDINANCE 2022-15 WHICH ADOPTED THE OLD YORK REDEVELOPMENT PLAN FOR CERTAIN PROEPRTY KNOWN AS BLOCK 701, LOT 2.01, THE FORMER OLD YORK COUNTY CLUB

Roll Call: YEAS: Blazic, Liedtka, Panfili  
NAYS: Koetas-Dale, Russo

Public Hearing will be December 8, 2022.

## **RESOLUTIONS**

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-10-7.  
Voice vote – All Ayes

### **RESOLUTION 2022-10-7**

### **RESOLUTION AUTHORIZING PUBLIC SALE OF ONE PLENARY RETAIL CONSUMPTION LICENSE**

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-10-8.  
Voice vote – All Ayes

### **RESOLUTION 2022-10-8**

### **RESOLUTION AUTHORIZING THE TOWNSHIP OF CHESTERFIELD TO ENTER INTO THE NEW JERSEY COOPERATIVE PURCHASING ALLIANCE #CK04 COOPERATIVE PRICING AGREEMENT**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-10-9.  
Voice vote – All Ayes

### **RESOLUTION 2022-10-9**

### **RESOLUTION AUTHORIZING PURCHASE OF STRYKER POWER PRO XT AND POWER LOAD**

Mr. Liedtka made a motion seconded by Ms. Blazic to approve Resolution 2022-10-10.

Voice vote – All Ayes

**RESOLUTION 2022-10-10**

**RESOLUTION AUTHORIZING ADJUSTMENT TO SEWER UTILITY ACCOUNT FOR 20 MCINTYRE WAY**

Ms. Blazic made a motion seconded by Mr. Russo to approve Resolution 2022-10-11.  
Voice vote – All Ayes

**RESOLUTION 2022-10-11**

**RESOLUTION APPOINTING DEREK W. CARMIGNANI AS FULL-TIME POLICE OFFICER AND ACCEPTING RESIGNATION OF PATROLMAN CODY WILSON**

Ms. Koetas-Dale made a motion seconded by Ms. Blazic to approve Resolution 2022-10-12. Voice vote – All Ayes

**RESOLUTION 2022-10-12**

**RESOLUTION APPOINTING PETER P. BELL AS FULL-TIME POLICE OFFICER AND ACCEPTING RESIGNATION OF PATROLMAN MICHAEL SCHEPIS**

Mr. Liedtka made a motion seconded by Mr. Russo to approve Resolution 2022-10-13.  
Voice vote – All Ayes

**RESOLUTION 2022-10-13**

**RESOLUTION IN OPPOSITION TO THE RE-ASSIGNMENT BY THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION OF ALL MUNICIPALITIES CURRENTLY DESIGNATED TIER B UNDER THE MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT PROGRAM TO TIER A DESIGNATION AND EXPANSION OF TIER A PERMIT CONDITIONS.**

Ms. Koetas-Dale made a motion seconded by Ms. Blazic to approve Resolution 2022-10-14. Voice vote – All Ayes

**RESOLUTION 2022-10-14**

**RESOLUTION APPROVING APPOINTMENT OF SUBSTITUTE ELECTRICAL INSPECTOR**

Ms. Koetas-Dale made a motion seconded by Ms. Blazic to approve the bill list.  
Voice vote – All Ayes

### **REPORTS OF ADMINISTRATION/Mayor**

Mayor Panfili attended a meeting two weeks ago at the Township of Bordentown that included the Mayors, Township Administrators and Township Solicitors from Bordentown, Florence and Mansfield Twp. They met with the State Planning Commission to discuss warehouses and state planning initiatives. Mayor Panfili

stated that based on their presentation, Chesterfield Township Committee took a lot of the concepts into consideration when creating the Redevelopment Plan that was adopted tonight. The power point presentation from that meeting will be shared with the Township Committee. He stated that every town needs some form of commercial. He stated he learned a lot from our neighboring towns.

## **NEW BUSINESS**

### **Cricket Pitch – Request for covered dugouts**

Mayor Panfili met with the Chesterfield Township Cricket Organization who requested dugouts at the cricket fields similar to the dugouts at Charlotte Rogers baseball fields. Their organization is growing and play year round. Mayor Panfili suggests using money from the recreation account to fund the dugouts. Ms. Koetas-Dale said that she is in agreement with the Mayor but going forward would like to put out another Recreation Survey to the residents as most of the projects on the last survey have been completed. Mayor Panfili asked Mr. Hirsh to look into a plan and price to build dugouts at the cricket fields. In addition, they have asked us to replace the 4 dead shade trees that were removed near the cricket fields. Mayor Panfili asked Troy and Ms. Koetas-Dale through Shade Tree Advisory to look into.

## **OLD BUSINESS**

### **HPC Design Standards**

Ms. Koetas-Dale stated we need to invite Margaret Hickey to present the HPC Design Standards at the December 8<sup>th</sup> Township meeting. HPC is concerned about getting these standards adopted before we can update the ordinance.

Motion made by Ms. Blazic seconded by Mr. Russo to open to public comment. All were in favor.

Paul Cincotta, 15 Gallop Way said that he had some dead trees that he paid to have removed back in the spring of 2022 based on the Townships policy. I understand that if you do not live in Old York Village that you have to cut down your trees at your own expense. Now the Township is taking down dead trees in the Township ROW. He understands it is a one-time thing but how about those who just took them down. Mr. Sahol explained that this was not considered in the past. The emerald ash borer was the cause of the problem for most of the trees. The Township made the decision to minimize the overall risk posed by the multi dead trees. Mr. Cincotta asked about trees within the alley as well that is close to the pavement. Mr. Sahol stated we would take a look.

Michael Walker, 189 Recklesstown Way also paid to take down two dead trees on his property and is asking for reimbursement due to the Township taking down dead trees in town with no charge to the homeowners. Those homeowners who were not proactive in taking the dead trees down now had their trees removed at no cost to them.



Brett Anderson, 62 Brookdale Way said that the pickleball court is in complete disarray. He asked why there is such a rush to cut down the dead trees in town. He suggests having a plan and communicate better to the residents. Mayor Panfili asked Mr. Hirsh about the pickleball court and what is going on with it. Mr. Hirsh stated that a contract was awarded through the public bidding process. Mr. Hirsh explained that the paving was unsatisfactory and the contractor attempted a patch of the repair areas which were also unsatisfactory. The contract removed all the repair material and has overlaid an additional 1 ½" of asphalt today. They have consistently done all the repairs we asked for. Mr. Hirsh stated the contractor has not been paid nor is he seeking additional funds for the additional work.

Lorrie Thier, 40 Foulks Lane asked what the cost was for the pickleball courts and who was overseeing the construction. Mr. Hirsh replied the cost was \$67,000.00 and his office is in charge of overseeing the project. Ms. Thier asked how the Township can oversee the construction of a warehouse when they have major issues constructing a pickle ball court.

Shreekant Dhopte, 18 Donlonton Circle wants to know why we cannot survey the residents on whether they want a warehouse or not. Mr. Dhopte asked what the status is on the plenary retail consumption license. Ms. Hoyer replied that was put out for bid with a minimum bid of \$350,000.

Lorraine Panfili, 518 Ward Ave. stated she believes that most of the public works budget goes to Old York Village. She suggested districting public works budget so that everyone doesn't have to pay their costs. Ms. Koetas-Dale stated that the Township is taking down dead trees outside of Old York Village due to safety hazards.

James Marsala, 42 Cromwell Drive asked whether the police officers that are leaving Chesterfield based on the Resolutions tonight are retiring or resigning. Ms. Koetas-Dale replied that they are taking new jobs outside of Chesterfield. Mr. Marsala asked who wrote the Redevelopment Plan. Mr. Gillespie responded CME Associate/Twp Planner.

Hearing no further comments, Mr. Russo made a motion seconded by Ms. Koetas-Dale to close public comment. All were in favor.

Ms. Koetas-Dale made a motion seconded by Mr. Liedtka to adjourn the meeting. All were in favor. Meeting adjourned at 9:22 PM.

Respectfully submitted,

Caryn M. Hoyer, RMC  
Township Clerk