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BOROUGH OF BELLMAWR, NEW JERSEY

GREEN ACRES SCOPE MEETING

- - -

Monday, July 23, 2024

7:00 p.m.

- - -

21 East Browning Road

Bellmawr, New Jersey 08031

- - -

Borough Council Members Present:

Mayor Chuck Sauter

Transcribed by: Lisa DePascale, Court Reporter

Videographer: Karen Keebler

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1 APPEARANCES:  
 2 EARP COHN, P.C.  
 3 DONALD A. NOGOWSKI, ESQUIRE  
 4 20 Brace Road  
 5 Suite 400  
 6 Cherry Hill, New Jersey 08034  
 7 856.354.7700 / 215.963.9520  
 8 dnogowski@earpcohn.com  
 9 Representing: Bellmawr Waterfront Development  
 10  
 11 ALSO PRESENT: JENNIFER BERG, SENIOR PROJECT MANAGER  
 12 RT ENVIRONMENTAL SERVICES, INC.  
 13 553 Beckert Road  
 14 Suite 608  
 15 PO Box 521  
 16 Bridgeport, New Jersey 08014  
 17 856.467.2276 x 121  
 18 jberg@rtenv.com.  
 19  
 20 HOWARD LONG,  
 21 BELLMAWR MUNICIPAL SOLICITOR  
 22  
 23  
 24

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1 conditions. Typically that is a very valid  
 2 public purpose in support of the diversion and  
 3 adequate compensation for the parkland that is  
 4 being given up.  
 5 The typical ratio in this situation is  
 6 a 5 to 1. So if the public body is giving up  
 7 one acre of ground, the replacement ground has  
 8 to be at least five acres so. And there is  
 9 also other requirements regarding park  
 10 improvements and other investments.  
 11 This particular diversion was approved  
 12 by DEP about 12 years ago. The way the Green  
 13 Acres regulations work, it's a two-step  
 14 process. Early in the process Bellmawr applied  
 15 for this diversion and it was approved by Green  
 16 Acres 10 years ago, what's called a preliminary  
 17 Green Acres approval. One of the conditions of  
 18 the approval and one of Bellmawr's conditions  
 19 was that the entire site be fully remediated  
 20 and prepared to create the new parkland that's  
 21 part of the compensation in order for the  
 22 project to proceed.  
 23 We are pleased to report that after all  
 24 these years, the remediation phase of the

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1 MAYOR SAUTER: Good evening, everyone.  
 2 Welcome to the Borough of Bellmawr.  
 3 Tonight we have the Green Acres scope  
 4 meeting.  
 5 And at this time I'll turn it over to  
 6 Don Nogowski from the Bellmawr Waterfront  
 7 Development to present the program.  
 8 MR. NOGOWSKI: Thank you so much,  
 9 Mr. Mayor.  
 10 Good evening, everyone.  
 11 My name is Don Nogowski. I'm  
 12 redevelopment counsel. I'm working on this  
 13 project for probably about 15 years. And we're  
 14 pleased to get to the point now where we can  
 15 conduct our final scoping hearing.  
 16 A scoping hearing is a Green Acres  
 17 hearing intended to make sure the public body  
 18 and members of the public are fully informed of  
 19 what's called a Green Acres Diversion. Green  
 20 Acres Diversion is a process permitted under  
 21 the Green Acres law and regulations where a  
 22 piece of parkland or incumbent parkland, as  
 23 Green Acres calls it, can be utilized for  
 24 another purpose under certain sets of

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1 project is complete excepting only what's  
 2 called the top of cap. And the only reason the  
 3 top of cap isn't completed is that the planned  
 4 future development which includes buildings,  
 5 roadways, parking areas, sidewalks, et cetera  
 6 actually forms part of the top of cap. So that  
 7 will be completed as the development proceeds.  
 8 Up here (indicating) we have a site  
 9 plan and some pictures of the actual parkland.  
 10 These are photos that we took down by the water  
 11 on the future parkland. This is what it looks  
 12 like down there. Beautiful.  
 13 This lot here (indicating) is Block 78,  
 14 Lot 2. This is what's called the diversion  
 15 parcel. Back in the 1970s, Bellmawr in several  
 16 different transactions, acquired Block 78, Lot  
 17 1, which is this white color block here  
 18 (indicating). And this orange color block here  
 19 (indicating) is Lot 2. So this is owned by  
 20 Bellmawr Borough. It was acquired in part with  
 21 Green Acres funding. And because of that, it's  
 22 what's called Green Acres incumbent parkland.  
 23 You need Green Acres approval to do anything  
 24 here.

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1 Back in the 1990s, Bellmawr got  
 2 approval to use Block 78, Lot 2, or a part of  
 3 it anyway, as a compost center facility. So  
 4 this was operated for several years by Bellmawr  
 5 as a compost center.  
 6 The diversion, which was proposed by  
 7 Bellmawr and approved by DEP is to exchange  
 8 Block 78, Lot 2, this orange lot, which  
 9 although it's parkland, has never actually been  
 10 able to be used as parkland. It was a part of  
 11 one of the three landfills at the site that was  
 12 formerly never properly capped and closed. So  
 13 it could not be safely used as parkland or  
 14 anything else until now. But it's still  
 15 legally parkland, which is why we have to do  
 16 this diversion.  
 17 So Block 78, Lot 2 is the lot that  
 18 Bellmawr has applied to have Green Acres  
 19 restrictions removed from in exchange for the  
 20 replacement ground. The replacement ground  
 21 includes a part of Block 79.01, Lot 9.01, this  
 22 green area here (indicating). This is about  
 23 21 acres. This has been subdivided, as per  
 24 Green Acres request, into what's now Lot 9.02.

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1 In addition, Green Acres had approved a  
 2 portion of Deptford, Block 1.02, Lot 1, which  
 3 has been subdivided. And this area is now  
 4 known as Lot 1.02, as part of this Green Acres  
 5 diversion. That's about 1.8 acres. Block 78,  
 6 Lot 1, which is about 12 acres, is currently  
 7 Green Acres and will remain Green Acres.  
 8 By combining the existing Block 78, Lot  
 9 1 with the other replacement lots that are  
 10 engrained, you have a continuous 38 acre  
 11 waterfront park, or ground to create a  
 12 waterfront park anyway, along the waterfront  
 13 preserving waterfront access and park access  
 14 for the public. That was one of the main goals  
 15 that we were told as redeveloper, you know, 12,  
 16 14 years ago was, whatever we did here, we  
 17 first had to remediate the landfill to stop the  
 18 leachate into the Big Timber Creek. Leachate  
 19 is chemical contamination, which was leaching  
 20 from the landfill into the creek. That has now  
 21 been totally abandoned through the remediation  
 22 effort. And secondly, to make sure that we  
 23 preserved public access to the waterfront.  
 24 From the 1970s, when Bellmawr first

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1 bought this property, there were dreams of  
 2 providing public access to the waterfront. And  
 3 unfortunately until today, that was not  
 4 possible. We are very pleased to say that  
 5 through the hard work of Bellmawr's elected  
 6 officials, working with the private  
 7 redevelopers, DEP, the County, Gloucester  
 8 County, Deptford, everyone has worked together  
 9 cooperatively and harder in these years in  
 10 order to get us where we are today.  
 11 One of the area of note is that there  
 12 is a separate parcel in Deptford adjacent to  
 13 Lot 1.02, which is about two and a half acres,  
 14 known as Lot 1.01. This was also subdivided  
 15 off at Green Acres request. This land is  
 16 destined to be also be parkland. It's not part  
 17 of this application. It's going to be part of  
 18 the separate application that Bellmawr will  
 19 submit regarding other property in Bellmawr.  
 20 But the goal is that it would be added to the  
 21 park as well, making the total park well over  
 22 40 acres.  
 23 With that, I would like to -- I'm  
 24 sorry. I have one more thing to add.

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1 During the course of this whole process  
 2 another necessary partner has been the New  
 3 Jersey Department of Transportation. NJ DOT  
 4 originally proposed building Missing Moves,  
 5 which is this highway right here (indicating)  
 6 across the landfill, which would have precluded  
 7 access to the waterfront, would have precluded  
 8 any kind of waterfront park and would not have  
 9 been able to permit even the proper remediation  
 10 of the site.  
 11 Bellmawr, to its credit, for many years  
 12 contested DOT's plans and caused DOT to  
 13 eventually move the road where it is now, off  
 14 of the landfill and elevate it so that you  
 15 could get down through Stanley and Coolidge and  
 16 Harding and those other roads, so that public  
 17 access could be maintained.  
 18 So again, it's been a long and arduous  
 19 process. We are pleased to report we're at the  
 20 end of that process. We're ready to start  
 21 construction next year.  
 22 With that, I would like to invite Jenn  
 23 Berg from RT Environmental. RT has been the  
 24 environmental consultant on this project.

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1 First, the late and well-regarded Gary Brown,  
 2 our dear friend who passed away a few years  
 3 ago, was very instrumental in working with  
 4 Bellmawr and the redeveloper to get us where  
 5 we're at. Today Chris Ward is the LSRP or  
 6 Private Professional Engineer assigned by the  
 7 DEP to the site under DEP oversight. And Jenn  
 8 Berg works with Chris from RT Environmental.  
 9 So with that, if you could please give  
 10 us just a few minutes on remediation work on  
 11 the entire site, and in particular on the new  
 12 parklands.  
 13 MS. BERG: Of course, yes.  
 14 Thank you very much.  
 15 I've been working on this project since  
 16 2008. I am now the Senior Project Manager  
 17 working underneath -- under the LSRP to see  
 18 this project come to its completion.  
 19 Ever since, in the beginning, when we  
 20 were developing what is called the remedial  
 21 action work plan and landfill closure plan with  
 22 the DEP, the arrangement of the site and this  
 23 diversion was always planned for from the very  
 24 beginning.

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1 We do work with two departments --  
 2 well, many departments within DEP, but the main  
 3 landfill closure and site remediation program  
 4 is under division of solid waste, which is our  
 5 landfill closure permit and then site  
 6 remediation, which is the licensed site  
 7 remediation professional program.  
 8 So the reason why this diversion was  
 9 always contemplated is because this site is a  
 10 historic landfill, so it was never built,  
 11 developed and operated under current  
 12 regulations. It operated and then, you know,  
 13 in the '60s, then the mid '70s, and then the  
 14 late '70s over here (indicating), of course we  
 15 have Route 42 here (indicating). Just to  
 16 orient everybody, Route 42 (indicating). 295  
 17 (indicating). I'm sure everyone here is very  
 18 familiar with the history of these landfills.  
 19 So one of the most important aspects to  
 20 landfill closure is to ensure that all of the  
 21 municipal waste stays dry. And so when we  
 22 first came onto this site, it was never  
 23 properly closed. They basically just threw a  
 24 couple feet of soil on it and just left it

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1 there. The reason why we want to make sure  
 2 that waste now stays dry is because when you  
 3 mix trash with water, stormwater, you end up  
 4 with something called leachate. Leachate is  
 5 waste water.  
 6 And so the entire process of closing  
 7 this landfill has been about managing  
 8 stormwater on this site. And so to that end,  
 9 we needed to properly grade the site. So you  
 10 need to grade the site, into which I'm sure you  
 11 guys see it today as you're going down 295 and  
 12 Creek Road and 42, you see these slopes. And  
 13 that's because we have to promote stormwater  
 14 runoff. When rain comes down, we want to get  
 15 it off the site. And so we've had many  
 16 improvements throughout the years to accomplish  
 17 this. As you know the Borough of Bellmawr was  
 18 involved with the installation of the major  
 19 stormwater culvert that runs along Route 42.  
 20 We then had to improve the site with all brand  
 21 new stormwater piping, which runs basically  
 22 from Route 42, 1,700 feet of pipe that then  
 23 comes to 295.  
 24 Additionally, we have surfaced

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1 stormwater controls. Meaning, we have  
 2 stormwater conveyance channels, where we tell  
 3 the water where to go and then it drains into  
 4 our stormwater systems. And so what that would  
 5 have left us with -- you know what, this would  
 6 be actually a really good picture right here.  
 7 (Ms. Berg is changing the display  
 8 board).  
 9 And so I think in this aerial you can  
 10 see what we're talking about when we have side  
 11 slopes. So what we ended up with here are  
 12 these relatively flat portions of the site.  
 13 And so it was always contemplated that as a  
 14 ground field redevelopment area, it would make  
 15 a, what was going to be developable land, was  
 16 going to be these top portions (indicating).  
 17 And then we ended up with these slopes that run  
 18 all along here (indicating). And you can see  
 19 all nice and green and they slope down to Bay  
 20 Timber Creek. So it made perfect sense to  
 21 designate all of these slope areas as open  
 22 space.  
 23 And so that's why we have ourselves  
 24 here today. We're finally in a position to

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1 move forward with this application. And  
 2 because remediation in all of these areas,  
 3 except for these top areas, they're going to be  
 4 improved with redevelopment. Everything else  
 5 has been capped and closed per the remedial  
 6 action work plan and the landfill closure plan.  
 7 And that's where we find ourselves  
 8 today.  
 9 MR. NOGOWSKI: Thank you.  
 10 (Mr. Nogowski is putting up new display  
 11 boards.)  
 12 So now I'd just like to talk a little  
 13 bit about one of the most exciting parts of the  
 14 project, which is our future park here. I also  
 15 wanted to review just sort of the structure  
 16 that enables us to build this park as proposed.  
 17 Again, this is a long-standing public  
 18 private partnership. One of the major players  
 19 is a company named Bellmawr Waterfront  
 20 Development. Bellmawr Waterfront Development,  
 21 LLC worked back with former Mayor Filipek, back  
 22 in the day, to put the basic structure in  
 23 place. Bellmawr Waterfront Development entered  
 24 into what's called an MOU, a Memorandum Of

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1 Understanding, with the NJDEP. Bellmawr  
 2 Waterfront Development was not the party that  
 3 operated the landfills. That was other folks.  
 4 But Bellmawr Waterfront Development voluntarily  
 5 agreed to undertake the remediation of the  
 6 whole site, including the parts owned by  
 7 Bellmawr Borough, which is a key part of the  
 8 overall plan.  
 9 As part of that agreement, in addition  
 10 to doing the remediation, Bellmawr agreed  
 11 originally over 10 years ago and then that was  
 12 formalized in the redevelopment agreement about  
 13 four years ago, that an entity by the name of  
 14 Big Timber Junction, LLC or BTJ, as we like to  
 15 call it, became the designated redeveloper.  
 16 And Big Timber is responsible financially to  
 17 ensure that the park gets built. And the cost  
 18 of the park is probably approaching a million  
 19 dollars at this point, so -- or north of a  
 20 million dollars. And that's part of the  
 21 compensation too.  
 22 DEP agreed to this because of the land  
 23 swap, which includes a parcel in West Deptford  
 24 as well, which I'll get to in a moment, but

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1 also includes the park improvements. These  
 2 park improvements include parking areas,  
 3 bathrooms, over a mile of walking trail, two  
 4 different access points. Initially the first  
 5 access point will be from the existing driveway  
 6 on Creek Road here (indicating), which is where  
 7 the bathrooms will be built as well.  
 8 Eventually after redevelopment occurs,  
 9 commercial redevelopment, there will be an  
 10 access road off of a new road to be built  
 11 called Relief Avenue Extension as well, which  
 12 will come down to this point here (indicating).  
 13 And that will be the second access point.  
 14 Along the way this particular plan was  
 15 reviewed and vetted by our friends in Bellmawr  
 16 over several different meetings, members of  
 17 Council, Mayor Sauter, and other folks. And  
 18 there is a whole set of park plans, which were  
 19 part of our site plan approval. We did submit  
 20 to the Bellmawr Joint Land Use Board several  
 21 months ago for site plan approval for both the  
 22 commercial development and the park. Those  
 23 details include overlooks, meaning areas where  
 24 folks up top, where the parking area is, can go

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1 out and overlook the whole area, which again is  
 2 a beautiful parkland setting. Once you're down  
 3 at water level, the park includes trails,  
 4 benches, shade, gazebos, some solar lighting  
 5 that the Town wanted. The park would be  
 6 secured by gates and what are called bollards  
 7 in the middle of the road, which will prevent  
 8 cars, except for officially permitted cars,  
 9 from getting down there.  
 10 So again, it will be a very beautiful  
 11 natural waterfront park which will provide the  
 12 citizens of Bellmawr and other nearby towns  
 13 with direct access to the Big Timber Creek,  
 14 which is a beautiful tidal estuary.  
 15 I have the ability to go down to the  
 16 Chesapeake every once in a while. And it's  
 17 beautiful down there. And this creek reminds  
 18 me of the Chesapeake. It's really so  
 19 picturesque down if you've never been down  
 20 there. Folks go waterskiing. Folks go  
 21 swimming along there.  
 22 Across the other way is a State nature  
 23 preserve, a wildlife preserve, as well as  
 24 another property that is -- I don't know if

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1 it's the -- it's the Sons of Israel. I don't  
 2 know if it's formerly preserved, but it's green  
 3 space and it's beautiful.  
 4 This park, and again, we have discussed  
 5 this with the Mayor of Runnemede from time to  
 6 time, but Runnemede has a similar park that  
 7 they built on the other side of Route 42. So  
 8 this will be very complimentary, you know,  
 9 creating a waterfront that folks can go back  
 10 and forth by kayak and that kind of thing. So  
 11 that's, you know, the park improvements.  
 12 That's another key component of the diversion,  
 13 is the park improvements.  
 14 The third part of the park improvements  
 15 is -- and again, this was a parcel of ground  
 16 that the NJDEP specifically requested that  
 17 Bellmawr Waterfront Development on behalf of  
 18 Bellmawr purchase so it can be preserved. This  
 19 is plus or minus 150 acres in the same  
 20 watershed, the Delaware River watershed, a  
 21 little bit south of what would be Timber Creek  
 22 and to the Delaware. This is down adjacent to  
 23 River Winds, it fronts on the Delaware River.  
 24 This is a 150-acre parcel that the DEP wanted

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1 to preserve because they were fearful it would  
 2 be developed industrially. So at their  
 3 request, we acquired it for the purpose of  
 4 completing the diversion land compensation  
 5 swap.  
 6 In addition to that, the DEP required  
 7 Bellmawr to create new wetlands, to do  
 8 wetlands mitigation, due to some of the  
 9 remediation work. Some of the remediation  
 10 work up in this area here (indicating)  
 11 adjacent to 295, involved filling in areas  
 12 where there was direct tidal water to trash  
 13 contact. And although it was necessary for  
 14 remediation, the other parts of DEP said,  
 15 well, you might have had to do it, but you  
 16 still filled in wetlands, so, therefore, you  
 17 have to create new wetlands, which we did.  
 18 And we did that down here at the West Deptford  
 19 parcel as well.  
 20 So those are the three components of  
 21 the diversion. Diverting 17.8 acres in  
 22 Bellmawr, which is this area here  
 23 (indicating), in exchange for the new  
 24 waterfront park, the park improvements and the

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1 West Deptford parcel.  
 2 This hearing is to make sure that the  
 3 Municipality itself, as well as members of the  
 4 public are aware of all this. And also to  
 5 solicit any public comments to the proposed  
 6 diversion.  
 7 In the past DEP sometimes worked  
 8 without the direct involvement of the local  
 9 Municipalities, which isn't always a good  
 10 thing. So that's why the regulations provide  
 11 for these scoping hearings so that there is no  
 12 surprises, so that the public and the  
 13 Municipality knows what DEP is doing in their  
 14 town.  
 15 With that, I think that concludes, you  
 16 know, our presentation on the diversion. I  
 17 think we covered all the things that DEP asked  
 18 us to.  
 19 Mr. Mayor, would you have any  
 20 questions?  
 21 MAYOR SAUTER: Not at this time. You  
 22 covered everything.  
 23 MR. NOGOWSKI: Mr. Long or counsel?  
 24 MR. LONG: No questions.

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1 MR. NOGOWSKI: Would any members of the  
 2 public have any questions?  
 3 Yes, sir.  
 4 MR. DIRENZO: How do you plan on  
 5 getting access down to the waterfront?  
 6 MR. NOGOWSKI: I'm sorry. My hearing  
 7 is not great, sir.  
 8 MR. DIRENZO: How do you plan on  
 9 getting access to the waterfront? As of right  
 10 now there is no access to the waterfront.  
 11 MR. NOGOWSKI: Well, I'll be happy to  
 12 explain that.  
 13 MS. BERG: Yeah. I think this is the  
 14 better one.  
 15 (Ms. Berg is Putting up a new display  
 16 board.)  
 17 MR. NOGOWSKI: There is an existing  
 18 driveway here on Creek Road. And there is  
 19 going to be a parking area and eventually  
 20 bathrooms built up here (indicating) as well,  
 21 that's the trail head. From that point, that's  
 22 where the trail will go down to the water and  
 23 then follow along the water, all the way here  
 24 (indicating).

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1 As part of the development of the top  
 2 side, there was a new roadway, internal  
 3 roadway, up here (indicating), going down to  
 4 this overlook area here (indicating). There  
 5 will be a second parking area and a second  
 6 trail head south of here. So that's how you  
 7 get to --  
 8 MS. BERG: And you have --  
 9 MR. DIRENZO: Because right now you  
 10 have all slopes, like you had said in your  
 11 testimony.  
 12 MS. BERG: So the trail is going to be  
 13 built at the base.  
 14 MR. NOGOWSKI: Like, water level.  
 15 MS. BERG: Right. Right. And the rest  
 16 of it is dedicated, you know, open, natural  
 17 open space. So the trail will be at around,  
 18 you know, the base of it.  
 19 MR. NOGOWSKI: This area, the area that  
 20 I think you may be thinking of --  
 21 MR. DIRENZO: Well, we go out there a  
 22 lot, so.  
 23 MR. NOGOWSKI: Okay. Well, the area  
 24 down here (indicating) because of the steepness

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1 of the slope will require what's called a  
 2 switchback trail. Meaning, that you don't go  
 3 straight down because the slope would be too  
 4 bad, you have to go like a zig-zag. That's a  
 5 switchback. So there will be a switchback here  
 6 (indicating), but here there won't be a  
 7 switchback. You'll be able to just walk  
 8 straight down from the parking area the  
 9 original trail had and along the water there.  
 10 And it's not intended to have any other  
 11 way to get down there. We don't want people  
 12 trying to go down other ways because it won't  
 13 be safe. So it won't, you know, there's not --  
 14 there's only going to be two trail heads; one  
 15 way in, one way out originally, and then two  
 16 ways in, two ways out.  
 17 MR. DIRENZO: And the top is going to  
 18 be fenced off, I assume then?  
 19 MR. NOGOWSKI: We don't believe fencing  
 20 will be required. Certainly we haven't seen it  
 21 done at other similar sites. And fencing is  
 22 not part of the plan.  
 23 MR. LONG: Don, one of the things that  
 24 we did the other night and I'm surprised we had

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1 to do it, in Gloucester City, was we passed an  
 2 ordinance that no one was allowed to access or  
 3 jump from any public lands into tidal waters.  
 4 MR. DIRENZO: Yeah. There's a frequent  
 5 pier issue. Yeah.  
 6 MR. LONG: So we put that in, we  
 7 adopted that ordinance. Because we literally  
 8 had people jumping off Freedom Pier in  
 9 Gloucester City and the Cooper River. And you  
 10 probably were involved in some of those with  
 11 residents.  
 12 So we finally passed an ordinance. And  
 13 I'm going to be recommending to Council that we  
 14 should look at something very similar and to  
 15 the Mayor.  
 16 MR. DIRENZO: Yeah. That's just some  
 17 of our safety concerns. Because we went out  
 18 there trying to get a lay of the land and there  
 19 was absolutely no access to the waterfront as  
 20 of right now.  
 21 MR. NOGOWSKI: Right. But there will  
 22 be. There will be through the trail head and  
 23 the trail. And we certainly expect that  
 24 Bellmawr will not let any swimming or other

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1 kind of activities occurring. But that's for  
 2 you guys to decide.  
 3 MR. LONG: It's just a safety issue.  
 4 MR. NOGOWSKI: Yeah. It's tidal, and  
 5 it's a very swift tidal there, so I doubt  
 6 you're going to want swimming.  
 7 MR. SHARP: Hey, Don, when do you  
 8 anticipate breaking ground on it?  
 9 MR. NOGOWSKI: Next year.  
 10 MR. SHARP: Next year?  
 11 MR. NOGOWSKI: We are very close  
 12 working with our friends in Bellmawr to work  
 13 out a few details, but we are ready to get  
 14 started next year.  
 15 MR. SHARP: Okay. And I know because  
 16 there was a special meeting last year, I know  
 17 you spoke at, and the issue of lighting was  
 18 raised.  
 19 Is there going to be, you know, plenty  
 20 of lighting down in that area?  
 21 MR. NOGOWSKI: There -- in the approved  
 22 site plan there is solar lighting. And it will  
 23 be installed if that's what Bellmawr wants.  
 24 I can tell you that my experience with

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1 other parks and dealing with the DEP, they  
 2 generally don't like lighting down by the water  
 3 because it can interfere with the wildlife and  
 4 all that. But that will be up to Bellmawr. If  
 5 Bellmawr wants solar lighting, they'll have it.  
 6 But, you know.  
 7 MR. SHARP: Yeah.  
 8 And, like, handicap parking, is that --  
 9 like, where is that going to be located? Is  
 10 that being factored in?  
 11 MR. NOGOWSKI: There will be handicap  
 12 parking at both spots. The overlook areas will  
 13 be ADA accessible. The park itself, by its  
 14 nature will not be ADA accessible; it doesn't  
 15 have to be. But there are design parameters  
 16 that the U.S. Park Service publishes to make it  
 17 easier for disabled to park. It's not  
 18 completely ADA, but design elements. And that  
 19 is part of our design.  
 20 MR. SHARP: Just going on a safety  
 21 issue, Mr. Long, for instance, but are ATVs  
 22 going to be permitted to go on this or no?  
 23 That's what I'm saying. Like, are you going to  
 24 look at -- that's what I'm saying. Are you

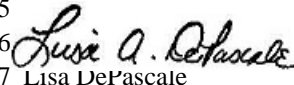
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1 going to pass an ordinance on it, Mr. Mayor,  
 2 like, restricting access to that, so they don't  
 3 go into that area?  
 4 MR. NOGOWSKI: Well, can you drive them  
 5 on public streets to get there today?  
 6 MR. SHARP: Yeah, but I'm saying, like,  
 7 if it's a waterfront park, people is going to  
 8 think, hey, maybe they can go -- you know what  
 9 I'm saying?  
 10 MR. NOGOWSKI: That's up to Bellmawr,  
 11 but we would discourage it.  
 12 MR. LONG: Yeah. There will be no ATV.  
 13 MR. SHARP: Right. But if it's a nice  
 14 waterfront park area, you know --  
 15 MR. NOGOWSKI: Right. Bicycles? Yes.  
 16 You know, people walking? Jogging? Yes.  
 17 ATVs? Probably not.  
 18 MR. SHARP: The reason I say that is  
 19 because you see State parks, ATVs are --  
 20 MR. NOGOWSKI: Yeah. I think there are  
 21 a few other parks in this area on the Delaware  
 22 River that provide good examples of how this  
 23 was done well. We looked at some of those.  
 24 There is one up in Delran. Amico Island it's

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1 called. It's a state park. And it's very  
 2 similar in that it's a tidal area with a trail  
 3 system through it. And, you know, trail heads  
 4 and bollards, just like we talked about here,  
 5 so. And, you know, it's enjoyed by thousands  
 6 of people. They don't seem to have any issues  
 7 or problems like that.  
 8 But again, just like anything else it  
 9 requires great rules.  
 10 All right. If there is no further  
 11 questions or comments from the public,  
 12 Mr. Mayor, I think we can conclude the meeting.  
 13 MAYOR SAUTER: Okay.  
 14 MR. NOGOWSKI: Thank you.  
 15 MAYOR SAUTER: Thank you for coming  
 16 out.  
 17 (Hearing concluded at 7:30 p.m.)  
 18  
 19  
 20  
 21  
 22  
 23  
 24

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1 CERTIFICATION  
 2  
 3  
 4 I, Lisa DePascale, Court Reporter, certify  
 5 that the foregoing is a true and accurate transcript  
 6 of the foregoing proceeding.  
 7 I further certify that I am neither  
 8 attorney nor counsel for, not related to nor employed  
 9 by any of the parties to the action in which this  
 10 proceeding was taken; further, that I am not a  
 11 relative or employee of any attorney or counsel  
 12 employed in this case, nor am I financially interested  
 13 in this action.  
 14  
 15  
 16   
 17 Lisa DePascale  
 18 Court Reporter and Notary Public  
 19 in The Commonwealth of Pennsylvania and Delaware  
 20  
 21  
 22  
 23  
 24



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	<b>yeah</b> 21:13 24:4,5,16 25:4 26:7 27:6,12 27:20 <b>year</b> 9:21 25:9 25:10,14,16 <b>years</b> 3:13 4:12 4:16,24 6:4 7:16 8:9 9:11 10:2 12:16 15:11,13
	<b>z</b>
	<b>zag</b> 23:4 <b>zig</b> 23:4

New Jersey Rules Governing Civil Practice

Part IV, Rule 4:14

Depositions Upon Oral Examination

4:14-5. Submission to Witness; Changes; Signing

If the officer at the taking of the deposition is a certified shorthand reporter, the witness shall not sign the deposition. If the officer is not a certified shorthand reporter, then unless reading and signing of the deposition are waived by stipulation of the parties, the officer shall request the deponent to appear at a stated time for the purpose of reading and signing it. At that time or at such later time as the officer and witness agree upon, the deposition shall be submitted to the witness for examination and shall be read to or by the witness, and any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness. If the witness fails to appear at the time stated or if the deposition is not signed by the witness, the officer shall sign it and state on the record the fact of the witness' failure or

refusal to sign, together with the reason, if any, given therefor; and the deposition may then be used as fully as though signed, unless on a motion to suppress under R. 4:16-4(d) the court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

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Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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