

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD IN PERSON AND OFFERED VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM
TUESDAY, JUNE 14, 2022 – 7:00 PM

MINUTES

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

Present: Mayor Driver, Mr. Doshna, Mrs. Engelhardt Mr. Cook, Mr. Campion remotely, Ms. Giffen remotely, Ms. Weitzman remotely, Mr. Hill, Mr. Levitt, Attorney Kaczynski, Engineer Clerico, Planner McManus

Excused: Mr. Parker, Mr. Budney, Traffic Engineer Troutman

Ms. Kaczynski asked if any Board member had any conflicts of interest with any item on the agenda. Mr. Doshna, Mayor Driver, Mrs. Engelhardt and Mr. Cook all would need to be recused from Item 8 for Family Promise of Hunterdon County

1. **Public Comments:** None
2. **Mayor Comments:** Mayor Driver discussed that Council approved the Redevelopment Agreement with HBC Liberty Village LLC and provided some details on the project noting that there would be plenty of opportunities for everyone to comment as the project went through the process. Mayor Driver discussed that a medical cannabis store would be coming soon in the Shoppes at Flemington and for recreation cannabis they would be required to file a site plan with the Planning Board. Mayor Driver discussed that there would be free training classes regarding redevelopment policies in New Jersey provided by the State if any Board members were interested in attending.
3. **Council Comments:** None.

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

5. **Approval of minutes for the May 24, 2022 regular meeting.**

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

Ayes: Driver, Doshna, Engelhardt, Cook, Weitzman, Hill, Levitt

Nays: (None)

Abstain: Giffen, Campion

Motion passed: 7-0-2

6. **Informal Discussion: Paramount Realty** – Block 48 Lot 6 – 285 US Route 202

Mr. Doshna clarified that this was the old Country Griddle site.

The applicant's engineer, Matthew Sharro, appeared and discussed the minor addition to the existing building which would be completely renovated and parking to add 4 ADA spaces and displayed the elevation plan for a new Aspen Dental and City MD offices both would apply for signage if they did not conform with the ordinances adding that the parking would comply with a few additional spaces than what was required. Mr. Clerico discussed that if the applicant had to come before the Board they would need to see that the pavement would be resurfaced and would be ADA compliant noting that if they did not need a site plan the construction official would regulate ADA compliance. A representative from

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Parmount Realty noted that the parking area would be resurfaced and have all new striping adding that they were trying to get permits to meet the tenants delivery requirement.

The Board discussed improvements that the applicant could make to the plan including crosswalks, removing some of the additional parking to add shade trees; updating the site and improving circulation and encourage cross access to adjacent properties. Noting that procedurally they did not need to come before the Board for site plan for what they are proposing. The applicant discussed that there was a time frame to open the offices adding that they are willing to discuss accessibility issues with neighbors in the future and would agree to go back to Borough staff to see what they can do to improve the site and still be under permitting preferring to have to submit a site plan due to time constraints.

7. Public Hearing: Captiva Main Street, LLC – Block 5 Lots 1 & 2 – Continued from March 8 & 22 and April 12, 2022.

Ms. Kaczynski discussed that the applicant had requested that the matter be carried to the next meeting to allow time to review the conditions and would not be appearing tonight. Mr. Doshna announced that the public hearing on this matter would be continued to the June 28, 2022 regular meeting and that no further notice would be provided.

Mayor Driver, Mr. Doshna, Mrs. Engelhardt and Mr. Cook were recused from the next item which was a Use D Variance and left the dais.

7:27 pm Mr. Hill chaired the meeting.

8. Public Hearing: Family Promise of Hunterdon County, Inc. – Block 19, Lots 7 and 8

Ms. Kaczynski discussed that she had reviewed the proofs of notice of the hearing and found that the Board had jurisdiction to proceed. The application and supporting documents were marked as Exhibit A-1 and the proofs of notice were marked as Exhibit A-2.

The applicant's attorney, Steven Gruenberg, appeared and discussed the application for a use variance at the Calvary Episcopal Church annex building noting that this was a heartwarming project to get people back on their feet due to various circumstances that have left them homeless and questioned whether they needed to come before the Board where if this was a proposed community shelter for abuse or substance abuse it would be permitted use but because this does not fit the specific definition it was not permitted.

Mr. Gruenberg would present testimony from Mirelle White of Calvary Episcopal Church; Angela Fields of Family Promise and John Madden, Planner. All were sworn in for testimony along with the Board professionals.

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Mirelle White, Senior vestry warden for the church, appeared and discussed the history of the church in Flemington since 1841 and ownership of the annex building built to look like a single family dwelling since the 1960's which was used as a Sunday school classroom and office space but could not be used as a residence since there was no shower in the building. Ms. White discussed the community services and outreach provided by the church noting that they had worked with Family Promise in the past with fund raising for the homeless and adopted families adding that the church always had a mission to help displaced families. Father Ritter had conversations with Family Promise and reached out to the congregation to help install a shower to convert the annex building into a transitional housing facility with Family Promise which could house up to 4 families and 2 staff members which would require 4 or 5 parking spaces. Ms. White discussed that there would be plenty of offstreet parking to accommodate the level of activity in the church and would not cause a problem in the neighborhood. Mr. Gruenberg displayed photos of the existing annex building which would be kept the same with some minor improvement where the parking lot was already paved and striped. Ms. White explained that the church was dedicated to help the community and had good relationships with the neighbors and this project would not cause any grief and would help those less fortunate.

Ms. McManus noted that there would be no exterior improvements and asked if that applied to the interior of the building. Ms. White explained the interior renovation to accommodate the 4 families.

Sharon Rider, 35 Elwood Avenue, asked how many children and how many bedrooms were proposed and if there would be exit windows; the qualifications of the supervisor staff; if there were kitchen privileges; if there would be fencing for child safety noting that there was a lot of traffic. To be answered by the next witness – no fencing proposed at this time.

Dominick Aboosamara, asked how Ms. White knew the neighbors noting that he never got a return call from the church from last week. Ms. White was not aware of the call and noted that during covid she did not get a chance to meet new neighbors.

Christina Aboosamara, asked if the AA meeting would continue when the families and children moved in noting that they were currently taking place outside. Ms. White noted that they could be hosted inside based on the comfort level of the AA group at the time or they could use the parking lot adding that she was confident the AA group organizers would work with Family Promise.

John Gorman, 34 New York Avenue, asked how many people would be in the building. Ms. White discussed that the maximum would be 14 people and 2 supervisors.

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Todd Cook, 39 Pennsylvania Avenue, asked if the church would retain the property and if there was any plan to subdivide. Ms. White discussed that there was no plan to sell or subdivide at this time. Mr. Gruenberg confirmed that the use variance would run with the land if subdivided.

Susan Engelhardt, 36 Broad Street, noted that she had not met anyone from the church either and asked the current occupancy load and what activities were in the office space. Ms. White approximated the occupancy at 26.

Marc Hain, 28 New York Avenue, noted that there was speeding on the street around the time of the AA meetings and asked how the safety of the people living would be protected. Ms. White was not aware of the speeding issue and would make the AA members aware and work with Family Promise.

Elaine Gorman, 34 New York Avenue, asked the certifications of the supervisors and how many cars would need parking. Question for the next witness.

Nancy Scherrmahorn, 41 Maple Avenue, asked when the pastor left and when he would be replaced and if the church closed due to loss of membership would Family Promise remain or need to leave. Ms. White noted that there would be reason for the church to close adding that there would be a 5 year lease with Family Promise.

Nick Barrick, 38 Broad Street, asked if the annex building could really accommodate 4 families and if it was large enough for the needs of the families. Ms. White relied on Family Promise based on their need and what they can accommodate noting that it was a fluid situation and that construction had been done to provide the space.

Angela Fields, executive director of Family Promise, appeared and discussed that they were a holistic center for families that were vulnerable in the community which took in families in need to transition to permanent housing noting that they took in families from the Hunter Hills fire and after hurricane Ida in Flemington and help people in Hunterdon County that are experiencing homelessness with a goal to keep them living together. Ms. Fields discussed the services provided by Family Promise including mental health professionals for adults and children to provide counselling from a traumatic experience and help them to become productive members including job searching, resume building skills, career training computer services, etc. Ms. Field discussed that the 4 family/14 people was regulated by the fire codes noting that the prior model was to house families in churches with communal dinners, during covid everything changed and they were now housing in hotel/motels which was not working as well

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financially where less money can be used to help families adding that Calvary Episcopal was a godsend where the location was walkable. Ms. Field discussed that Family Promise was founded in 1990 with a facility located at 8 Bartles Corner Road with activities and case management, local offices which were by appointment only to find housing solutions and employment assistance noting that the usual was a 30 to 90 day stay per occurrence where some may need longer time base on their needs; all activities at the center take place from 9 am to 5 pm and the families would be at the annex building from 5 pm to 9 am noting that Family Promise had a van that could transport from the annex to Bartles Corner Road if there was a parking issue. The annex would have 2 large bedrooms on the first floor with a bathroom and a small kitchen and 2 large bedrooms upstairs with a bathroom and a work station for the supervisors who would be there the entire time someone was at the annex.

The supervisors would need to be hired after this application and would need to meet State regulations where the Division of Community Affairs was giving them money to operate and all staff must be licensed and the building must comply with all safety and fire standards which was heavily regulated by the State. Ms. Fields discussed the intake process and screening to find who fits the program such as the under employed or employable; no alcohol or substance abuse was allowed must be clean and sober for 6 months, criminal background checks, no men allowed by law. Mr. Gruenberg noted that the ordinance allowed for domestic violence up to 15 people and was a permitted use. The supervisors would be on premises from 5 pm to 9 am and work in shifts; security measures would include cameras outside locks with an intercom, security doors where staff can view the door on a phone. Children would go to the school where they were enrolled, if not school age they will go to daycare. The building would continue to look like a single family dwelling with no exterior changes proposed.

Ms. McManus asked who would conduct the interior inspections. Mr. Gruenberg confirmed that the local construction office would issue permits and do the inspections.

Mr. Clerico asked the occupancy on holidays and weekends and if this was the only facility in Hunterdon County. Ms. Fields confirmed that supervisors were staffed 24 hours every day and that they liked to get families out to churches and activities to get back to a normal life - meals were provided by church groups due to covid they can no longer eat together. Mr. Clerico asked if the building would be ADA compliant. Mr. Gruenberg confirmed that they had not been notified but if so they would need to comply. Ms. Fields noted that the DCA provided money to make improvements.

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Ms. McManus asked how great the need was in the area. Ms. Fields discussed the need was growing due to covid, foreclosures, job hours have been cut where people cannot make ends meet noting that Flemington made up a large portion of low income vulnerable residents under the poverty line.

Ms. Kaczynski asked if there were other facilities in the area. Ms. Fields discussed that there were none in Hunterdon County.

Mr. Campion asked if families would move in with furniture. Ms. Fields explained that families came with just the immediate needs no furniture, no pets allowed, no overnight guests where they could get a pass to visit friends and family, the building was fully staffed on holidays, vacations and weekends.

Mr. Levitt asked if they had any religious affiliation and if more families would be able to be served with this facility and if this would reduce the number of families that have to be rejected or on a wait list. Ms. Fields discussed.

Ms. Weitzman asked the protocol if someone contracts covid. Ms. Fields explained that they would be housed in a hotel up to 30 days and confirmed that the annex would have window unit air conditioning.

Ms. Giffen confirmed that Family Promise was completely separate from the AA group.

Mr. Hill confirmed the building would be vacant during the day 9-5 with no supervisors and that furniture would already be in place so no moving trucks would be necessary and that Family Promise hires a cleaning service.

Vince Salvedo, 39 Elwood Avenue, discussed that the applicant sheltered people from the Hunter Hills fire and asked if they checked gang membership noted that there were 2 gangs in Hunter Hills. Ms. Fields confirmed that criminal background checks were done prior to accepting a family.

John Gorman, 34 New York Avenue, concerned for domestic violence asked how they protected the kids. Ms. Fields clarified that they could not take women that were actively fleeing a domestic situation noting that the parents were responsible for their children with supervisors onsite and that all applicants had extensive background checks. Mr. Gorman asked how they can eat meals with no kitchen. Ms. Fields discussed that the annex building would be equipped with a microwave, refrigerator and toaster oven but no cooking or meal preparation since the facility would need to be a safe serve facility, meals would continue to be provided by church organizations and delivered.

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Dominick Aboosamara, 11 New York Avenue, asked if Ms. Fields was aware of the domestic violence shelter in Flemington; if sex offenders were verified; if any firearms were permitted; who did the background checks; if there would reporting of any abuse; if there would be any offensive outside issues; what would happen if someone overdosed and if Ms. Fields was aware that having a facility 500 feet from your home affected the property value and that there was foreclosure assistance available. Ms. Fields discussed.

Bill Taylor, 7 Scarlet Oak Road, Raritan Twp, member of Grace United Church of Christ which was a support church for Family Promise asked if the church people would continue to be able to help these people. Ms. Fields explained that nothing would change except the housing structure and hoped it get back to community meals.

Christina Aboosamara, asked if any families outside Hunterdon County would be housed here and if a family with dual custody would make a difference if the parents were in different counties. Ms. Fields discussed that the assistance was for Hunterdon County only.

Maryann Cushay, 46 Broad Street, asked if the families would be there all day long on the weekend with supervisors. Ms. Fields clarified that the residents would do what any other residents do on the weekends adding that they were not constrained to the building.

Scott Bordnick, Pennsylvania Avenue, asked if there were any similar centers that had the same facilities that were functioning and asked how the bathroom situation worked with 14 people. Ms. Fields discussed.

Todd Cook, 39 Pennsylvania Avenue, asked when the old model with churches housing families stopped. Ms. Fields discussed that the model could not be used since covid. Mr. Cook discussed their old office at 10 East Main Street which was used as transitional housing and asked if there were any issues with neighbors and if the annex building was the best option or the only option right now. Ms. Fields noted that there were no issues at 10 East Main and that this was the best option to assist more families and not have to place them on a wait list. Mr. Cook asked if other locations with larger lots were sought in the Borough. Ms. Fields responded yes and that this was the best location which would not serve as a model as shelter was not housing and the goal was to transition to permanent housing.

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9:20 pm the meeting recessed

9:33 pm the meeting resumed. All Board members and professionals returned. Mr. Doshna, Mayor Driver, Mrs. Engelhardt and Mr. Cook remained recused.

Marc Hain, 28 New York Avenue, asked how long the background check took as the Hunter Hills fire needed to be quick and asked if the water and sewer capacity had been reviewed by the Borough. Ms. Fields discussed that the background checks took a couple of hours and would meet with local officials to meet all code requirements. Mr. Hain asked if the people helped were from Flemington Borough or with a Flemington mailing address. Ms. Fields did not have the information adding that they served Hunterdon County.

Susan Engelhardt, 36 Broad Street, asked if Family Promise pulled the construction permits and what permits would still need to be issued. Ms. Fields explained that Calvary applied for the permits. Mr. Gruenberg confirmed that certain construction was started with permits and have since been ceased pending the outcome of the hearing. Mrs. Engelhardt asked if the old church model how goes away; asked the percentage of Flemington residents assisted; asked if HPC approval had been sought for the window replacement; asked if there was site plan information for parking loads on Sunday. Ms. Fields discussed. Mrs. Engelhardt asked what other locations were looked at and asked how long the DCA program took. Ms. Fields clarified that Mr. Ritter looked for locations in the County and clarified that the DCA provided funding for rental assistance programs.

Nancy Scherrmerhorn, 41 Maple Avenue, asked if there would be teenagers, if there was laundry at the premises; if there would be a curfew; asked the comings and goings included door lock access; if there would be un-neighborly behavior such as noise and how that would be taken care of; whose decision was it to make this 4 family instead of 2 family and if there was ever an idea to use this as office space. Ms. Fields discussed.

Nicole Barrick, 38 Broad Street, asked the family makeup; how long the wait list was; how to handle protection of her property; asked the locations and view of the cameras with concern for her privacy of her backyard. Ms. Fields and Mr. Gruenberg discussed.

Mr. Campion noted 14 people living there and asked how the garbage would be taken care of and what happened if there was another hurricane similar to Ida. Ms. Fields discussed that either they would use the church dumpster or get their own depending on need and families were located to hotels/motels during flooding.

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Ms. Weitzman asked the time frame that a family would stay. Ms. Fields discussed that it varied on need.

Mr. Hill discussed that given the hour and other business before the Board tonight, the hearing should be continued and pick up with the planner's testimony. Mr. Gruenberg agreed.

Ms. Kaczynski announced that the public hearing on this matter would be continued to the July 12, 2022 meeting at 7:00 pm at Borough Hall and that further notice would be provided.

10:05 pm Mayor Driver, Mr. Doshna, Mrs. Englehardt and Mr. Cook returned to the meeting. Mr. Doshna chaired.

9. Chair Items:

Next meetings: June 28, 2022 – Continuation of the public hearing for the Captiva Main Street, LLC application. Completeness for 144 Main Street (Millies Luncheonette) and Completeness for Wertsville Road Properties, LLC (27 Parker Avenue – Route 12) Mrs. Engelhardt would not be able to attend the June 28 meeting. July 12, 2022 Continued Public hearing for Family Promise of Hunterdon County, Inc.

July 26 -Mr. Doshna & Mr. Cook; August 9 – Ms. Giffen; August 23 – Ms. Kaczynski would be away.

Other projects in the works included Liberty Village Redevelopment Area which would first need to have a consistency determination with Council; Amended site plan for Courthouse Square; site plan for 37 Mine Street; Paramount Realty if the Zoning Officer determines they need site plan approval; Spice Factory for amended site plan at some point; cannabis store in the Shoppes for recreational sales required by the State. Ms. McManus updated the Board on the Master Plan and would have something substantive for the next meeting.

Mrs. Engelhardt discussed that there was Federal transportation funding available and would research further; asked if anyone was interested in the EV ordinance writing seminar; discussed that Council announced a traffic study on 3 streets to be prepared by the Borough engineer and asked that this be coordinated with Mr. Troutman and a few Board members – Mr. Campion would have the Borough engineer copy Mr. Troutman on the traffic study; discussed that she, Mr. Cook and Ms. Weitzman attended the South End walk audit – Mr. Cook discussed the walk audit.

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Mr. Cook asked if the Courthouse Square project was having the required preconstruction meetings.
Mr. Clerico confirmed that they had meeting 3 weeks ago.

10. Bills:

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

Ayes: Driver, Doshna, Engelhardt, Cook, Campion, Giffen, Weitzman, Hill, Levitt

Nayes: (None)

Abstain: (None)

Motion passed: 9-0-0

11. Professional Reports: Ms. Kaczynski discussed legislature on Open Container Areas where the municipality could designate open container areas within the Borough separate from ABC licensing and Cottage Food Operator Licensing where now residents could obtain a license and not have to use a commercial kitchen in NJ.

12. Executive Session: None needed.

13. Adjournment:

At 10:30 pm. Motion to adjourn was made by: Hill, seconded by: Cook. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary