

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD REORGANIZATION MEETING
38 PARK AVENUE, FLEMINGTON, NJ 08822
HELD IN PERSON AND OFFERED VIRTUALLY VIA 'ZOOM WEBINAR' PLATFORM
TUESDAY, MARCH 12, 2024 – 7:00 PM

MINUTES

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

Present: Mayor Karrow, Councilwoman Fusaro, Ms. Giffen, Mr. Hill-remote, Mr. Doshna, Mr. Cook, Mr. Campion-remote, Ms. Weitzman-remote, Mr. Cimino, Ms. Swingle-remote, Ms. Dimario-remote, Mr. Schoeb-remote, Attorney Kaczynski, Planner McManus-remote, Engineer Ian Hill, Traffic Engineer Troutman.

Excused: Mr. Eckel, Engineer Clerico

1. **Public Comments** – None.

2. **Mayor Comments:** Mayor Karrow discussed that the Redevelopment was moving along for the Liberty Village area and Ms. McManus was working on the consistency review.

3. **Council Comments:** Councilwoman Fusaro would like Council comments to be removed from the agenda as she was not the Planning Board liaison. The Board discussed.

4. **HPC Comments:** Mr. Schoeb stated that the HPC did not have a meeting and that the historic house tour will be on June 1, 2024 at 11 am to 5 pm and was looking for volunteers to help.

Ms. Giffen announced that the public hearing for Central Station, LLC would be tabled until the April 9, 2024 meeting. Attorney for the applicant, Steven Gruenberg, appeared and requested that the public hearing on this matter be continued without further notice to be provide to the April 9, 2024 meeting.

5. **Professional Reports:** Ms. Kaczynski would have an update on the Living Wall at the next meeting.

6. **Approval of minutes for the February 27, 2024 regular meeting.**

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

Ayes: Karrow, Fusaro, Giffen, Hill, Doshna, Cook, Campion, Weitzman, Cimino

Nayes: (None)

Abstain: (None)

Motion passed: 9-0-0

Motion to amend the agenda to move the Completeness for Hunterdon Tea House, LLC to item #8 was made by: Cook; seconded by: Cimino. All were in favor.

7. **Completeness: Hunterdon Tea House, LLC** – Block 37, Lot 10 – 171 Main Street

Attorney, Steven Gruenberg, appeared and discussed that the metes and bounds for the right-of-way was being resolved and asked the Board to grant the temporary waivers set forth in Mr. Clerico's report. Ian Hill discussed that the report was in support of granting the waivers and deferred lighting and signage to Ms. McManus who did not have any objections knowing that the hours of operation would be only during daylight hours and the existing sign would be repurposed noting that additional

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information can be requested during the hearing. Mr. Schoeb noted that the applicant would need to make an application to the HPC. Mr. Gruenberg would look into this item.

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

Ayes: Karrow, Fusaro, Giffen, Hill, Doshna, Cook, Campion, Weitzman, Cimino

Nays: (None)

Abstain: (None)

Motion passed: 9-0-0

Public hearing was scheduled for March 26, 2024.

8. Ordinance 2024-01 Review: Liberty Village Phase 1 Redevelopment Plan

Mayor Karrow discussed that she did not want to rush this noting that the Pilot Agreement was still being prepared and would be introduced by the governing body on March 25, 2024. **However, the Redevelopment Plan, Redevelopment Agreement and Pilot would be considered at the time of second reading and public hearing which would most likely be some time in April.**

Ms. McManus discussed the amended redevelopment plan which replaces the prior plan and was in coordination with Ordinance 2024-01 and the referring resolution to the Planning Board. The major amendments was the total amount of units to 123 with 111 townhouses and 12 affordable housing units for special needs group; to the east of Stangl Road would be the townhouse community and west of the railroad and Stangl Road would be the remaining townhouses and affordable housing multi family units dedicated for veteran housing with an additional 7 affordable townhouse units integrated into rest of site. Two existing buildings would remain in area including the existing 2 story white Liberty Village office building on Church Street where the VAS district standards will apply and the existing brick building commonly called the allies building which was single story and would be subject to the VAS district commercial use standards; a park was to be constructed along Brown Street-which would be a Borough park with 175 sf of sitting area and play equipment; the plan included substantial stormwater management areas located behind the proposed Brown Street park and throughout the rest of development adding that the southwest parking area would be used for flood storage compensation and a small modest size retention basin throughout the site. The park access would be from Brown Street and from the development.

Ms. McManus discussed the most important feature was the requirement that the site plan comply with concept plan marked as Exhibit A including floor plans, access and a connection to Stangl where the site plan must be consistent with the concept plan with the architectural renderings would have the same requirement that they must be consistent with the plan for townhouses.

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The amended plan includes typical bulk standards, street trees and sidewalks throughout, access from either side of railroad and cannot exceed density set forth in the plan.

Mr. Cook confirmed that the original redevelopment area covered areas not included in this plan but could be part of future redevelopment under a separate Redevelopment Plan including the parking areas.

Ms. McManus confirmed that the existing Redevelopment Plan would be repealed where the redevelopment designation remains for the entire area noting that a future redevelopment plan could be phase 2 of the area.

Mayor Karrow noted the complication of stormwater regulations being changed so that the redeveloper could not build what he originally proposed.

The Amended Redevelopment Plan would be introduced with the Redeveloper Agreement and Pilot agreement all on March 25, 2024 with Board review on March 26, 2024 and a public hearing and adoption at second governing body meeting in April.

Copy of the Plan to be posted on the website by the Clerk, hard copies to be in the library and Borough Hall for public view.

9. Resolution 2024-05: Bless Wellness, LLC, Application 2023-06: Block 44, Lot 7 – 313 US Route 22

Ms. Kaczynski discussed that the applicant was asking for revisions to the conditions of the resolution and has provided notice out an abundance of caution if necessary which was reviewed. Upon review of the proofs of notice, Ms. Kaczynski found that the Board had jurisdiction to proceed.

Attorney, Lawrence Cutalo, appeared for the applicant and discussed November 27, 2023 proposed application for a cannabis dispensary at 315 Route 202 where at the public hearing the Board granted conditional approval and a proposed resolution was prepared. The applicant thought that the resolution could be amended regarding the condition to require review by Township of Raritan where a small portion of site was located in Raritan with the entirety of the Bless wellness building completely in Flemington Borough. Mr. Cutalo discussed the applicant's position that the condition should be included in outside agency approval rather than a requirement to obtain a letter of no interest from the Raritan Planning Board or Zoning Board of Adjustment and asked this Board to go back to a condition that anything from Raritan would pertain to outside approvals. Mr. Cutalo was making the request as they think that Raritan will not give a letter of no interest and they would need Raritan Township approval noting that he did not think that it was material and was made at the last part of the public hearing adding that they did provide notice out an abundance of caution.

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Mayro Karrow asked how it was different to get outside approval or letter of no interest. Mr. Cutalo discussed that the ordinances governing cannabis change rapidly and if Raritan changes the ordinance to allow cannabis they will not need to go to Raritan Twp.

Mr. Doshna noted that this was an outside agency condition in other resolutions with small portion of land in Raritan Township. Ms. Kaczynski confirmed that when a parcel is located in 2 towns the application must be reviewed in both towns.

Mr. Cutalo sent a letter to Raritan Township in December and did not hear back then requested letter of no interest and Raritan would not send a letter. Mr. Cutalo discussed that the original site plan was approved by Raritan and the Borough years ago adding that the recent Burger King resolution did not include a condition to go to Raritan Township. The Board discussed.

Motion to open hearing for public comment was made by: Doshna, seconded by: Karrow.

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

Lois Stewart – 32 Emery Avenue asked she could I comment on which was the condition.

Motion to close the public hearing was made by: Doshna, seconded by: Karrow

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

Motion to amend the condition Q that the applicant shall obtain all outside approvals was made by:

Doshna, seconded by: Cook

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

Nays: (None)

Abstain: (None)

Motion passed: 7-0-0

10. Resolution: Golden Heart Group Homes, LLC – Block 28, Lot 8 – 47 Maple Avenue

Resolution to be prepared for the next meeting.

11. Public Hearing: Central Station, LLC – Application #2023-05; Block 34, Lot 7 - 37 Mine Street

Ms. Giffen announced that the public hearing on for this matter would be carried to the April 9, 2024 meeting with no further notice to be provided.

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12. Chair Items:

- Ms. Giffen discussed that the resolution for applications would be added to the Borough website.
- Next Meetings: March 26, 2024: Resolution: Golden Heart Group Homes, LLC; Ordinance Review of the Liberty Village Redevelopment Plan; Public Hearing: Wertsville Road Properties, LLC (to be carried to the May 14, 2024 agenda; Public Hearing: Hunterdon Tea, LLC; Public Hearing: Central Station.
- Ms. Giffen discussed that the checklist revisions would be coming up. The Board discussed requiring certification that the utility bills are current as well as property taxes on any application.
- Ms. Schoeb was concerned about not having Council comments on the agenda. The Board discussed, the item would remain on the agenda per the By-Laws of the Planning Board.

13. Bills:

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

Ayes: Karrow, Fusaro, Hill, Doshna, Cook, Weitzman, Cimino

Nays: (None)

Abstain: Campion, Giffen

Motion passed: 7-0-2

14. Executive Session: None.

15. Adjournment:

At 9:09 pm. Motion to adjourn was made by: Karrow, seconded by: Cimino. All were in favor.

Respectfully submitted:

Eileen Parks, Planning Board Secretary