

* 4/1/14 *

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
TUESDAY, MARCH 25, 2014 – 7:00 PM

MINUTES

The meeting was called to order at 7:03 PM by Board Vice Chair Susan Engelhardt.

Roll Call:

Present: Mrs. Engelhardt, Mr. Greiner, Mayor Edwards, Mrs. Pedrick, Mr. Budney, , Mr. Hain, Attorney Gianos, Planner Hintz, Engineer Clerico

Absent: Mr. Cook, Ms. Kenoyer, Ms Melfi, Mr. Wachter,

Professionals excused: Traffic Engineer Rocciola

1. **Public comments** (7:00 – 7:15 PM) None.
2. **Approval of minutes from the February 25, 2014**, regular meeting

Motion to approve: Hain; second: Budney

Ms. Parks noted that the FBID power point presentation discussed at the meeting would be attached to the minutes.

Ayes: Engelhardt, Greiner, Edwards, Pedrick, Budney, Hain

Nays: (None)

Abstain:

Motion passed 6-0-0

3. **Discussion: 'Amendment to Redevelopment Plan for the Union Hotel: Expanded Union Hotel Redevelopment Area' dated March 7, 2014 prepared by Clarke Caton Hintz**

Mr. Greiner discussed the plan and listed the substantive deviations in the development plan from the existing zoning including maximum building height of 4 stories or 55 feet and coverage allowable to 100%. Mr. Greiner stated that the plan leaves the redevelopment design open to a developer. Mr. Hintz stated the next procedural steps including sending the amended redevelopment plan back to the Borough Council for approval and then it would be up to the Council to discuss/meet with the developer to create a plan noting that this document provided for the basic requirements stating that it was meant to be open to negotiation.

Mrs. Engelhardt asked Mr. Hintz to summarize the main points that makes the area 'in need of redevelopment'. Mr. Hintz stated that the continued vacancies in the area as well as the many code violations in the 90 Main Street building which is historically significant and will require major renovations as well as a general parking deficit in the area were the main criteria for the designation. Mrs. Engelhardt asked if the study should have included the Mikasa building on the other side of Main Street. Mayor Edwards stated that the Mikasa building was considered for the study and the Council decided specifically not to include that property noting that there had been a couple of interested parties in that building. Mr. Budney asked if the plan would go out for an RFP for a developer. Mayor Edwards stated that there would not be an RFP and to a large point the individual property owners would renovate the buildings noting that the Borough would not be

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redeveloping 90-100 Main Street. Mr. Greiner stated that he was fine with the brevity and the open ended nature of the redevelopment plan stating that a developer could come to the Council to discuss a plan. Mr. Hintz stated that he had spoken with the owners and that the owners know what was planned.

Mrs. Engelhardt discussed the long term goal of the original Union Hotel plan which would have the Borough create a parking authority regarding a parking deck or surface parking which would involve multiple properties in the study area. Mr. Hintz explained that Clarke Caton Hintz had developed a parking plan years ago with a parking deck and/or surface parking including the rear yards of several of the subject properties and that plan was still feasible without effecting the existing surface parking.

4. Resolution: 2014-6 Resolution of the Borough of Flemington Planning Board Recommending that the Borough Council Adopt the Redevelopment Plan for the Area South of the Union Hotel

Motion to approve the resolution: Hain; second: Budney
Ayes: Engelhardt, Greiner, Edwards, Pedrick, Budney, Hain
Nays: (None)
Abstain: (None)
Motion passed: 6-0-0

5. Discussion: Hunterdon County Planning Board

Mr. Greiner stepped down from the dais and appeared for the Hunterdon County Planning Board noting that he has been a member of the HCPB since January and that the County wanted to reach out to each municipality to make them aware of the County was doing. Mr. Greiner stated that the County Board met once a month on Thursday mornings with 8 members plus a director, 3 freeholders, 3 planners and 1 clerical staff. Mr. Greiner stated the various functions of the County Board beyond looking at development applications which was a small part of the County's function. Mr. Greiner stated that the County was currently preparing an economic study in an effort to boost the economy while retaining the rural nature of the County. Mr. Greiner stated that County had created a planning group to gather information including details on housing, infrastructure, demographics, natural resources, etc. noting that the county saw a shortage of rental or short term housing while being overbuilt in retail. Mr. Greiner stated that the County Board was also involved with open space, farmland, economic development, historic heritage and transportation as well as grant applications.

Mr. Greiner stated that the County held quarterly breakfasts including various topics such as shared services, farmland preservation and eminent domain noting that the County Board was open to suggestions for future topics. Mr. Greiner stated that the County Board was accepting nominations

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for 2014 awards in various categories to be awarded in September noting that many of the awards were self nominated and that the HPC was looking into submitted a body of work for consideration.

Mrs. Engelhardt asked if Mr. Greiner had to recuse himself if a County project which involved Flemington, Mr. Greiner explained that a development review commission of a few members was created for an application and that he would excuse himself from a review commission that included an application in Flemington. Mrs. Engelhardt suggested the discussion topic of parking including urban vs rural, parking authority creation, trends in parking and how parking fit physically into the Master Plan of each municipality.

Mr. Ash Jian, 39 Mine Street, asked if the public was invited to the quarterly breakfasts, Mr. Greiner stated that the public was invited. Mr. Jian suggested a topic on how to turnaround economically distressed properties. Mr. Greiner stated he would suggest the topic and stated that the County Board met on the first Thursday of each month at 8:30 a.m. at the County complex on Route 12

- 6. Public comments:** Mrs. Engelhardt stated that since there was a member of the public present that she would return the meeting back to agenda item #1 for public comments.

Ash Jain, owner of 39 Main Street appeared, Mr. Jain stated that he had a zoning question regarding a professional office to sell cars over the internet at his property including a small office with 2-3 parking spaces further stating that the state requires a physical address for the sale of vehicles and to be registered with the local authority and stated that auto sales was not a permitted use in the district. Mr. Gianos asked if Mr. Jian had received a denial from the zoning officer, Mr. Jian responded that he did have a denial from Mr. Klein. Mr. Gianos stated that since the issue would involve a decision by the zoning board of adjustment that the Board could not discuss the application further and that he could only provide procedural comments. Mr. Jian stated that he had spoken to Robert Shore of the FBID and that Mr. Shore had advised him to come to the Board for an informal discussion, Mayor Edwards stated that Mr. Shore had no authority to speak for the Board. Mr. Gianos stated that under the MLUL when the Board was acting as the Zoning Board of Adjustment they could not discuss a particular case prior to a public hearing where he would provide testimony under oath with proper public notice having been provided. Mr. Gianos stated that the Board was required to follow the procedures of the MLUL. Mr. Gianos stated that Mr. Jian could appeal the decision of the zoning officer by filing a notice of appeal with Mr. Klein within 20 days of the denial for Mr. Klein to turn over his records to the Board and/or that Mr. Jian could apply for the variance where it deviated from the ordinance noting that Mr. Jian could apply for both at the same time since they would both require public notice if that was Mr. Jian's inclination. Mr. Gianos suggested that Mr. Jian speak to an attorney experienced in land use noting that this issue was complicated.

Mrs. Engelhardt stated that to be clear public comment section is for public comments not to request an interpretation or an informal discussion further stating that an informal discussion

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would still need to have something submitted to be placed on the agenda. Mr. Gianos stated that the reason for this was to give the Board's professionals some idea of what the issue was prior to the meeting.

7. Council Items: None

8. Chair items:

Mrs. Engelhardt thanked the Board members for coming to the meeting and reminded the Board members that discussion of the Terranoble presentation was on the April 7th agenda and that she and Chairman Cook were asking the Board members to look over the presentation and be prepared with comments and discussion points and to be sensitive when discussing applications that were presently before the Board.

Mrs. Engelhardt stated her concerns regarding the proposed 2014 budget for the Planning Board noting that several reports had been authorized with possibly more to come this year that would be charged to the Planning Board budget and asked the Council to be conscious of those items when discussing the budget.

Mrs. Engelhardt stated that the Borough was contracting Maser Consulting to design a streetscape plan with the FBID and asked if the plan was going to be submitted for review by the Planning Board for compliance with the Master Plan. Mayor Edwards stated that the FBID had hired Maser Consulting and was paying for the application for grant money for the streetscape plan further stating that you could now apply for the grant with a concept plan instead of engineering a full detailed plan noting that the FBID had a concept plan. Mr. Budney stated that the streetscape plan should be reviewed by the Planning Board, sign review committee and/or the HPC before it was submitted for the grant. Mrs. Pedrick discussed a previous streetscape plan that was prepared, Mayor Edwards stated that previous streetscape plans had been provided to Maser Consulting and noted that the FBID was taking a new look at the streetscape. Mayor Edwards stated that she would follow up with the concept plan being submitted to the Board, for the April 7, 2014 meeting. Mayor Edwards stated that the FBID had requested that the Council adopt a resolution approving the grant application no later than the April 14, 2014 Council meeting to give them 30 days to submit the plan for the grant. Mr. Budney stated that the plan design should comply with the ordinance and that the streetscape could require variances. Mayor Edwards stated that she had made that clear when the project started.

9. Bills:

Motion to approve: Greiner; second: Budney

Ayes: Engelhardt, Greiner, Edwards, Pedrick, Budney, Hain

Nays: (None)

Motion passed 6-0-0

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10. **Adjourn**

Motion to adjourn at 8:00 p.m.: Edwards; second: Hain

Ayes: All were in favor

Nays: (None)

Motion passed 6-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary

These minutes were approved on April 7, 2014