

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD VIRTUALLY VIA www.GOTOMEETING.COM
TUESDAY, JUNE 23, 2020 – 7:00 PM

MINUTES

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

Roll Call:

Present: Mrs. Engelhardt, Mr. Champion, Mr. Cook, Ms. Giffen, Mr. Budney, Mr. Hain, Mr. Hill, Mr. Norton, Attorney Kaczynski, Engineer Clerico, Planner McManus, Attorney Gianos

Excused: Mayor Driver, Mr. Long, Mrs. Pedrick, Traffic Engineer Troutman.

7:39 p.m. caller identified as 'caller 3' left the meeting

7:40 p.m. caller identified as 'caller 5' entered the meeting

8:33 p.m. public entity identified as 'X' left the meeting

Mr. Cook stated that the meeting was being held virtually in accordance with guidelines set by the State and had been properly noticed in conformance with the Open Public Meetings Act.

1. **Public Comments:** None. Ms. Parks discussed that no public comments had been submitted as of 3:00 pm to either the planning board email or the Borough's publiccomments email.

2. **Mayor Comments:**

Mayor Driver was not present. Mr. Cook noted that the Council would be conducting a public hearing for the ordinance regarding the overlay district by Route 12 on July 13, 2020 at 7 p.m. to be held virtually.

3. **Council Comments:** None

4. **HPC Comments:**

Don Eckel, chair of the HPC, discussed that the 3 HPC applications after being reviewed were forwarded for distribution to the Board and that the HPC was reviewing 2 additional applications and was finalizing the revisions to the historic district map for review at a meeting next month.

5. **Approval of minutes for the May 19, 2020 regular meeting.**

Motion to approve the minutes was made by: Hain, seconded by: Hill.

Ayes: Champion, Giffen, Engelhardt, Cook, Budney, Hain, Hill, Norton

Nays: (None)

Abstain: (None)

Motion passed: 8-0-0

6. **Completeness:** Application #2019-07 - Block 45 Lot 5 -
Shammy Shine/Route 12 Wash & Gas – Site Plan

Attorney Gianos appeared for the Board as Ms. Kaczynski recused herself from the application.

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Attorney, George Dilts, appeared for the applicant, Tom Halford who was also present and discussed the completeness report dated June 3, 2020 prepared by Mr. Clerico and agreed that some items would be submitted 10 days prior to the public hearing. Mr. Dilts discussed the checklist item to have the signature of the owner and requested that this be provided as a condition of any approval as he did not want to trouble the owner during this time stating that there would be no issue to get a signature on the final plan going forward adding that he had discussed this with Mr. Gianos who had no issue.

Mr. Clerico discussed his completeness report noting the items for partial waivers including 36, 44, 46, 66, permanent waiver for item 67 regarding providing isometrics and a temporary waiver from item 20. Mr. Dilts discussed that all items including electronic files and exhibits would be provided 10 days prior to the public hearing.

Motion to grant the waivers as discussed and deem the application complete: Hain; second: Engelhardt
Ayes: Engelhardt, Campion, Giffen, Cook, Budney, Hain, Hill, Norton

Nays: (None)

Abstain: (None)

Motion passed: 8-0-0

Ms. Giffen discussed that the Environmental Commission did not have a chance to review the application or provide a report noting that their next meeting was scheduled for July 20, 2020 and requested that the public hearing not be scheduled until the EC had a chance to review. Mr. Cook asked if the EC would be reviewing the 3 applications on tonight's meeting on July 20, 2020. Ms. Giffen replied that all 3 applications would be reviewed. Mr. Cook noted that the Hurilla application was not as sensitive.

The Board discussed the schedule noting that during the summer, vacations and having a quorum at meetings were a concern. Mrs. Engelhardt suggested that the public hearings could start on the July 14, 2020 meeting and continue if necessary to receive the EC report, to the July 28 to provide as much time for the public hearings. After discussion, the applicant's attorney agreed notice for public hearing for the July 14, 2020 with the understanding that it would be continued pending review from the Environmental Commission.

Attorney Gianos left the meeting and did not return

Attorney Kaczynski resumed the meeting.

7. Completeness: Application #2020-02 – Block 33 Lot 17 – 61 Mine Street – Cody Hurilla

Attorney, George Dilts, appeared for the d1 use variance application and discussed the completeness report dated June 3, 2020 prepared by Mr. Clerico. Mr. Clerico discussed that there was not a checklist for a use variance but provided some recommendations for items to be submitted for the Board to

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review including revising the floor plan to make it easier to read and make clear if there was a proposed expansion of the building, Mr. Dilts agreed to provide an updated plan and provide pictures of the building as well as providing testimony that the application meets RSIS parking requirements and provide an exhibit on parking 10 days prior to the public hearing. Mr. Dilts discussed that the application did not require a setback variance adding that the hearing should be not be lengthy with the owner and planner set to testify and requested that the application, if deemed complete, begin the public hearing on July 14, 2020. Ms. McManus requested that the applicant provide a color coding plan of the new work on the building to indicate how the footprint would change and if a setback variance would be required, Mr. Dilts agree to provide clarity on the building and façade. Mr. Dilts requested that approval of the sewer authority be a condition of any approval. Mrs. Engelhardt asked if the application would need to be reviewed by the HPC, Mr. Dilts discussed that all changes could be interior, Mr. Budney discussed that the application should be more clearly defined. Ms. Kaczynski discussed that the application before the Board that was submitted was for a use variance which was what the Board could make a completeness determination on tonight. Mr. Dilts understood the concern and agreed to provide additional material in the coming days to clarify. The Board discussed.

Motion deem the application complete: Engelhardt; second: Hain
Ayes: Engelhardt, Campion, Giffen, Cook, Budney, Hain, Hill, Norton
Nays: (None)
Abstain: (None)
Motion passed: 8-0-0

After discussion, the matter the applicant's attorney would notice for public hearing for the July 14, 2020 meeting with the understanding that it may need to be continued pending review from the Environmental Commission.

8. Completeness: Application #2020-01 - Block 49 Lot 2
Premier Outdoor Media Billboard – Site Plan

Attorney, Jeff Hall, appeared for the applicant and discussed the completeness report dated June 20, 2020 prepared by Mr. Clerico noting that the applicant and the engineer were present. Mr. Hall discussed the corporate disclosure form which he agreed to revise to provide all non-corporate entities. Mr. Clerico discussed his completeness report including revising the incorrect information for item 1 which Mr. Hall agreed to supply; item 35 regarding adding existing land uses within 200 feet which Mr. Hall agreed to provide; item 36 & 52 regarding an Environmental Impact Statement (EIS) which the applicant requested a waiver and item 58 regarding lighting which would be included in the EIS, Mr. Budney discussed that an EIS should be provided, Mrs. Engelhardt asked if this could be a temporary

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waiver, the Board discussed what should be provided and when to be submitted, Ms. McManus stated that the lighting plan would be necessary for a complete review and was an important piece of the application, Mrs. Engelhardt suggested that the EIS including proposed lighting be submitted at least 1 week prior to the Environmental Commission meeting for their review; item 59 regarding landscaping plan which was deferred to Ms. McManus; items 63 & 64 regarding vehicular access which the Board requested to be provided noting access will be necessary for maintenance.

Mr. Clerico discussed that is the EIS was not to be granted as a waiver that the Board deem the application incomplete and stop the clock, the Board discussed the EIS and the number of waivers being requested. Mr. Hall stated that the applicant agreed to submit and EIS 1 week prior to the July 20 Environmental Commission meeting along with a lighting plan and supply all other discussed items.

Motion to deem the application incomplete: Engelhardt; second: Budney

Ayes: Engelhardt, Campion, Giffen, Cook, Budney, Hain, Hill, Norton

Nays: (None)

Abstain: (None)

Motion passed: 8-0-0

Once all additional tems are submitted the application would be scheduled for a completeness determination.

9. Chair Items:

Mr. Cook thanked the Board for their patience and dedication and discussed that the Rules for Citizen Input would be revised by Ms. Kaczynski and Ms. McManus for the next meeting and requested that any revisions for the By-Laws be submitted to himself and Kara by July 7 so they could be incorporated into the document prior to the next meeting.

Mr. Hill discussed that he toured town with Mr. Troutman to define the scope and address the Board's concerns and that Mr. Trouman would work Mr. Campion on the traffic and parking plan. Mr. Troutman would prepare an estimate.

Mrs. Engelhardt gave an update on the Global Agway site from a meeting with the developer which included discussion on circulation. Mr. Norton discussed that there was a preliminary meeting on the Liberty Village site with the developer.

- Next meeting – July 14, 2020

Items for the next agenda would include the public hearings for Shammy Shine site plan and the Cody Hurilla use variance as well as discussions on the Citizen Input Guideline and the By-Laws.

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10. Bills:

Motion to audit the bills: Engelhardt; second: Giffen

Ayes: Engelhardt, Campion, Giffen, Cook, Budney, Hain, Hill, Norton

Nays: (None)

Abstain: (None)

Motion passed: 8-0-0

11. Professional Reports: None

12. Executive Session: None

13. Adjournment:

Motion to adjourn the meeting at 9:00 p.m. was made by: Engelhardt, seconded by: Hill. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary