

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD IN PERSON AND OFFERED VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM
TUESDAY, JUNE 13, 2023 – 7:00 PM

MINUTES

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

Present: Mayor Karrow, Mrs. Engelhardt, Mr. Doshna, Mr. Campion, Mr. Levitt, Mr. Cook, Ms. Giffen, Ms. Weitzman-remote, Mr. Hill, Mr. Cimino, Mr. Schoeb-remote, Attorney Kaczynski, Engineer Clerico.

Excused: Mr. Eckel, Mr. Weintraub, Traffic Engineer Troutman, Planner McManus

1. Public Comments: Lois Stewart, Emery Avenue, Flemington asked Board to please take a detailed look at all application and pay extra attention to things that we can do to limit effects of climate change, to make the site better for the community including requiring more vegetation where there was a need where impervious coverage was and to make each site better.

2. Mayor Comments: Mayor Karrow thanked Ms. Stewart for the thoughtful comments and would look at the tree ordinances including tree cutting. Mayor Karrow was working on putting together a parking committee that would also look at how to manage traffic including the long term issues with people that have driveways and garages that were parking on the street.

3. **Council Comments:** Mrs. Engelhardt discussed the parking committee that was discussed at the Council meeting and thanked everyone for supporting HPC for a successful house tour event. The Ordinance subcommittee met last night and would have a report soon for Board review. The Community Garden was having an event July 1 at 7 pm.

4. **HPC Comments:** Mr. Schoeb discussed that they had a meeting next week and discussed the success of the house tour on June 3, 2023 and thanked all the volunteers.

5. **Approval of minutes for the May 23, 2023 regular meeting.**

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

Ayes: Karrow, Cook, Engelhardt, Giffen, Levitt, Weitzman, Hill

Nays: (None)

Abstain: Campion, Doshna

Motion passed: 7-0-2

7:12 pm Mayor Karrow and Mrs. Engelhardt were recused from the use variance agenda item #7.

6. **Completeness: Douglas Stryker – Application #2023-02:** Block 35 Lot 60, 13 Brown Street

Attorney Steven Gruenberg appeared for the applicant and discussed the application for use variance for a proposed 2 family dwelling which would require a density 'd' variance and a side yard setback

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variance; revised plans had been submitted that would eliminate some of the variances noted in Mr. Clerico's first completeness letter.

Mr. Greunberg discussed that the Borough did not have a checklist for a variance application and felt that sufficient items were submitted to have the application deemed complete as they tried to address items in Mr. Clerico's second report. The outstanding issues included providing stormwater management, detailed grades on the site and a stormwater management plan and asked that these items be made a condition of approval due to expense to provide this now.

Mr. Clerico discussed the completeness items and outstanding items from the last report where the use and the parking associated with the use would be approaching the 50% impervious coverage limit that would trigger the need to have compliance with stormwater management. Mr. Clerico confirmed that the Board did not have a checklist for this type of application.

Mr. Kaczynski discussed the Board would need to determine if sufficient items have been submitted without having a checklist.

Motion to deem the application complete was made by Cook, seconded by: Hill.

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

The public hearing was tentatively scheduled for July 11, 2023.

7:21 pm Mayor Karrow and Mrs. Engelhardt returned.

7. Completeness: Douglas Stryker - Application #2023-03: Block 7 Lot 5 - 53 East Main Street

Attorney Steven Gruenberg appeared for the applicant and discussed the application for use variance for the former Harold Bush law office at 53 Main Street in TC zone where the prior approval limited the use to a lawyer's office with a residence on the second floor. The applicant would like it to be changed to all professional office use as well as requesting for barber shop and hair salon use permitted on the first floor where each proposed use was permitted in the zone but residence on second floor triggered the use variance. The applicant was not proposing any changes on the site and therefore this was an application for a 'd' variance for those uses. Mr. Gruenberg noted that this was the same argument that there was no checklist for a variance application where he submitted a letter today that the applicant was exempt from site plan per the ordinance and have provided an as-built survey of the site and that a floor plan would be provided during public hearing.

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Mr. Kaczynski discussed the site plan exemption requirements. Mr. Clerico saw the application as an amended site plan.

Mr. Gruenberg noted that there was no intensification of use on the site where either the first floor would be a professional office, a barber shop or a beauty salon but not any combination.

Motion to deem the application complete was made by: Hill seconded by: Cook

The Board discussed the prior approval and what was being proposed as well as the completeness report prepared by Mr. Clerico.

Mr. Gruenberg discussed that the applicant had essentially provided site plan items with the exception of the fees and checklist.

Vote on the motion to deem the application complete.

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

8. Chair Items:

- Next meeting: June 27, 2023 Items: Continuation of the public hearing for the BSD Flemington Apartments from May 9, 2023 pending submission of revised plans.
- Subcommittee: Rules of Citizen Input: Ms. Kaczynski discussed that the Board had a brief discussion at the last meeting regarding the ability of any Board member to take action with regard to a member of the public making an issue and the only other change to include a method to address repeated public questions by using 'asked and answered' language with possible adoption of the Rules on July 25, 2023.
- Subcommittee: Ordinance Review – PO district may be ready for distribution for discussion at the June 27, 2023 meeting.
- Mr. Doshna discussed that the Board did not have a checklist for variance application and suggested an ordinance review to correct this and other items such as the required number of copies to be submitted, etc. Mr. Clerico had provided a user friendly sample years ago. Mr. Doshna will look at the checklist and distribute for Board comments. The Board discussed.
- The Board would need to appoint an alternate planner for the two Stryker applications for public hearings as Ms. McManus's firm had a conflict. The Board discussed choosing an alternate planner from a firm that already has a contract with the Borough and asked that a

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resume and fee schedule be submitted for the next meeting on June 27, 2023 for executive session discussion. Next year the Board would consider having an alternate for all professionals.

9. Bills:

Motion to audit the bill was made by: Karrow, seconded by: Levitt

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

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

10. Professional Reports: None.

11. Executive Session: None.

12. Adjournment:

At 8:06 pm. Motion to adjourn was made by: Karrow, seconded by: Cook. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary