



Public Art in the Borough of Flemington

Flemington encourages public art installations throughout the Borough. The Borough's Public Art Committee reviews all applications for public art to ensure that they promote arts and culture in the area and enhance the Borough's unique character. Public art and the Public Art Committee is regulated in the Borough Code at Chapter 36 and Chapter 16, Section 1632.1 (<https://ecode360.com/FL4073>).

Below is the Borough's definition of public art. All structures and installations which meet the following definition must be approved by the Borough's Public Art Committee.

All forms of visual art and crafts, including but not limited to sculpture and murals, whether freestanding and/ wall supported or mounted, that are visible from a public or private street or public park, and that will be displayed for more than two weeks. Public art may be permanent, temporary, fixed, or portable; may be an integral part of a building, facility, or structure; and may be integrated with the work of other design professionals.

Public Art shall exclude the following:

- *Structure or portions thereof that meet the definition of a sign, pursuant to Section 1201 of the Borough Code. Public art shall not be deemed a sign unless the name of the business is included in the public art.*
- *Structure or portions thereof on one and two family home properties that exceed either four (4) feet in height or three (3) feet in width.*
- *Structure or portions thereof on properties other than one and two family home properties that exceed either three (3) feet in height or two (2) feet in width.*
- *Typical structures for the use of the property that serve a function, such as but not limited to mailboxes, light fixtures, play equipment, fountains, planters, signs and sign support structures.*
- *Landscape and garden features such as, but not limited to, topiaries and plant supports.*
- *Structures or portions thereof that are on display for less than two weeks.*
- *Structures or portions thereof that are on display for the purpose of an annual holiday.*



All applications for public art shall follow the below process.

1. Complete the public art application, including the required documents on page 2.
2. Submit the application via email to the Borough Clerk at the address below. Please coordinate with the Borough Clerk if the submission cannot be electronic, should the electronic submission be substantial in size, and/or should it include a physical object such as material sample or scale model.

Carla Conner, Borough Clerk Borough of Flemington
38 Park Avenue
Flemington, New Jersey
Phone 908.782.8840
cconner@historicflemington.com

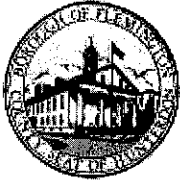
3. Upon receipt of a complete application, as determined by the Public Art Committee, the Public Art Committee shall schedule a meeting for the purpose of reviewing said application. The Public Art Committee shall advise the applicant, in writing, at least 14 days prior to the meeting, of the date, time and place of said meeting. Any meeting may be continued in order to accommodate submission of additional information or revisions to the proposal at the request of the Public Art Committee or the applicant.
4. At the meeting, the Committee shall allow the applicant to be heard, as well as any other interested parties who wish to address the proposed application.
5. The Public Art Committee shall reserve the right to provide a written notice through mail, by certified mail, return receipt requested, at least 10 days prior to the hearing to the record owner(s) of the subject property if other than the applicant, as well as to all property owners located within 200 feet of the proposed public art location.
6. The Public Art Committee shall consider the following in its review of applications:
 - a. The compatibility and overall aesthetic impact to the neighborhood in which the installation is to be located.
 - b. The likelihood of the public art causing a distraction or hazard to pedestrian or vehicular traffic.
 - c. The significance of the proposed public art's location.
 - d. The artist's ability to complete the project in a timely manner.
 - e. The ability and willingness of the property owner to maintain the installation.



7. The Public Art Committee may reject any application that is deemed not in the best interests of the community by not enhancing the residents' quality of life and the Borough's commitment to a clean, safe, healthy and diverse community.
8. In considering the application, the Public Art Committee may, in its discretion, seek the opinions of professionals familiar with the subject or field involved, including but not limited to historians, artists, sculptors or similar professionals.
9. Final action on the application shall be made by way of a vote of the Public Art Committee to issue or deny the application for the proposed public art, which shall be rendered within 30 days of the submission of a complete application, unless this time frame is extended by consent of the applicant.
10. The Public Art Committee shall render its decision in writing within 14 days of approval or denial of the application.

Public Art is subject to the following design and performance standards:

1. Public art shall be exempt from the following standards:
 - a) Signs are regulated in Section 2631. Public art shall not be deemed a sign unless the name of the business is included in the public art.
 - b) Impervious coverage as defined in Section 2623.E.
 - c) Setbacks as defined in Section 2623.E.
 - d) Buffer standards as defined in Section 1632. Public art may be located in buffer areas.
2. Public Art shall not be internally illuminated.
3. Public Art shall not obstruct a site triangle, and shall not impede pedestrian, vehicular, or general safety.



Flemington Borough
38 Park Avenue
Flemington, New Jersey
Phone 908.782.8840

Public Art Application

To schedule a meeting with the Flemington Borough Public Art Committee to review your application, please complete and submit this form, along with all required documents. It is recommended that both the lead artist and the project coordinator attend the review meeting.

Date _____

Proposed Site of Public Art (Block, Lot, Address/Cross Street)	Block _____	Lot _____
Address/Cross Street _____		
Funding Source _____		

Lead Artist Name _____
Project Coordinator Name _____
Organization _____
Phone _____ Cell _____
Email _____
Mailing Address _____
City _____ State _____ Zip Code _____

Property Owner Name _____
Phone _____ Cell _____
Email _____
Mailing Address _____
City _____ State _____ Zip Code _____

Project Details (You may attach a separate document if necessary)

1. Description of proposed project design _____

2. Processes to be used (please be specific) _____

3. Names of other individuals/groups involved in public art preparation/design/implementation

Required Documents to Submit with Application

- **Owner's Consent** (attached document);
- **Timeline**, including start and end dates;
- **Aerial photograph of site** (google maps or similar online mapping tool is acceptable, provided the lot is identified);
- **Survey of the property**, if available;
- **Photos of Site**, including photographs and elevation drawings, if available;
- **Artist Qualifications** and work samples (lead and secondary artist(s));
- **Color Scale Rendering** of public art or electronic image. This shall include any proposed plaque, title, artist signature;
- **Identification of materials** for the public art;
- **Evidence of Community Support**, if applicable (this may include a letter(s) from an organization and/or neighbors;
- **Signed Wavier of Proprietary Rights** from the artist; and
- **Maintenance Plan**, including parties responsible for maintenance.

**Owners Consent for
Public Art Application**

I certify that I am the Owner of _____ which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision is the same manner as if I were the applicant. (If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this ____ day of _____, 20__

Signature of Owner

Notary Public