

FLEMINGTON BOROUGH  
PLANNING/ZONING BOARD MEETING  
38 PARK AVENUE, FLEMINGTON, NJ 08822  
HELD VIRTUALLY VIA [www.GOTOMEETING.COM](http://www.GOTOMEETING.COM)  
TUESDAY, AUGUST 25, 2020 – 7:00 PM

MINUTES

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

**Roll Call:**

**Present:** Mayor Driver, Mr. Long, Mrs. Engelhardt, Mr. Campion, Mr. Cook, Mr. Budney, Mr. Hain, Mr. Hill, Attorney Kaczynski, Planner McManus, Engineer Clerico, Traffic Engineer Troutman.

**Excused:** Mrs. Pedrick, Ms. Giffen, Mr. Norton

1. **Public Comments:** None. Ms. Parks discussed that no public comments regarding any agenda items 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 discussed that there had been no additional COVID-19 cases in the Borough; discussed that the Council passed a request for the Board to prepare a preliminary investigative study regarding an area in need of redevelopment for Liberty Village; that the 2020 Census response rate was currently 68% asking the Board members to reach out to anyone they knew in the Borough that has not yet responded and discussed the status of the sale of 141 Main Street which would require additional investigation of the 2 underground tanks found on the property adding that the Amendment to the Global Agway Redevelopment Plan was passed by Council at their last meeting.

Mayor Driver stated the Union Hotel redeveloper signed a contract with engineers to stabilize the structure and that archaeological studies had been performed to satisfy SHPO and further discussed that revisions to the Union Hotel Redevelopment would be forthcoming after many months of negotiations and that the Amendment would be introduced by Council on September 14, 2020 and forwarded to the Board on September 22, 2020 for a consistency review and recommendations and public hearing at the September 29, 2020 Council meeting noting that the Council meeting would provide up to 10 members of the public to attend remotely from Borough Hall where reservations would be required to maintain social distancing adding that members of the public would attend at their own risk and that this provision was not required under the Open Public Meetings Act but was an effort to have all residents a chance to attend the meetings. Ms. Kaczynski discussed that revisions to the plans would not negate any previous approvals. Mrs. Engelhardt noted that the timing of any revised site plan application submitted to the Board was up to the applicant but that the applicant was interested in completing the process before the end of the year.

3. **Council Comments:**

Mr. Long discussed that Council had scheduled a special meeting on Monday August 31, 2020 at 5:30 p.m. to consider a shared service agreement for a Borough administrator with another town. Mayor Driver stated that the other town had a deadline.

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**4. HPC Comments:**

Richard Giffen appeared and discussed the HPC had provided a letter on the streetscape extension to the Mayor; a virtual walk and talk tour was being planning; that there was a 10 week virtual training class updating the guidelines for certification of local government which he would forward to Ms. Parks for distribution and discussed the historic district map revisions, Ms. Kaczynski to review if this could be placed on the next Board agenda for a vote. Two HPC applications had been forwarded for distribution for 96 Mine Street and 51 Brown Street.

**5. Approval of minutes for the July 28, 2020 regular meeting.**

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

Ayes: Driver, Long, Campion, Engelhardt, Cook, Budney, Hain, Hill

Nays: (None)

Abstain: Giffen

Motion passed: 8-0-1

**6. Resolution:** Application #2020-02 – Block 33 Lot 17 – 61 Mine Street – Cody Hurilla

Mayor Driver and Councilman Long were recused.

Ms. Kaczynski discussed the resolution for the approval of the Use/"D1" variance which was reviewed by the applicant's attorney and the Board professionals.

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

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

**7. Resolution:** Application #2019-07 – Block 45 Lot 5 – Shammy Shine/Route 12 Wash n Gas, Inc.

The resolution for Bulk/"C1" variance and design waivers was reviewed by the applicant's attorney and the Board professionals.

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

Ayes: Driver, Long, Campion, Engelhardt, Cook, Budney, Hain, Giffen, Hill

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

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8. **Council Resolution 2020-155:** Resolution Authorizing and Directing the Land Use Board of the Borough of Flemington to Undertake a Preliminary Investigation to Determine Whether a Certain Area Within the Borough is a Redevelopment Area for Block 35, Lots 22, 23, 24, 25, 31, 53, 54, 69, and 71 commonly known as Liberty Village

The Board discussed directing Ms. McManus to prepare a study to see if the area met the criteria to designate the area as An Area in Need of Redevelopment. Mayor Driver discussed that the site was challenging as it contain a lot of wetlands that was regulated by the DEP and would like to see something other than housing, some kind of light manufacturing to increase jobs in the Borough noting that the recent new owners were supportive of the study and if named the redeveloper may reimburse the Borough for the cost of the study adding that Kyle + McManus Assoc. had provided a quote on the cost to prepare the study.

Motion to direct Elizabeth McManus of Kyle + McManus Associates to prepare a preliminary investigative report regarding property commonly known as Liberty Village: Hain, second: Giffen  
Ayes: Drive, Long, Campion, Engelhardt, Cook, Budney, Hain, Giffen, Hill  
Nays: (None)  
Abstain: (None)  
Motion passed: 9-0-0

9. **Chair Items:**

Mrs. Engelhardt met last Thursday with the Opportunity Zone Grant Committee where the FCP had applied for, received and would managed by Borough Council oversight which included a small portion to review zoning noting that the work would need to be completed by the end of the year and a report written by the end of January and further asked Ms. Parks to pull the annual Board reports from the last 5 years and forward to Ms. McManus and Ms. Lelie who would prepare a report for the September 8, 2020 Board meeting. The Board discussed.

Mrs. Engelhardt thanked Mr. Budney for his suggestions for the Planning Board section of the website which would be on the agenda for the next meeting for discussion.

- Next meeting – September 8, 2020

Items for the next agenda would include possible vote on the HPC Historic District revisions pending review from Ms. Kaczynski, recommendations on the Borough website regarding the Planning Board and an Opportunity Zone Committee zoning update. Ms. Parks noted that the attorney for Premier Outdoor

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Media requested that the public hearing for this application be placed on the September 22, 2020 agenda pending submission of the outstanding items.

**10. Bills:**

Motion to audit the bills: Engelhardt; second: Hill

Ayes: Driver, Long, Engelhardt, Campion, Cook, Budney, Hain, Giffen, Hill

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

**11. Professional Reports:** None

**12. Executive Session:** None

**13. Adjournment:**

Motion to adjourn the meeting at 8:25 p.m. was made by: Driver, seconded by: Hill. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary