

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
TUESDAY, JUNE 26, 2018 – 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, Mr. Townsend, Ms. Tilly, Attorney Gianos, Planner McManus

Excused: Ms. Kenoyer, Mr. Perron, Engineer Clerico, Traffic Engineer Rocciola

1. Public Comments:

None.

2. Approval of minutes for May 22, 2018 regular meeting.

Motion to approve the minutes: Melfi, seconded by Hain

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

Nays: (None)

Abstain: Engelhardt, Pedrick

Motion passed: 7-0-2

3. Approval of executive minutes for May 22, 2018 regular meeting.

Motion to approve the minutes: Melfi, seconded by Greiner

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

Nays: (None)

Abstain: Engelhardt, Pedrick

Motion passed: 7-0-2

4. Extension: DiBianca Family Associates, LLC - Block 43 Lot 11

Attorney Gianos discussed the extension request noting that this was the third and last extension to June 30, 2019.

Motion to approve the extension: Melfi, seconded by Hain

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

Attorney Gianos stated that a resolution for the extension request had been prepared in advance.

Motion to approve the resolution: Greiner, seconded by Melfi

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

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5. HPC Resolutions from June 13, 2018

- 61 Park Avenue – Shore

HPC Chair Elaine Gorman discussed the application where during repairs the porch fell apart so it was removed and would be replaced with a tongue and groove floor which would be painted or stained, stairs to be replaced in wood, railings to be reuse the wrought iron or replace with wood and replace the lattice in wood to match existing.

Motion to approve: Melfi, seconded by Budney

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

Nays: (None)

Abstain: Pedrick

Motion passed: 8-0-1

- 37 Pennsylvania Avenue – Chrisman

HPC Chair Elaine Gorman discussed the application to remove an existing chain link fence and replace with a 6 foot high wooden fence around the yard and pool.

Motion to approve: Melfi, seconded by Budney

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

6. HPC Resolutions from June 19, 2018

- 20 Bonnell Street – Rillo

HPC Chair Elaine Gorman discussed the application to demolish the existing garage and replace with a 1 car garage with white vinyl siding to match the house and a new fence was reviewed.

Motion to approve: Melfi, seconded by Budney

Ayes: Engelhardt, Greiner, Melfi, Pedrick, Budney, Hain, Townsend, Tilly

Nays: (None)

Abstain: Cook

Motion passed: 8-0-1

- 49 Broad Street – Shore

HPC Chair Elaine Gorman discussed the application to extensively repair the interior as well as the exterior of the house including a new copper seam roof, remove the clapboard siding and replace with Borel material to be painted with approved historic colors, windows to be replaced if they cannot be repairs with the same configuration, trim to be a mix of repaired wood or a painted composite such as Asek or Borel, a new porch with tongue and groove flooring in mahogany, siding painted with approved colors, exterior decorative lighting to be determined in the future, chimney repaired and a blue stone walk to replace the existing slate walk. The Board discussed.

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Motion to approve: Melfi, seconded by Budney
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Nays: (None)
Abstain: Engelhardt
Motion passed: 8-0-1

- 55 Park Avenue – Anthony

HPC Chair Elaine Gorman discussed the application to replace the railing on the front porch with a strong preference from the HPC for Option 2.

Motion to approve: Melfi, seconded by Budney
Ayes: Engelhardt, Greiner, Melfi, Cook, Budney, Hain, Townsend, Tilly
Nays: (None)
Abstain: Pedrick
Motion passed: 8-0-1

- 136 Main Street – Dimeglio

HPC Chair Elaine Gorman discussed the application which was the former Grill Shack to increase the width of the side door and add a ramp on the side with railings per ADA regulations, add a fence to enclose an outside cooler and freezer, pave the existing gravel area with brushed concrete with no exterior changes to the building adding that the temporary vestibule may be removed and restore the façade to an historic look.

Motion to approve: Melfi, seconded by Engelhardt
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain, Townsend, Tilly
Nays: (None)
Abstain: (None)
Motion passed: 9-0-0

- 10 East Main Street – D'Amico (Presbyterian Church)

HPC Chair Elaine Gorman discussed the application for the Flemington Presbyterian Church which was an Eagle Scout project to install a wooden sign with carved black lettering in white, wooden posts encased in white pvc, the HPC recommended a slightly wider side to provide spacing for the lettering, a stained wooden swing gate to be installed across the drive by the nursery school with black hardware with caps on the posts similar to the sign posts.

Motion to approve including sign approval: Melfi, seconded by Hain
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain, Tilly
Nays: (None)
Abstain: Townsend
Motion passed: 8-0-1

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HPC Chair Elaine Gorman discussed a memo from Mr. Hatch regarding the SHPO determination for the 77 Park Avenue building which although was in the historic district was not a historic building and could be demolished.

7. Sign Review Committee Resolution: 90 Main Street - DIY Flemington

Mr. Cook discussed the sign application stating that it was straight forward.

Motion to approve: Melfi, seconded by Greiner

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

A motion to change the agenda order to move chair items up was made by: Melfi, Seconded by: Engelhardt. All were in favor.

8. Chair Items:

Mr. Cook stated that the sign review ordinance should be revised so that if a sign review was compliant with zoning the SRC could approve without coming to the Planning Board unless a variance was required or the applicant appealed. Mr. Cook stated that ordinance changes were required to clean up the signage zoning including language and measurements of sign permitted.

Mr. Budney updated the Board on the HPC task force where subcommittee looked at the HPC's social media presence, conducted interviews, looked at other towns for examples and prepared a draft summary outlining the recommendations including 1) leaving the HPC as it was; 2) provide administrative fixes or 3) recommend ordinance changes.

Mr. Budney explained that the HPC was a 5 person commission which currently had 4 active members and no alternates noting that the Council liaison does not vote or count for a quorum. Mr. Budney discussed the social media presence of the HPC and noted that the agenda and minutes were not found on the Borough or HPC website noting that it was had to find the link to the HPC website on the Borough site. Mr. Budney stated that there was no indication of who was on the Boards or the terms of the positions including the Planning Board and HPC. Mr. Budney discussed that the HPC had a recruitment challenge to find qualified people to sit on the Commission and discussed the MLUL regulations where members of the HPC could live outside of the Borough. Mr. Budney explained that the HPC had a review challenge where there seemed to be apathy for historic preservation where if a repair did not trigger a building code permit either the homeowner does not know or do not apply for an HPC review noting that the State recently eliminated permits for some roofing and siding.

Mr. Budney stated that the task force looked at nearby HPCs and talked to Lambertville where the most significant difference was that the HPC was it's own independent board and not advisory to the Planning Board and also reviewed only in the commercial district and

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encouraged the residential district to be historically appropriate. Mr. Budney stated that Lambertville also had a separate historic society, that there was a \$50 fee for site review and that where the Borough required the applicant to attend Lambertville highly suggested attendance. The Board discussed.

Mr. Budney discussed the possible recommendations including: 1) make no changes; 2) consider procedural changes such as updating social media, website or 3) revise the application including attendance requirement or have the HPC have 45 days to act or automatically be approved. Mr. Gianos discussed stating the Planning Board would have the final say. Mr. Budney recommended having a periodic code refresher for the HPC and Board members for zoning, discussed property inspection and access onto properties or engaging with a resident, recommended the Borough employees have a HPC crib sheet of basic information. Mr. Budney discussed structural changes to the ordinance including such options as : 1) having an independent HPC Board for approval 2) establish a historic society to take care of tours, public information which would be an independent group not set by ordinance; 3) redefine HPC review zones; 4) stream line standards in the Land Use ordinance to be less specific where Lambertville refers national historic trust review standards; 5) that there have been comments on the appointments of HPC members that come were political in nature and noted that there was an option by ordinance to make the appointment from the Planning Board.

The Board discussed.

Mrs. Engelhardt stated that the task force had more interviews and finalizations of recommendations and this was just a status report and discussed the next steps.

Mr. Townsend stated that some customer services items could be addressed including a script for Borough employees and putting the agenda and minutes as well as appointments on the website now.

HPC Comments: HPC Chair Gorman addressed the comments made regarding the HPC noting that the HPC was a volunteer group where the application had been revised and other documents were prepared to be placed on the HPC website as well as an informational handbook. Ms. Gorman stated that the HPC was not a political board but had become so in this climate and has acted as a historical society and suggested that the task force look at the Planning Board as well. Mr. Cook stated that the task force when created was not extended to the Board noting that the HPC was advisory to the Board.

Mr. Cook reminded the Board members to view that the Stormwater Management Training course by July 1, 2018.

The July 2, 2018 meeting was cancelled since there were no agenda items.

9. Council Items:

Mr. Hain stated that the Resolution 2018-109 was approved at last night's Council meeting directing the Board to undertake a preliminary investigation to determine if an area in the Union Hotel Redevelopment Plan meeting the criteria for condemnation.

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The Board discussed. Mr. Cook asked if the Board had the ability to expand the study to the entire area to avoid having to come again. Ms. McManus explained that there were 4 different expansion studies where the initial Union Hotel area was determined prior to the change in the Housing Law with no identification of non-condemnation or condemnation which was designated by Council where this study was to determine if the 2 additional building meet the criteria in the preliminary investigation for condemnation noting that the Board could make recommendations to Council during the report. Ms. Melfi stated that the interested parties were negotiating and asked if the study could be stopped if the properties were sold. Ms. McManus stated that if the property changed hands the study could be stopped with the Council adopting a new resolution to cease. Mrs. Engelhardt asked if this study was in the Board's budget and asked Ms. McManus to submit a proposal and time fram. Ms. McManus explained. The Board discussed.

Motion to authorize Ms. McManus to prepare the study: Melfi, seconded by Townsend
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain, Townsend, Tilly
Nays: (None)
Abstain: (None)
Motion passed: 9-0-0

Lois Stewart, 26 Spring Street, asked how the study could be authorized if it was not on the agenda. Mr. Gianos explained that the resolution was considered under Council items similar to any Council resolution.

10. Bills

Motion to approve with the exception of invoice 2018-22: Hain, seconded by Melfi
Ayes: Engelhardt, Greiner, Melfi, Cook, Pedrick, Budney, Hain, Townsend, Tilly
Nays: (None)
Abstain: (None)
Motion passed: 9-0-0

Invoice 2018-22 was tabled to the July 24, 2018 meeting.

9:15 p.m. Ms. McManus left the meeting and did not return.

11. Executive Session:

9:15 p.m. Motion to enter into executive session to discuss personnel matters was made by: Melfi, seconded by Engelhardt. All were in favor.

9:35 p.m. Motion to exit out of executive session was made by: Budney, seconded by Tilly. All were in favor.

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12. Adjourn

Motion to adjourn at 9:35 p.m.: Melfi; second: Hain

Ayes: All were in favor

Motion passed: 9-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary