

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD IN PERSON AND OFFERED VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM
TUESDAY, JUNE 28, 2022 – 7:00 PM

MINUTES

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

Present: Mayor Driver, Mr. Parker remotely, Mr. Doshna, Mr. Cook, Mr. Budney, Mr. Campion remotely, Ms. Weitzman remotely, Mr. Hill remotely, Mr. Levitt, Attorney Kaczynski, Engineer Clerico, Planner McManus, Traffic Engineer Troutman remotely

Excused: Mrs. Engelhardt Ms. Giffen

Ms. Kaczynski asked if any Board member had any conflicts of interest with any item on the agenda. None were heard.

1. **Public Comments:** None
2. **Mayor Comments:** Mayor Driver discussed the Catalyst sign on the circle noting that due to an odd DOT regulation the Borough would be leasing 1 square foot of the sign for no money so that the Borough has an interest in the sign and discussed that the Borough was actively seeking to put tax exempt properties that no longer being used for the exempt purpose to be put back on the tax books. Mayor Driver had visited the Union Hotel construction.
3. **Council Comments:** Mr. Parker discussed that the Council had a first reading of the revised HPC ordinance.

Motion to amend the agenda to include discussion of the HPC ordinance 2022-08 was made by: Cook seconded by: Budney.

Ayes: Driver, Doshna, Cook, Parker, Budney, Campion, Weitzman, Hill, Levitt

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

4. **HPC Comments & Ordinance 2022-08 Discussion:** One HPC resolution was distributed to the Board.

Ms. McManus discussed that she had received the ordinance today and did not have a chance to review in depth and suggested that the language in the ordinance under item K Role of the HPC item 2 be changed from "...the Planning Board which **shall** issue a written approval or denial taking into account the HPC report and recommendations..." to **should** noting that the HPC is advisory to the Planning Board and that their recommendations are not mandatory conditions and would not be part of a resolution. Ms. McManus had concerns on the definitions section for the term building, demolition and structure which were different than in the zoning ordinance clarity would be needed if this language was required for the Certified Local Government program as well as concerns on Page 17, item G – regarding demolition needs specificity and additional factors including who makes the determination for demotion and who determines the future development and prosperity of the Borough and discussed item G.I. on page 18 regarding the relocation of historic elements out of the historic district which needed specifics and clarity. Ms. McManus recommended that the role of the HPC needs to be clarified in a

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Redevelopment Plan if not the HPC ordinance would remain noting that the Courthouse Square plan defined the HPC role where the other 3 Redevelopment plans did not which could be problematic.

Mr. Doshna noted that a list of recommendations should be prepared by Ms. Kaczynski and Ms. McManus and since this was not seen until today asked for an additional 2 weeks for the second reading by Council be continued to the July 25, 2022 agenda. Ms. Kaczynski to put the recommendations into a resolution format for the Board's consideration July 12, 2022.

5. Approval of minutes for the June 14, 2022 regular meeting.

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

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

Nays: (None)

Abstain: Parker, Budney

Motion passed: 7-0-2

6. Completeness: Wertsville Road Properties, LLC – Block 45 Lots 11, 12 and 15 – 28 Parker Avenue

Attorney for the applicant, Robin Wright, appeared for the application for Preliminary Major Subdivision and Site Plan in the multi-use overlay zone and discussed the completeness report prepared by Mr. Clerico dated June 23, 2022 and Mr. Troutman's letter dated June 28, 2022. Ms. Wright requested a permanent waiver from item 29 noting that there would not be any staging and requested temporary waivers as listed in Mr. Clerico's report for items 56, 57, 60, 62, 65, 67 & 69 as well as item 68 for a traffic report addressed by Mr. Troutman's letter which recommended a waiver could be granted for the traffic report checklist item and agreed to provide items listed prior to the public hearing.

Motion to grant the waivers as discussed and deem the application incomplete was made by: Cook; seconded by: Budney.

Ayes: Driver, Doshna, Cook, Parker, Budney, Campion, Weitzman, Hill, Levitt

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

7. Completeness: Tidbits NJ, LLC – Block 38 Lot 1.01 – 144 Main Street

Attorney for the applicant, Alan Cullen, appeared for the application for Major Site Plan and discussed the completeness report prepared by Mr. Clerico dated June 14, 2022 and requested the waivers and the additional partial waivers listed in the report noting that the architect was preparing to submit after this meeting. Items listed in the report included 1. Grant Conditional Partial Waivers for checklist items: 36, 44 & 55 2. Grant Waivers for checklist items: 42, 47, 52 (w/EC input), 62 & 68 (w/ Jay T. input) 3. Deem the application incomplete for the deficiency listed under checklist items: 3, 4, 19, 22, 27, 53, 54, 58, 59, 60 & 69.

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Motion to grant the waivers as discussed and deem the application incomplete was made by: Cook; seconded by: Driver.

Ayes: Driver, Doshna, Cook, Parker, Budney, Campion, Weitzman, Hill, Levitt

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

Ms. Kaczynski discussed that the Board could schedule the completeness and public hearing on the same night if all items submitted were found to be complete by Mr. Clerico noting that there must be an agreed upon period time to review the items once submitted.

8. Public Hearing: Captiva Main Street, LLC – Block 5 Lots 1 & 2 – Continued from March 8 & 22 and April 12 and June 14 2022.

Mr. Doshna announced that the public hearing on this matter would be continued to the July 12, 2022 regular meeting and that no further notice would be provided.

9. Chair Items:

Next meetings: July 12, 2022 – Continuation of the public hearing for the Captiva Main Street, LLC application and continued public hearing for Family Promise of Hunterdon County, Inc. Mr. Cook would not be attending the July 12, 2022 meeting.

Other projects in the works included Amended site plan for Courthouse Square, the Board discussed the number of sets of plans to be submitted for the amended site plan and determined that 5 sets would be sufficient along with electronic copies. Ms. McManus would have Master Plan information to the subcommittee for a meeting the week of July 11, 2022.

Mayor Driver noted that there would be a small zoning change to the DB district which was recommended in prior Master Plans for the north edge of Main Street which functioned as residential but was in the DB zone which would affect about a dozen parcels.

10. Bills: None

11. Professional Reports: None.

12. Executive Session: None needed.

13. Adjournment:

At 7:49 pm. Motion to adjourn was made by: Driver, seconded by: Budney. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary