

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
TUESDAY, DECEMBER 10, 2019 – 7:00 PM

MINUTES

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

Roll Call:

Present: Mayor Driver, Mrs. Engelhardt, Mr. Cook, Mr. Runion, Mrs. Pedrick, Mr. Campion, Ms. Giffen, Mr. Budney, Mr. Hain, Mr. Norton, Attorney Kaczynski, Engineer Clerico, Planner McManus, Traffic

Excused: Mr. Hill, Traffic Engineer Troutman.

1. Public Comments:

Elaine Gorman, 34 New York Avenue, discussed a sign on Route 202, which was discussed at the Council meeting noting that some concerned citizens found the content of the sign offensive and asked the Board when considering signage to be sure to appoint a group to oversee content and material in public view and any content of any signs in the Borough.

2. Mayor Comments:

Mayor Driver discussed that the Council adopted a resolution last night to appoint Captiva Mainstreet as the redeveloper of the Global Ag property and discussed that Cardinal Property had development control of the Nilkanth site noting that they were aware of the redevelopment designation on the property and the various constraints including that the depot must remain adding that the CEO would be coming to town in January to present a concept plan. Mayor Driver stated that the Borough received a \$100,000 grant from the State for the Opportunity Zone. Mayor Driver discussed the sign on Route 202 and was looking into if anything can be done about content.

Mayor Driver discussed the list of goals for 2020 including charettes for the Opportunity Zone, Master Plan, parking minimums and compiling development thoughts and ideas.

3. Council Items: Mr. Runion had no additional comments from Council.

4. Approval of minutes for the September 24, 2019 regular meeting.

Motion to approve the minutes as discussed was made by: Hain, seconded by: Pedrick.

Ayes: Campion, Cook, Pedrick, Giffen, Hain

Nays: (None)

Abstain: Driver, Engelhardt, Runion, Budney

Motion passed: 5-0-4

5. Approval of minutes for the November 4, 2019 regular meeting.

Motion to approve the minutes was made by: Driver, seconded by: Runion.

Ayes: Driver, Engelhardt, Cook, Pedrick, Runion, Giffen, Budney

Nays: (None)

Abstain: Campion, Hain

Motion passed: 7-0-2

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6. Resolution: Flemington Outdoor, LLC – Block 44 Lot 6- 307 Route 202

Ms. Kaczynski discussed the resolution which was distributed to the applicants' attorney and the Board professionals for comments and listed the minor revisions to the resolution.

Motion to adopt the resolution was made by: Engelhardt, seconded by: Campion.

Ayes: Engelhardt, Campion, Cook, Pedrick,

Nays: (None)

Abstain: (None)

Motion passed: 4-0-0

7. Resolution: 70 Church Spice Factory, LLC – Block 39 Lot 3 – 70 Church Street

Ms. Kaczynski discussed the resolution which was distributed to the applicants' attorney and the Board professionals for comments.

Motion to adopt the resolution was made by: Budney, seconded by: Pedrick.

Ayes: Cook, Pedrick, Budney, Giffen, Norton

Nays: (None)

Abstain: (None)

Motion passed: 5-0-0

8. Completeness: Shammy Shine/Route 12 Wash & Gas – Block 45 Lot 5

Attorney Kaczynski was recused from the applicant, Attorney William Gianos, who agreed to hear this application was not present.

Mr. Clerico discussed his completeness report noting that the application involved an use varianace for the expansion of a non-conforming use which the applicant had not indicated in the application. Mr. Clerico discussed that on advise of Mr. Gianos a completeness determination should be made today to stop the 'clock' for the Board to act. Mr. Clerico listed items that were incomplete and items that were recommended to grant waivers. The Board discussed and decided to determine if the application was incomplete and not address any waivers tonight but wait for the application to be amended.

Motion to deem the application incomplete was made by: Campion, seconded by: Engelhardt.

Ayes: Campion, Cook, Engelhardt, Pedrick, Budney, Giffen, Hain

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

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9. Discussion: 2020 Census Survey

The Board discussed scheduling a workshop in January. Mr. Cook asked Mr. Runion to invite Council. Mayor Driver discussed that Council would set up a Census Committee for 2020. The Board determined that January 3 or January 10, 2020 would work and asked Ms. Parks to email Allison Jackson to see if those dates would work for the Census Bureau and to further ask the duration and if Saturdays or evenings were possible for the workshop.

10. Chair Items:

Chair Items: Mr. Cook suggested that HPC comments be moved up in the agenda for 2020 to avoid having the HPC members waiting until the end of the meeting.

Mr. Cook discussed that the next meeting was the January 6, 2020 reorganization meeting and discussed goals for 2020 including adoption of bylaws for how the meetings are run by assembling some data from other towns; updating the Master Plan to include the Opportunity Zone and charettes and a comprehensive parking study. Mrs. Engelhardt included the continuation of the review of the HPC and stated that the Master Plan will need to be done comprehensively asking Ms. McManus to come up with an estimate for the budget. Mayor Driver suggested that the Borough could ask the County Economic Development Committee for some money for the Master Plan and possibly use some of the OZ grant money adding that Borough was in the process of working on the budget.

Mr. Cook discussed that there would be multiple independent subcommittees working simultaneously on the 2020 goals and would like to start at the reorganization meeting with a chart of projects and names for the subcommittees.

Mr. Cook thanked the Board for their hard work in 2019.

2019 Planning Board Annual Report: The Board would review the annual Planning Board Report.

The Board discussed the 2020 meeting dates. Mr. Cook suggested adding the second November meeting back to the schedule and suggested adding additional meetings in the year noting that it was easier to cancel than to add a special meeting.

11. Bills:

Motion to audit the bills: Hain; second: Giffen

Ayes: Driver, Runion, Campion, Cook, Engelhardt, Pedrick, Budney, Giffen, Hain

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

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12. Executive Session:

Mayor Driver stated that she a possible conflict for executive session and asked if it should be addressed prior to going into executive session. Ms. Kaczynski discussed that any conflict should be addressed prior to any discussion in executive session.

Motion to enter executive session to discuss pending litigation and personnel RFP's at 8:00 p.m. and that no formal action would be taken and minutes would be made available after all matters were concluded was made by: Engelhardt, seconded by: Hain. All were in favor.

Motion to exit executive session and adjourn the meeting at 8:32 p.m. was made by: Budney, seconded by: Driver. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary