

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
TUESDAY, MAY 22, 2018 – 7:00 PM

MINUTES

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

Roll Call:

Present: Ms. Kenoyer, Mayor Greiner, Ms. Melfi, Mr. Cook, Mr. Perron, Mr. Budney, Mr. Hain, Mr. Townsend, Ms. Tilly., Attorney Gianos, Engineer Clerico, Planner McManus

Excused: Mrs. Engelhardt, Mrs. Pedrick, Traffic Engineer Rocciola

Chairman Cook announced that per the applicant's attorney the scheduled public hearing for the Countryside Plaza Affordable Housing, LLC application would not commence tonight with no testimony being provided and that no public comments would be taken.

Motion to change the agenda order to move the HPC resolutions to item #5: Melfi, seconded by Perron. All were in favor.

1. Public Comments:

Robert Shore, Broad Street, asked for a status on the task force for the HPC. Mr. Budney explained that an update would be provided at a meeting in June.

Mary Rando, 25 Coppermine Village, asked the status of the Countryside Plaza application. Mr. Cook explained noting that the applicant would provide new notice of the hearing.

2. Approval of minutes for May 9, 2018 regular meeting.

Motion to approve the minutes: Melfi, seconded by Greiner
Ayes: Kenoyer, Greiner, Melfi, Perron, Townsend, Tilly
Nays: (None)
Abstain: Cook, Budney, Hain
Motion passed: 6-0-3

3. Approval of executive minutes for May 9, 2018 regular meeting.

Motion to approve the minutes: Melfi, seconded by Perron
Ayes: Kenoyer, Greiner, Melfi, Perron, Townsend, Tilly
Nays: (None)
Abstain: Cook, Budney, Hain
Motion passed: 6-0-3

4. Informal Discussion: Park Avenue/Corcoran Street

Real estate agenda, Don Shuman, appeared and discussed that his partnership had recently purchased 2 additional parcels adjacent to the Egg Auction property and discussed the status of the Borough community including that there were too many offices in town where more

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pedestrian traffic was needed stating that the intent was to remove one of the buildings (that was not historic) and construct a multi-family project. Mr. Shuman stated that he and his partners wanted to work with the Board and get their thoughts prior to preparing a site plan noting that the 2 parcels had prior approvals: on the one to the north site plan approval for office space and on the parcel to the west approval for a use variance for townhouses with a increased density. Mr. Shuman stated that more residential units would benefit the town by providing more pedestrian movement and would defer to the planner and engineer on issues such as density and parking.

Ms. McManus stated that the parcels were located in the professional office zone and also were within the ROSH overlay district for senior housing adding that the 2015 Master Plan Reexam addressed this site noting that it may need reevaluation to help provide foot traffic. Ms. McManus stated that a multi-family project would require a use variance and would be required to have an affordable housing element. Ms. McManus stated that the options would be to: 1) request a use variance and site plan approval from the Zoning Board of Adjustment; 2) seek a complete rezoning of the district by the Council; or 3) seek an overlay district option from Council. Robert Shore appeared and asked if a determination of an area in need of redevelopment for the area would be possible. Ms. McManus stated that would be a recommendation from Council and discussed the procedures and timing for each option. Mr. Shuman stated that the area may include some adjacent properties adding that he was here to help the community and wanted to get something going. Mr. Shore stated that he was looking for some direction from the Board. The Board discussed.

5. HPC Resolutions from May 16, 2018

- 61 Park Avenue – Shore

HPC Chair Elaine Gorman discussed the application to repair/replace in kind the front porch and railing and to paint the house with colors to match the existing siding and trim.

Motion to approve: Melfi, seconded by Kenoyer

Ayes: Kenoyer, Greiner, Melfi, Cook, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: Perron

Motion passed: 8-0-1

- 39 Broad Street – Fritch

HPC Chair Elaine Gorman discussed the application to replace privacy fencing in the rear of the property with a 6-foot-high solid fence. The Board discussed.

Motion to approve: Melfi, seconded by Perron

Ayes: Kenoyer, Greiner, Melfi, Cook, Perron, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

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- 46 Broad Street – Cuce

HPC Chair Elaine Gorman discussed the application to replace the siding with wooden clapboard, replace the windows on a small addition to match the existing case windows noting that the house had fire damage. The Board discussed.

Motion to approve: Melfi, seconded by Perron

Ayes: Kenoyer, Greiner, Melfi, Cook, Perron, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

- 10 New Jersey Avenue – Smego

HPC Chair Elaine Gorman discussed the application to install solar panels on the roof stating that there was some discussion regarding the location and was followed up with a memo from John Hatch providing the parameters for the installation including having a 6” gap. The Board discussed.

Motion to approve: Melfi, seconded by Perron

Ayes: Kenoyer, Greiner, Melfi, Cook, Perron, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

6. Completeness: Countryside Plaza Affordable Housing, LLC – Block 35, Lots 20, 21 & 32

The applicant’s attorney, Donald Scholl, the applicant’s engineer, Eric Rupnarain and principal, Robert Mortera appeared for the application. Mr. Scholl stated that at the last meeting the Board was asked to defer action on completeness pending a zoning change and discussed the application as an infill project with proposed uses that would be compatible for patronage and pedestrian movement and provide uses that are not currently available that would be complimentary to the Stangl Road area. Mr. Scholl discussed the application to provide more storage space for Lone Eagle Brewing Company on Lot 20 and creating a new lot by combining Lots 32 & 21 with building improvements with a common wall of an entertainment center with a mix of uses noting that revised plans had been submitted.

Mr. Scholl discussed the review letter prepared by Ms. McManus and whether the variances required were ‘d’ or ‘c’ variances stating that the applicant was eliminating artisan manufacturing as a proposed use noting that the brewery and distillery were permitted. Mr. Scholl stated that the revised application would not require any ‘d’ variance relief.

Mr. Scholl discussed the outstanding completeness items listed in Mr. Clerico’s memo stating that the applicant had addressed all of the points and if the recommendations from the memo were satisfactory requested that the Board grant temporary waivers for items 19 & 65, partial waivers for items 35, 36 & 44 and deem the application complete. Mr. Clerico discussed the timing to complete a minor vs a major subdivision. Mr. Scholl stated that the applicant would

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be able to perfect the minor subdivision within the time constraints. Mr. Clerico noted that there were no metes and bounds for the location of the gas easement on the plans and stated that the building location may need to be revised. Mr. Scholl discussed and noted that the stormwater management comments in the technical review would be addressed.

Ms. McManus discussed the signage review noting that if the artisan manufacturing use was eliminated that there would be no conditional use and the 'd' variances would go away. Mr. Mortara stated that he would eliminate the artisan manufacturing which was a carryover from a previous application and that he would market the project as a food court and possible retail noting that the tenants were not known at this time adding that each food establishment would apply for separate signage and if any needed a variance each would need to apply. The Board discussed if the food court was considered one entity or if each tenant would be considered an individual business and the signage requirements for both. Ms. McManus stated that maximum of 50 square feet would be for the combined tenants. Mr. Mortara stated that he would work with the architect to come up with signage and that a total of 50 square feet would work for him.

Mr. Cook suggested that since the applicant was eliminating the 'd' variances, the applicant could take advantage of a technical review committee with Ms. McManus and Board members. Mr. Mortara agreed. A technical subcommittee was created including Ms. McManus, Mr. Cook, Ms. Melfi and Mr. Perron and set a meeting date for May 31, 2018 at 7:30 a.m. at the municipal building. Mr. Budney stated that a letter from the Environmental Commission would be prepared prior this May 31, 2018 meeting date.

Mr. Scholl stated that the applicant would re-notice for the June 26, 2018 (Tuesday) Planning Board meeting and would have revised plans and application submitted prior. The Board discussed.

Motion to grant the waivers and deem the application complete: Melfi, seconded by Perron
Ayes: Kenoyer, Greiner, Melfi, Cook, Perron, Budney, Hain, Townsend, Tilly
Nays: (None)
Abstain: (None)
Motion passed: 9-0-0

7. Council Items: None.

8. Chair Items:

HPC Comments: HPC Chair Gorman stated the HPC was looking into revising their application and addendum forms as well as preparing a handbook which would be available on the HPC website by the end of June and discussed that there were still vacancies that they were trying to fill. Ms. Gorman reminded the Board that the properties Mr. Shuman discussed earlier were in the historic district.

Chair Items: Mr. Cook cancelled the June 4, 2018 meeting since there were no agenda items.

Mr. Clerico stated that the State had imposed an obligation to Board members and Governing Body members to take an online course for stormwater management training to be compliant

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with the Borough Stormwater Tier A Permit noting that the Borough engineer would provide the link to the online course to Ms. Parks to distribute to the Board members.

9. Bills

Motion to approve: Hain, seconded by Greiner

Ayes: Kenoyer, Greiner, Melfi, Cook, Pedrick, Perron, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

8:30 p.m. Mr. Clerico and Ms. McManus left the meeting and did not return.

10. Executive Session:

8:32 p.m. Motion to enter into executive session to discuss pending litigation was made by: Melfi, seconded by Hain. All were in favor.

8:50 p.m. Motion to exit out of executive session was made by: Melfi, seconded by Hain. All were in favor.

11. Adjourn

Motion to adjourn at 8:51 p.m.: Melfi; second: Perron

Ayes: All were in favor

Motion passed: 9-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary