

FLEMINGTON BOROUGH  
PLANNING/ZONING BOARD MEETING  
38 PARK AVENUE, FLEMINGTON, NJ 08822  
HELD IN PERSON AND OFFERED VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM  
TUESDAY, NOVEMBER 22, 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, Ms. Giffen, Mr. Hill-remote@7:18 pm, Ms. Weitzman-remote, Mr. Levitt-remote, Attorney Kaczynski, Planner McManus

**Excused:** Mr. Parker, Mr. Campion, Traffic Engineer Troutman, Engineer Clerico

1. **Public Comments:** None
2. **Mayor Comments:** Mayor Driver discussed that the Redevelopment Plan for the Cardinal Capital property was being amended and the next Council meeting would have the amended Redevelopment Plans for both the Capital Cardinal and Captiva projects for first reading.
3. **Council Comments:** None.
4. **HPC Comments:** None.

5. **Approval of minutes for the November 15, 2022 regular meeting.**

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

Ayes: Cook, Engelhardt, Giffen, Levitt

Nayes: (None)

Abstain: Driver, Weitzman

Motion passed: 5-0-2

6. **Resolution: Family Promise of Hunterdon County, Inc.** – block 19, Lots 7 & 8

Ms. Kaczynski to prepare the resolution for the next meeting.

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

Ms. Kaczynski discussed the resolution which had been circulated and noted a minor amendment provided by the applicant's attorney regarding the rewording of condition 3B for the landscaping work which Ms. McManus had no objection.

Mr. Hill – 7:11 pm appeared-intermittent.

Motion to adopt the resolution was made by: Driver seconded by: Cook

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

Nayes: (None)

Abstain: (None)

Motion passed: 6-0-0

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**8. Completeness: Aunt Mary's Dispensary, LLC – Block 49, Lot 1, 9, 10 & 11 (Shoppes at Flemington)**

Attorney Michael McQueeney appeared for the applicant remotely and requested additional waivers for completeness purposes only for items portion of item 6 block and lot numbers and tax map sheet, item 34 200 ft lists on the site plan to proceed at the hearing on December 6. Mr. Clerico had sent an email that he had no objections to granting the waivers.

Motion to grant the waivers and deem the application complete was made by: Cook, seconded by: Driver

Ayes: Driver, Cook, Engelhardt, Giffen, Weitzman,

Nays: (None)

Abstain: (None)

Motion passed: 5-0-0

Mr. Hill & Mr. Levitt were experiencing intermittent connection and were not called for the vote.

Public hearing was scheduled for December 6, 2022

Mr. Hill – 7:18 pm entered the meeting officially.

**9. Discussion: Master Plan**

Ms. McManus presented the Master Plan Amendment to the Land Use element, Economic Development element and Goals and Objectives element. Ms. McManus discussed that the Master Plan was owned by the Planning Board per the MLUL as a policy document to inform other planning decisions in town and was not a regulating document; not an ordinance, infrastructure plan or a redevelopment agreement but influences current or future policy decision making. This Master Plan was informed by the Flemington Action Plan, South End Study, Housing Study and the 2022 Master Plan survey sent to the citizens and business owners in Flemington, most of the studies were done by FCP and combines to collectively inform this Master Plan with the responses to survey and community engagement with the website and significant outreach to community residents and business owners. Three Elements were to be incorporated 1. Goals & Objectives that guide Master Plan policies; 2. Land Use Element noting that these 2 are required elements by MLUL which added storm water and 3. Economic Development Element. McManus provided some statistics of the respondents to the survey: 78% live in the Borough, 11% renters; 89% homeowners, 20% of respondents do not live in the Borough but were business owners that do not live here; 2/3 of Borough residents are renters, with 1/3 homeowners which was not unusual to have the homeowners respond in a greater percent. The survey results included: Rating of

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recent development in the borough where 23% responded that they not changed character of the town; 51% saw it as an improvement and 28% rated it as worse. Rating of what brought residents to town: 56% the commercial district including Main Street and Stangl Road; 30% low crime and 27% the Borough educational system. Rated the Top three change people want to see: 80% more restaurants and entertainment including kid friendly; 59% improved walking and biking connection and 57% more passive recreation options, walking paths, seating areas etc. Key considerations include that the previous goals will remain the same and remain relevant; residential zones were not increasing with no significant changes; an update to commercial zones to adjust commercial uses which were all informed by community outreach. Changes indicated include:

Amend the TC - Transitional Commercial district which has a lower intensity commercial use with an opportunity to better use for the Borough to host a larger variety of uses than in currently in town including indoor recreation, community and public gathering spaces, a theater this could create an opportunity for larger footprint uses which would be better marketed and incorporate new uses along Stangl Road, active uses should be walkable with less reliance on retail but promote community .

Amend the PO - Professional Office district could be eliminated where the DB district was recently extended north could be absorbed into adjacent zones, TC or TR where appropriate with an opportunity for more entertainment and 'things to do', due to changing market conditions and more entertainment options, The PO district was originally created due to County complex as the Borough is county seat but since this did not work out could be absorbed by other zones.

Amend the HR – Highway Retail district to be replaced with TC district south of Route 12 and west of south Main Street and expand the zone south of Reaville Avenue and east of south Main Street; eliminate OSS (overlay for super shopping) standards where the incentives are minor for developers & incorporate into HR district.

Amend the VAS – Village Artisan Shopping district to recommend special streetscape design standards to match the character; add more things to do such as a theater, galleries, recreation and permit upper story live/work residential uses.

Mr. Hill discussed that there were approvals for heavier residential apartments and asked if any more developments were in the works beyond Liberty Village, Redevelopment of the Union Hotel, the Redevelopment site plan for Captiva site plan and Redevelopment for the Cardinal Capital property that would be in play and if there were any developers interested in other sites such as the Cut Glass

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property which had received approval but was not acted upon and if this was not changed in Master Plan citing a concern for water and sewer capacity that a development can take away from other site improvements. Ms. McManus had not heard from the developer of the Cut Glass property in several years.

Mr. Levitt discussed the demographics and lack of renter response and asked if the survey was presented in Spanish. Ms. McManus discussed that it was made available in Spanish. Mr. Levitt liked the walkability and was happy to see mixed uses and the second floor live/work recommendation. Ms. McManus described how the survey was deployed being made available at the library, posted on facebook, the Borough website and through swift.

Mayor Driver discussed that in March 5, 2020 there were more elements planned including: circulation, water & sewer, historic preservation, education, trash recycling, green building & sustainability plan etc. and noted that this does not address the stormwater plan. Mayor Drive was disappointed that this amendment does not look to the future beyond uses. Ms. McManus suspected that everyone would want more elements but thought that these were broad enough topics to put some of those other issues into the policies like transportation and biking which can be incorporated into the land use element.

Ms. Giffen asked for copy of presentation and discussed the total number of responses to the survey and the studies conducted by the FCP and discussed the three elements being amended noting that the website has the 2010 Master Plan, the 2015 Reexamination Plan and asked which one is THE Master Plan. Ms. McManus clarified that the 2010 Master Plan was THE Master Plan where the Board in 2015 reexamined the policies which was comprehensive. Ms. Giffen asked if you are only doing 3 elements does it count for the 10 year redo for the Master Plan requirement. Ms. McManus discussed that the land use elements will replace the 2010 elements and was also true as the objectives & goals and the economic development element noting that these will supersede the prior elements which will meet the 10 year requirement adding that the Housing elements were separate elements including the affordable housing which was separate and apart from what we are doing here. Ms. McManus discussed that the 2010 elements were not looked at to remain in place and relevant as well as reexamined some elements in 2015 adding that circulation can be incorporated into land use elements.

Ms. Giffen asked if we get more money can we update other elements which Ms. McManus confirmed can be done at any time.

Ms. Giffen discussed the percentages of what people did not like and asked if that was usual. Ms. McManus noted that responses were community specific. Ms. Giffen asked if the changes to zoning

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districts would effect the redevelopment plans such as liberty village. Ms. McManus noted that the adopted redevelopment plans which were approved superseded zoning ordinances. Ms. Giffen discussed the community engagement which were not shown specific maps and asked how will they get the details on the plans and wording and see actual changes. Ms. McManus discussed that the Master Plan will be available December 2, Ms. Giffen discussed that this was to be the meeting for public input and the December 6 meeting for a chance for Board members to provide comments and recommendations where Ms. Giffen was concerned for the public that there will not be enough time for public to review and a concern for public to have the chance to speak. Ms. Kaczynski noted that the minutes indicated this discussion was scheduled under chair items for the public input. Mr. Cook noted that there were more comments received in the responses than people speaking at a meeting. Mrs. Engelhardt discussed that the Master Plan subcommittee met several times during the year where the comments have been consistent.

Mrs. Engelhardt asked if the zoning district was changing for the Cut Glass properties all to the DB zone. Ms. McManus noted that could be a recommendation. Mr. Doshna discussed that there were significant historic houses along Main Street but that there were parts of the application where DB zone was not appropriate. Mr. Cook added that the TC zone was getting life but there were no large lots to do much so if the TC continued through it would make a good buffer and maybe change some DB parcels by railroad tracks to TC looking for more flexibility. Ms. McManus suggested that the property could be changed to the TC district with a DB overlay instead of splitting the zone on a lot.

Mrs. Engelhardt discussed the CB - Community Business district at the south end of Main Street and noting that the differences between the TC and CB was not significant and suggested combining them to simplify the zoning map. Ms. McManus added that the TC zone required larger lot size for commercial use than CB where the TC district was intended for larger lots and uses suggesting that you could take out those retail uses which would make the existing lots and retail uses non-conforming uses and lots. The Board discussed. Mrs. Engelhardt suggested to put these comments at end of Master Plan as a recommendations list, Ms. McManus agreed that the Plan should not include the specifics.

Mr. Cook wanted to make sure the Master Plan sets goals such as PO would be eliminated and changes for specific lots. Ms. McManus noted that some will be detailed, and some will be more general for further discussion. Mr. Cook discussed the South Side Study and walkability was prepared for specific for a grant and wanted the Master Plan to allow FCP to keep applying for grants and would like to see an educational element noting that there were some erroneous respondents that schools cannot handle more students. Mayor Driver added that there was capacity in the schools. Mr. Cook suggested that

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some facts and demographics were added noting that this was a good start and maybe not be everything we want or need.

Ms. Giffen discussed that the Environmental Commission and HPC should provide comments to get input from those committees, Ms. McManus would send them the presentation and Master Plan once prepared on Dec. 2, 2022.

Ms. Weitzman the Master Plan discussion should be a learning opportunity for public and was happy to see this will make some changes and provide some spaces for uses that the residents want to see in the Borough.

**10. Chair Items:**

- Next meeting December 6, 2022: Agenda items to include the resolution for the Family Promise application; consistency review of the Amended Redevelopment Plan for Cardinal Capital property; public hearing for the Aunt Mary's Dispensary, LLC application; executive session for 2023 professional contract discussion; and draft Master Plan work session.
- Last regular 2022 meeting December 13, 2022: Public hearing and possible adoption of the Master Plan Elements

**11. Bills:**

Motion to audit the bills was made by: Driver, seconded by: Giffen

Ayes: Driver, Doshna, Engelhardt, Giffen, Hill, Levitt

Nays: (None)

Abstain: Cook

Motion passed: 6-0-1

**12. Professional Reports:** None.

**13. Executive Session:** None needed.

**14. Adjournment:**

At 8:59 pm. Motion to adjourn was made by: Cook, seconded by: Engelhardt. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary