

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM
TUESDAY, MARCH 8, 2022 – 7:00 PM

MINUTES

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

Roll Call:

Present: Mayor Driver, Mr. Campion, Mr. Doshna, Mrs. Engelhardt, Mr. Cook, Mr. Budney, Ms. Giles-McCormick, Ms. Giffen, Ms. Weitzman, Mr. Hill, Mr. Levitt @ 7:05 pm, Mr. Parker, Attorney Kaczynski, Engineer Clerico, Planner McManus Traffic Engineer Troutman

Excused:

1. **Public Comments:** Ms. Parks read an email sent February 7, 2022 from Jenna Van Holten.

Ms. Kaczynski asked if any Board members had a conflict of interest in any items listed on the agenda, none were heard.

2. **Mayor Comments:** Mayor Driver noted she did not read public comments from anyone that did not provide a physical address. Mayor Driver discussed that Council had designated Cardinal Capital as the redeveloper for the Nilkanth site from Madison Wisconsin adding that a concept plan had been posted on the website.

3. **Council Comments:** Ms. Giles-McCormick discussed that HPC would like to provide a presentation to the Board on March 22, 2022 to be established as a Certified Local Government status which offers consistency and structure for the HPC and opens up for additional funding opportunities.

Mr. Doshna to limit presentation on March 22, 2022 to 15 minutes as there was a public hearing scheduled that night. Ms. Kaczynski to review the proposed ordinance changes regarding HPC.

4. **HPC Comments:** One HPC resolution was distributed.

5. **Approval of minutes for the February 8, 2022 regular meeting.**

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

Ayes: Engelhardt, Giles-McCormick, Doshna, Cook, Budney, Giffen, Weitzman

Nays: (None)

Abstain: Driver, Campion

Motion passed: 7-0-2

6. **Informal Discussion: Skylar Bird – 144 Main Street & William Street**

Mr. Doshna explained the procedures for an informal discussion procedure generally limited to 15 minutes with the Board and Board Professionals and was informational only to get initial feedback.

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Ms. Kaczynski confirmed that there was no request or requirement for d variances which was key for allowing the Board to hear acting as the Planning Board on an informal basis.

Skylar Bird, property owner of 144 Main Street, appeared and discussed the project proposal sharing his screen with concept plan for a proposed restaurant 'Millie's Bruncheonette' which would utilize the existing building with an expansion to the north and east where the goal today was to confirm and discuss the change of use from service station to restaurant, setbacks, no increase in impervious coverage, and to make sure that the seating plan aligns with current parking requirements. Mr. Bird discussed the zoning chart on the concept plan noting that the site meets the lot area requirements adding that this was a corner lot with 2 front yard setbacks and 2 side yard setbacks and discussed the averaged adjacent front yard setback to 14.3 ft. Ms. McManus agreed that a restaurant was a permitted use and agreed with the setback calculations.

Mr. Bird discussed the existing lot coverage of nearly 89% where the expansion of the building would not increase the coverage and was proposing to add some landscaping along William Street and try to maintain as many existing trees as possible. Mr. Clerico did not check the coverage calculation but discussed that the lot area should not include area in the right of way noting that the dimensions on the plan were to the centerline. The applicant's architect, Gary O'Connor, confirmed that the calculation was to the property lines.

Mr. Bird discussed the number of proposed indoor seating requirements where the concept plan proposed 7 stalls and outdoor patio seating which was exempt from parking per the ordinance. Ms. McManus confirmed the outdoor parking exemption. Mr. Troutman recommended that the peak parking demand should be identified and where offsite parking spaces would be located for discussion purposes.

Mr. Clerico discussed the stormwater regulations where the site did not qualify as a major site plan as it was disturbing less than 1 acre and discussed Ordinance 2637 when disturbing more than 2000 square feet that the site should be enhanced with certain stormwater features and required to either reduce 5% impervious coverage; provide additional stormwater measures or seek variance relief. Mr. Clerico discussed that the project may need setback relief on William Street.

Mr. Bird would investigate stormwater measurements noting that the site had a very high water table of about 3 feet and was not sure about drywells and had no issue with increasing pervious area but was concerned with taking away parking area. Mr. Clerico discussed that he may consider changing the direction to come in off of William Street and exit onto Main Street where he may get one more space and maybe pull back from the Main Street right of way which may add a grass area adding that he may need to store runoff underground in the parking lot. Ms. McManus noted that street trees may be able to be installed in the grass area. Mayor Driver asked if a green roof would alleviate stormwater. Mr. Clerico to look at ordinance but most likely would.

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Mr. Doshna suggested that Mr. Bird meet with the professionals and a subcommittee prior to submitting an application.

Ms. McManus discussed the dumpster location and suggested looking for an alternative location or screening.

Mrs. Engelhardt encouraged to look at buffering with landscaping along Main Street as the busy location with residential across the street; look at EV charging station requirement; screening the dumpster location and recommended a meeting with a subcommittee to review the application to provide a smoother process prior to coming to a public hearing.

Ms. Giles-McCormick clarified that William Street was one way. Ms. Giffen noted that reversing the flow would help to not direct traffic to the residential area. Ms. Kaczynski asked if exit on Main Street would allow right and left turns. Mr. Troutman opined that exit should allow left and right turn onto Main Street and would not force vehicles onto the one way on William Street. The Board discussed signage including façade and directional signs.

Mr. Budney asked who was responsible for the groundwater monitoring wells on site. Mr. Bird received a NJDEP permit approval to close 10 of the 13 wells and confirmed that no wells would be covered or made inaccessible.

7. Public Hearing: Captiva Main Street, LLC – Block 5 Lots 1 & 2

Ms. Kaczynski reviewed the proof of notice of the public hearing and found that the Board had jurisdiction to proceed.

Mr. Doshna announced that the public hearing on this matter would be carried to the March 22, 2022 meeting and that no further notice would be provided. The March 22, 2022 to return to in person at Borough Hall with a hybrid format for public to join the meeting via Zoom as well be present at Borough Hall.

Ms. Kaczynski discussed that in the event that there was a change in Covid rates and/or a State of Emergency or other Governmental Order issued, the Planning Board may elect to hold meetings via Zoom only and will post such election on the Borough website by March 18, 2022 and post at Borough Hall. If the internet goes out and Zoom stops the meeting will proceed at Borough Hall as long as there is a quorum where the applicant would be at risk if a witness was not at Borough Hall.

8. Chair Items:

Next meetings: March 22, 2022 – return to in person meeting at Borough Hall, 38 Park Avenue, Flemington, NJ 08822 at 7:00 pm with a hybrid format to include attending via Zoom. Agenda items include the public hearing for Captiva Main Street, LLC and a 15 minutes presentation from the HPC.

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Ms. Giffen would not be available to attend the March 22, 2022 meeting.

Mr. Doshna discussed that the Master Plan was approved for funding by Council and received \$20,000 from Hunterdon County. The Master Plan had a kick off meeting on March 8, 2022 with the subcommittee with Ms. McManus, Engelhardt to provide the stakeholder list to McManus.

9. Bills:

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

Ayes: Driver, Giles-McCormick, Doshna, Engelhardt, Cook, Budney, Giffen, Weitzman

Nays: (None)

Abstain: Campion

Motion passed: 8-0-1

10. Professional Reports:

Ms. McManus discussed there was interest from the property owner of 37 Mine Street to develop the site and both herself and Mr. Clerico had been contacted to meet with the property owner to discuss.

11. Executive Session: None needed.

12. Adjournment:

8:17 pm. Motion to adjourn was made by: Engelhardt, seconded by: Giffen. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary