

FLEMINGTON BOROUGH  
PLANNING/ZONING BOARD MEETING  
38 PARK AVENUE, FLEMINGTON, NJ 08822  
HELD VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM  
TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

The meeting was called to order at 7:03 PM by Mr. Doshna.

**Roll Call:**

**Present:** Mayor Driver, Mr. Long, Mr. Campion, Mrs. Engelhardt, Mr. Cook, Mr. Budney, Mr. Hain, Mr. Doshna, Ms. Giffen, Mr. Hill, Mr. Norton, Mr. Levitt, Ms. Weitzman @ 7:17 pm, Attorney Kaczynski, Planner McManus, Engineer Clerico, Traffic Engineer Troutman.

**Excused:** None

Ms. Kaczynski asked if any Board members had a conflict of interest with any items on the agenda for this evening, none were heard.

1. **Public Comments:** 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 public comment email. There were no public comments.

2. **Mayor Comments:** None.

3. **Council Comments:** None.

4. **HPC Comments:** None.

5. **Approval of minutes for the February 23, 2021 regular meeting.**

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

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

Nayes: (None)

Abstain: (None)

Motion passed: 9-0-0

6. **Completeness:** Application #2020-01 Premier Outdoor Media – Block 49 Lot 2

Attorney for the applicant, Jeffrey Hall, appeared, Mr. Hall's audio was inaudible. Mr. Clerico discussed the outstanding completeness items from July 28, 2020 which were granted waivers for completeness purposes including providing access to the site from Route 202 where the applicant had not been able to obtain access from the adjacent property where revised plans had been submitted to provide access directly to the site which increased the disturbance thereby requiring a submission to the Soil Conservation District. Mr. Clerico discussed that the applicant had obtained a DOT access permit and applied to the Soil Conservation District and that the application could be deemed administratively complete. Mr. Troutman had reviewed the DOT access which required another annual permit for a

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MINUTES

billboard which would need an update on the status of that permit but was not needed for completeness purposes and could be a condition of any approval as an outside agency.

Motion to deem the application complete was made by: Engelhardt, seconded by: Hain

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

Ms. Kaczynski discussed the scheduling of the public hearing which the earliest would be April 13 and would discuss with Mr. Hall.

Mr. Doshna discussed that the public hearing for 91 Main Street would be continued with no further notice to be provided to the next meeting and would not be heard tonight.

7:24 pm Mayor Driver, Mr. Cook, Mr. Hain, Ms. Giffen and Mr. Norton were recused from the next application and each stopped their video. Mayor Driver, Mr. Hain, Ms. Giffen and Mr. Norton did not return.

- 7. Public Hearing:** Application #2021-01 - Flemington Center Urban Renewal, LLC - Block 22, Lots 1-10, 11-14 & Block 24, Lots 1-3 & 24 - Main Street, Bloomfield Avenue & Spring Street – Continued from February 23, 2021

Attorney for the applicant, Anthony Koester, appeared to continue the public hearing with the testimony from the applicant's traffic engineer, Gary Dean, to follow with additional testimony from the architect, Jake Raker, along with questions from the Board's professionals, the Board members and the public.

Mr. Dean appeared and was sworn in for testimony, gave his credentials as a licensed engineer specializing in traffic engineering, and was accepted as same having testified numerous times before this and other Boards. Mr. Dean discussed the scales down scope of the project with the removal of the medical and educational components and reduction in the number of residential units which decrease the traffic produced by the project including morning peak hour trips from 280 previously to 153 trips and evening peak hour trips from 579 previously forecast to 247 trips and an overall parking space reduction from 770 spaces to 312 proposed spaced adding that the significant traffic reduction with this new application will improve the impacts and operating conditions including the levels of service as the intersections. Mr. Dean discussed the reduction in parking requirements and the demands on parking during three critical time periods of noon on weekdays; early evening and Saturdays noting that every

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MINUTES

unit would have a guaranteed parking space regardless if they are home within the podium and structured parking elements which also allows for hotel parking as well. Mr. Dean explained that the applicant modified the parking schedule to make an additional 6 parking spaces in the podium parking area dedicated to the Borough police department.

Mr. Troutman discussed the intersection of Main Street and Court Street and asked if this was included in the study and if traffic was anticipated from Court Street. Mr. Dean responded that he did not anticipate any traffic from Court Street which was one way noting the enhancement of the streetscape and the improved crossing on Main Street, parking available on Spring Street with good levels of service elsewhere he did not see the need to include Court Street. Mr. Troutman clarified that the weekday noon report assumed 45% hotel capacity not the 100% as Mr. Dean stated. Mr. Troutman referenced RSIS standards and asked if the one-half space per unit for visitors was satisfied. Mr. Dean discussed that the 66 spaces at the surface lot on Spring Street and 69 spaces at Matt's would satisfy the overnight parking plus there were 22 spaces on street on Spring Street for visitor requirement.

Ms. McManus discussed that the number of 3 bedroom units had been corrected and asked if this would have an impact on parking or traffic. Mr. Dean stated that each unit had a space dedicated so the number of bedrooms for each would not change the number of spaces reserved. Ms. McManus discussed the surface parking lot on Spring Street noting that there was no turnaround down end of the parking bank and asked if these spaces could be reserved for employee parking as a condition of any approval. Mr. Dean agreed that residents would be assigned to these spaces. Ms. McManus referenced Mr. Cahill's testimony that additional meeting space was to be added to the hotel and asked the impact on parking and asked the materials for the decorative crossing and the longevity of those materials with one crossing feature on Main Street and one on Spring Street. Mr. Dean explained and agreed to provide the materials to the satisfaction of the Board's professionals.

Mr. Budney asked the overall circulation of the projects ingress/egress and where traffic would be travelling to and from the site. Mr. Dean discussed. Mr. Budney asked if there was a need to make any revisions to the existing traffic controls on the access streets to the site to integrate the project into the town including the timing of any nearby traffic signals. Mr. Dean discussed. Mr. Budney asked if the police parking was for just police or the general public and if the number of spaces was reviewed by the police department and asked if there were any ADA spaces. Mr. Dean responded that the spaces would be used however the police wanted and indicated a location where an ADA space could be located on the lot adding that there may be ADA spaces on Main Street.

Mrs. Engelhardt discussed circulation and acknowledging that the applicant does not decide the direction of the streets asked what recommendations Mr. Dean would suggest for surrounding streets to improve the circulation and if that would include changing the direction of Chorister and/or making Bloomfield a two way street. Mr. Dean discussed possible improvements noting that he had not been asked to advise the Borough on this matter. Mrs. Engelhardt discussed her concern for the raised

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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

crosswalk on Spring Street and asked if this was necessary. Mr. Dean discussed that he was an advocate of the traffic calming device which was appropriate to avoid having higher speeds on Spring Street noting that the rise was 1.5 inches which was accessible for emergency vehicles and snow plows with a gradual approach. Mrs. Engelhardt asked how many employees parking spaces would be required. Mr. Dean deferred to the management company but assumed 8-10 employees. Mrs. Engelhardt asked about the municipal parking beyond Matts lot and if they would be used by visitors. Mr. Dean did not include in the study and were beyond the scope of the project.

Mr. Campion noted that there were 4 parking restrictions this year due to weather where resident parking in the Borough lots and asked if there would be sufficient parking during snow events and asked how the snow would be removed from the police parking lot. Mr. Dean discussed that the project did not rely on any on street parking in the Borough and did not know the contractual details for the police.

Mr. Doshna asked the locations of the levels of service for the project and if there was a major difference from what was existing. Mr. Dean explained. Mr. Doshna discussed the weekday evening peak with the parking demands and asked where the numbers came from. Mr. Dean discussed that the numbers were estimated in the study.

Mr. Levitt asked if there was bicycle parking for employees and asked if there were safety concerns for the street crossings and traffic calming on Spring Street. Mr. Dean discussed the visual elements being proposed and agreed to provide what the Board and Borough Council wanted adding that he advocated for public safety first.

Mrs. Engelhardt discussed her concern for the noise generated by speed bumps. Mr. Dean did not advocate speed bumps but rather speed humps with a profile of 14 to 22 feet long which were very gradual and silent noting that vehicles may bottom out as 30 mph but that did not happen often.

Ms. Weinstein agreed with the speed humps and saw a benefit to the community in Montclair.

Public questions of Mr. Dean:

Mike de Luca, 59 Broad Street, asked the time and duration of truck traffic during construction noting that Bloomfield Avenue was in poor condition; asked if Bloomfield would be changed to a two-way street; and where would the residents, that are parking on the lot adjacent to him, park once the project was built. Mr. Dean responded that he had no answer for truck traffic; that a change to Bloomfield was not proposed; and that the adjacent lot was private property where vehicles should not be parking there.

JoAnne Braun, 77 Jefferson Court, discussed the 69 spaces on the parking lot at Matt's and asked if any additional trees were proposed per the ordinance and if traffic jams were anticipated. Mr. Dean

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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

responded that no improvements were being proposed at Matt's lot and that the studies over 5 years found nothing to warrant improvements for traffic.

Colleen Rossetti, 36 Pennsylvania Avenue, asked how many cars were anticipated for parking and if the number took into consideration houses that do not have driveways on Spring Street. Mr. Dean responded that each unit will be guaranteed one space with more using the shared parking and that the parking study calculations did not include the on street parking on Spring Street that may be utilized for residents on Spring Street. Ms. Rossetti asked if the traffic out to Route 31 along Pennsylvania and other streets had been included and the impacts on traffic. Mr. Dean responded.

Michael Harris, 173 Main Street, asked how the applicant's projections compare with generally accepted practices with specific formulas and if the Borough's professionals had reviewed the practices used. Mr. Dean responded that he followed Borough ordinance and adjusted by the time of day per standard professional practice for shared parking and that the study was reviewed by the Board's professionals. Mr. Harris discussed that during the 2018 application the narrow scope of the study was questioned and asked which areas were studied and asked if spaces for the police department were included. Mr. Dean responded to the study question and that the police currently would have 18 spaces. Mr. Doshna clarified that 6 additional spaces were being dedicated for police which was mentioned earlier. Ms. Kazcynski discussed that the police parking was an agreement with the police and not jurisdiction for the Board but per Council agreement. Mr. Harris asked if the Board was satisfied with the traffic study.

Attendee named 'Guest' appeared and identified as Lois Stewart, 26 Spring Street and 32 Emery Avenue discussed that she was confused with the total number of parking spaces of 381 or 312 proposed spaces. Mr. Dean clarified that 312 spaces were on site with 69 spaces at Matts and 66 spaces on the Spring Street surface lot. Ms. Stewart asked if the intersection of Maple and Main was part of the study; asked the level of service and if the level of service was expected to go higher. Mr. Dean discussed that the intersection was not a part of the study with a current level expected in the 'b' & 'c' range that would not rise that much where it was not a major draw to get to work. Ms. Stewart asked if the ordinance requirements were being met; voiced her concern for increase traffic; asked the number of surplus parking; discussed that an additional tree was proposed in the police parking area; asked accessibility of emergency vehicles; if there was a report from the Fire Marshal; asked the construction phases and vehicle access on Spring Street; asked the location of surplus parking at Matts; asked where the people who park next to Mr. DeLuca would park; asked if there would be a time limit on parking; if there would be exhaust fumes from the parking under the building onto Spring Street; if the applicant was anticipating an expanded traffic study. Mr. Dean responded.

9:50 pm the Board recessed.

9:56 pm the meeting resumed.

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38 PARK AVENUE, FLEMINGTON, NJ 08822  
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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

The applicant's architect, Jake Raker, appeared still under oath and resumed his testimony discussing the comments from Ms. McManus including how the architecture would comply with the design criteria with the amount of glazing and fenestration; the location of the low and moderate income units would be shown as a condition of an approval. Mr. Raker shared his screen to view a previously entered exhibit and identified the proposed different materials to be used on the building adding that the roof plan was being prepared in the construction documents and agreed that the plan would be design so that no mechanical equipment would be seen from the street. Mr. Raker confirmed that no stucco material would be used on the lower floors where cast stone would be used.

Ms. Weinstein asked if there was a basement for storage for the retail space. Mr. Raker discussed that the existing basements were not high enough to be utilized and that the parking was proposed under the new buildings.

Mr. Budney asked what kind of shoring would be provided for the historic potting shed and bank building. Mr. Raker explained the shoring for the potting shed would be similar to the hotel noting that the bank building was in much better shape. Mr. Budney asked what interior architectural features would remain; asked the stage of the final pavement of Bloomfield Avenue and asked about the parking of construction equipment. Mr. Raker discussed.

Mrs. Engelhardt asked what portion of the potting shed would remain which Mr. Raker clarified; if the Union Hotel staircase was being salvaged which Mr. Raker responded that they could not salvage enough material from the staircase; and if the applicant was recreating the staircase in kind which Mr. Raker responded that they were not recreating the staircase but were adding other historic features. Mrs. Engelhardt asked about the exterior details including cornices and architectural materials and asked that no shiny metal be used. Mr. Raker discussed. Mrs. Engelhardt asked about the ventilation of the parking structure. Mr. Raker discussed.

Mr. Long discussed the construction phasing of the plaza level and asked if the police station area would be cleared. Mr. Raker discussed that it was a priority to not interfere with police operations and all the demands would be met to have the police operating 24/7.

Public questions of Mr. Raker:

Chris Pickell, 115 Main Street, noted that the rendering of the bank building showed the wrong windows and asked how the preservation standards would be upheld and what the process was to make sure the applicant complied and if SHPO was still involved. Mr. Raker discussed that the applicant received approval from SHPO and that the Redevelopment dictated the compliance. Mr. Pickell asked if the design could be made more historical that he was not a fan of the mixed materials and was not happy with the architectural expression. Mr. Raker responded that the design was appropriate for the

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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

location. Mrs. Engelhardt asked that only hardyboard was being used not hardyplank. Mr. Raker confirmed.

JoAnne Braun, 77 Jefferson Court, asked what green elements were being used; where the affordable housing units were located; how many square feet were in the affordable unit versus the market units; if the interior would be different. Mr. Raker discussed. Ms. Braun asked if the brick on the back of the hotel would be saved; asked how the staging of construction would happen; if some areas will be able to be open during construction; frequency of trash pick up and who would pay for trash and if there would be an odor. Mr. Raker discussed noting that garbage would be paid by the developer how would hire a building manager. Ms. Braun asked the colors of the hotel adding why not keep the green color that everyone knew and if the public would know what color was decided upon. Mr. Raker responded that research was being done on the historic color and that the Board would be notified of the final color.

Lois Stewart, 26 Spring Street and 32 Emery Street, discussed that the notification letter she received indicated that the applicant proposed to retain certain portion of the bank building, hotel and potting shed and asked if the SHPO requirements were being followed. Mr. Raker responded that the applicant received approval from SHPO and the applicant would comply with those approvals. Ms. Stewart asked the setback distance on Spring Street; what the structure between the hotel and potting shed would look like; what the specific green elements were and if they included any solar units on the roof or rain gardens and if the applicant complied with the recently revised stormwater management ordinance. Mr. Raker discussed noting that no solar or rain gardens were proposed. Ms. Kaczynski discussed that the applicant had submitted prior to the new stormwater ordinance adoption. Ms. Stewart asked what design area in the plaza would look like and if it would be vertical. Mr. Raker discussed noting that area was not designed yet and per the fire department would not be vertical. Ms. Stewart was not going to continue.

Michael Harris, 173 Main Street, asked if the developer using historic rehabilitation tax credits. Mr. Raker responded no but that he may choose to do so and discussed the process and review to receive the tax credits but could not speculate if the developer would receive them. Mr. Harris asked about bonding requirements for the staging; asked if SHPO approval was dependent on the applicant's assessment and if cost was a factor reviewed by SHPO; if the Borough's specialists had reviewed or if the applicant's specialist were making the decisions. Mr. Doshna discussed that all of the Board professionals reviewed the plans and documents submitted by the applicant and prepared reports on their findings adding that the applicants specialists were all sworn in as experts. Mr. Harris yielded his time.

Ms. Braun asked if the previous approval from 2018 was being abandoned. Ms. Kaczynski discussed that the applicant can continue with the prior approval and that the new application stands for itself noting that the prior approval was not before the Board at this time. Ms. Braun asked if approved would the

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38 PARK AVENUE, FLEMINGTON, NJ 08822  
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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

applicant move forward with this plan or the prior approval. Ms. McManus clarified that the developer could not pick and choose between plans or pick elements from each plan.

Ms. Stewart asked to clarify a landscaping question. Mr. Cahill had finished his testimony. Mr. Doshna discussed procedure noting that there would be a time for public comments at the next meeting.

Mr. Harris asked why he was asked to wait for a question of Mr. Cahill if he was not returning. Ms. Kaczynski discussed that this was time for questions on Mr. Raker's testimony and asked if Mr. Harris had a question for Mr. Raker.

Mr. Koester discussed that they would like to conclude the hearing tonight.

Mr. Doshna noted the time at 11:45 pm where public comments, Board deliberation, a motion and consideration would take some time. Mr. Doshna asked for a straw poll whether to continue. The Board did not wish to continue given the hour and the time it may take to conclude.

Ms. Kaczynski announced that the public hearing would be continued to the next regular meeting on March 23, 2021 at 7:00 pm to be held remotely and that no further notice of hearing would be provided.

Mr. Doshna discussed the procedures for public comment with 3 minutes being provided for each member of the public and asked that the public please plan out what they wanted to say adding that there was an opportunity to provide written comments which could be read into the record and would have the same 3 minutes.

11:47 pm Mr. Cook returned with video.

**8. Public Hearing: Application #2020-03 - Lee B. Roth - Block 21, Lot 25 – 91 Main Street**

Preliminary and Final Site Plan and Use Variance

Ms. Kaczynski announced that this application would be carried to the next meeting on March 23, 2021 at 7:00 pm to be held remotely and that no further notice of hearing would be provided.

**9. Chair Items:**

- Mr. Doshna had no items. Mrs. Engelhardt continued to meet with StanTech to discussed the Summit Grant.
- Next meeting: March 23, 2021. Items on the agenda: Completeness determination for Enzo Padovani application; Continued public hearing: Flemington Center Urban Renewal (Union Hotel); Deferment of public hearing for Lee B. Roth.



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TUESDAY, MARCH 9, 2021 – 7:00 PM

MINUTES

**10. Bills:**

Motion to audit the bills was made by: Cook, seconded by: Campion.

Ayes: Driver, Long, Campion, Engelhardt, Cook, Budney, Hain, Doshna, Levitt

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

**11. Professional Reports:** None

**12. Executive Session:** None needed.

**13. Adjournment:**

Motion to adjourn the meeting at 11:54 p.m. was made by: Budney, seconded by: Engelhardt. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary