

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
TUESDAY, NOVEMBER 28, 2017 – 7:00 PM

MINUTES

The meeting was called to order at 7:00 PM by Mr. Cook.

Roll Call:

Present: Mrs. Engelhardt, Mayor Greiner, Ms. Melfi, Mr. Cook, Mrs. Pedrick, Mr. Budney, Mr. Hain, Attorney Gianos, Engineer Clerico, Planner McManus.

Excused: Ms. Kenoyer, Mr. Doshna, Mr. Perron, Mr. Townsend, Traffic Engineer Rocciola

1. **Public Comments:** None.

2. **Approval of minutes for November 6, 2017 regular meeting.**

Motion to approve the minutes: Melfi, seconded by Greiner

Ayes: Greiner, Melfi, Cook, Budney, Hain

Nays: (None)

Abstain: Engelhardt, Pedrick

Motion passed: 5-0-2

3. **Resolution: Islamic Center of Hunterdon County – Block 8 Lot 13**

Mr. Gianos discussed that the resolution had been reviewed by the applicant and the Board professionals.

Motion to approve: Melfi, seconded by Budney

Ayes: Melfi, Cook, Pedrick, Budney

Nays: (None)

Abstain: (None)

Motion passed: 4-0-0

4. **Resolution: 70 Church Spice Factory, LLC – Block 39 Lot 3**

Tabled to another meeting, revised plans not provided for review.

Mr. Cook asked if there was any one in the public here for the Lidl application , there were none.

5. **Public Hearing: A2B Realty, LLC – Block 8 Lot 13**

Mr. Gianos marked the proofs of notice of the public hearing as Exhibit A-1 and noted that after review of these proofs found that the Board had jurisdiction to proceed with the hearing.

The applicant, attorney and part owner, Howard Burger, appeared and discussed the application requesting a variance to install a 30 square foot freestanding directory sign where a maximum 16 square feet was permitted and a variance to allow a 15 foot setback where 25 feet was required. The application was previously reviewed by the HPC and a letter dated November 27, 2017 prepared by John Hatch, AIA outlining the recommendation of the HPC including their concerns for the location of the sign in the historic district and proximity to the monument.

Mr. Burger stated that the building had the potential for 16 tenants and needed the proposed size of 12 ft long x 2.5 high to allow the 16 tenants each a sign noting that the proposed location was the most logical place on the site which was 15 feet behind an existing stone wall which

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surrounds the property where the sign would be on poles to be visually seen just above the stone wall. Photographs of a mock up of the sign were entered as Exhibits A-2 through A-7 to provide a visual for the Board. Mr. Burger acknowledged that the HPC had concerns of the location of the sign citing that it would be in background pictures of the monument and stated that there were other lots that have directory signs. Mr. Burger stated that currently only 18% of the building was occupied which barely covered the basic maintenance costs adding that having a directory sign was a common question for potential tenants. Mr. Burger stated that the application was proposing 2 façade signs which were conforming where the lettering was changed per the HPC recommendations. Mr. Burger stated that the sign was designed to be seen by passing vehicles without causing a safety hazard.

The Board discussed whether Mr. Burger would consider locating the directory sign to the main entrance off of Pennsylvania Avenue. Mr. Burger explained that proposed and existing tenants have requested the location along East Main Street adding that he was trying to place the smallest sign to put 16 tenants to be seen by a passing vehicle stating that the sign could be set back further but may have to raise the height. The Board discussed.

Ms. McManus discussed the letter dated November 27, 2017 prepared by John Hatch, AIA entered as Exhibit A-8 noting that the location was not approved by the HPC due to the important historic location and proximity to the monument which would have an impact on the particular character of the Borough noting that the proposed sign was quite tall and intrusive. Ms. McManus discussed the proposed sign where each panel would be 8 inches tall stating that it would be a lot of lettering and information to take in noting that there would a visibility issue versus maintaining the aesthetic in town.

Mr. Cook asked if the sign would have flexibility to combine areas as the number of tenants varied. Mr. Burger would have to ask the sign manufacturer. The Board discussed the sign elements.

Elaine Gorman, 34 New York Avenue, stated that the HPC had a similar discussion with the applicant and had asked for the mock up photographs. Ms. Gorman stated that the concerns of the HPC were more the location of the sign.

Mr. Cook asked if different location had been considered. Mr. Burger explained.

Motion to close the public hearing: Melfi, seconded by Engelhardt. All were in favor.

The Board discussed the application at length.

A motion that the requested variance allowing a 30 foot freestanding directional sign be denied and that the application for a 15 foot front setback for the freestanding dimensional sign where 25 feet is required by Ordinance is approved subject to the following conditions: The wall mounted signs are to be “matte” finish and the sign located on the Pennsylvania Avenue

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façade of the building shall not be any closer than 15 feet from the front corner of the building. The signs are subject to sign review committee approval of the final sign designs.

Mr. Gianos stated that there were no restrictions on the façade signs being externally lit.

Motion to approve the setback variance and deny the sign area variance: Engelhardt, seconded by Greiner

Ayes: Engelhardt, Greiner, Melfi, Cook

Nays: Pedrick, Budney, Hain

Abstain: (None)

Motion passed: 4-3-0

Mr. Gianos stated that the HPC resolution agenda item was taken care of during the hearing.

Mr. Cook asked that the agenda order be changed to move the discussion of the Padovani application since the applicant has been waiting.

Motion to change the order: Engelhardt, second: Hain. All were in favor.

6. Discussion: Padovani, Nicole – Block 16 Lot 28, 30 Capner Street

Mr. Clerico stated that the application had been approved in 2015 and was now looking to obtain a certificate of occupancy for the new dwelling. Mr. Clerico stated that during review of the asbuilt survey that a number of trees had been removed that were not noted to be removed on the approved site plan. Mr. Clerico stated that he was looking for some direction from the Board.

Enzo Padovani appeared stating that he was the owner of the property and discussed the removal of the trees stating that the property had been neglected and was now improved noting that the trees that were removed were primarily dead or leaning.

The Board discussed the Shade Tree Commission ordinance and recommended that someone from the Shade Tree Commissions should visit the site to discuss the trees that were removed and any mitigation measures that they would recommend including planting additional trees or a payment in lieu of plantings. Mr. Padovani agreed.

Mr. Gianos suggested that the Board refer Mr. Padovani to the Shade Tree Commission to make recommendations to the Board to make any necessary modification to the approval. Mr. Padovani stated that since it was winter additional trees would not be able to be planted and noted that he would need to move into the dwelling by the end of the month. The Board discussed and determined that there would be no objection to the issuance of a temporary certificate of occupancy to the end of May when trees could be planted and directed Ms. Parks to contact the

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construction official of the same. Mrs. Pedrick stated that the Shade Tree Commission could be out to the site within a couple of days to inspect.

7. Public Hearing & Completeness: Lidl Supermarket, LLC – Block 43 Lots 9.01, 9.02 & 9.03

Mr. Gianos stated that the applicant had requested that the hearing be deferred to the second meeting in January 2018, however since the meeting dates would not be approved until the reorganization meeting which was the only date which was scheduled in 2018 being January 8, 2018 and that the hearing would then have to be continued again to the second meeting in January once the dates were set. Mr. Gianos stated that no further notice would be provided.

8. HPC Resolutions from November 15, 2017

- 28 Maple Avenue – Robert and Terra Debardine

HPC Chair Elaine Gorman discussed the application to replace 20 windows which were approved by the HPC. The Board discussed the trim color and materials.

Motion to approve: Greiner, seconded by Hain
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Hain
Nays: (None)
Abstain: Budney
Motion passed: 6-0-1

- 2 Park Avenue – Emily Kelchen Addendum #1

HPC Chair Elaine Gorman discussed the application addendum for the railings and single plank tread of the porch which were approved by the HPC.

Motion to approve: Greiner, seconded by Hain
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain
Nays: (None)
Abstain: (None)
Motion passed: 7-0-0

- 47 Broad Street – Robert Shore Addendum #1

HPC Chair Elaine Gorman discussed the application to change the paint color of the building from the historic palette.

Motion to approve: Greiner, seconded by Pedrick
Ayes: Greiner, Melfi, Cook, Pedrick, Budney, Hain
Nays: (None)
Abstain: Engelhardt
Motion passed: 6-0-1

- 176 Main Street – Norman Butler

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HPC Chair Elaine Gorman stated that the applicant had proceeded with the work on the roof and crown molding and will be coming to the next HPC meeting on December 20, 2017.

9. Sign Review Committee – Resolution for 4 Mine Street – Skis & Tours

Mr. Cook discussed the proposed which had been reviewed and approved by the sign review committee.

Motion to approve: Melfi, seconded by Engelhardt

Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

10. Council Items: Mayor Greiner stated that the Council had deferred their vote on the Redevelopment Plan to the December 11, 2017 Council meeting.

11. Chair Items:

HPC comments: None.

Mr. Cook discussed the next meeting on December 4, 2017 and the 2018 meeting dates. Mrs. Engelhardt stated that she would not be able to attend that meeting.

12. Bills

Motion to approve with the exception of PO#17-01412: Greiner, seconded by Pedrick

Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

13. Adjourn

Motion to adjourn at 9:45 p.m.: Budney; second: Hain

Ayes: All were in favor

Motion passed: 7-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary