

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
TUESDAY, JANUARY 28, 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, Ms. Kenoyer, Mr. Greiner, Ms Melfi, Mayor Edwards, Mrs. Pedrick, Mr. Wachter, Mr. Budney, Attorney Gianos

Absent: Mr. Cook, Mr. Hain,

Professionals excused: Planner Hintz, Engineer Clerico, Traffic Engineer Rocciola

1. **Public comments** (7:00 – 7:15 PM) Elaine Gorman, 34 New York Avenue, asked why the oath of office was not performed during the meeting, Mr. Gianos explained.
2. **Approval of minutes from the January 6, 2014**, regular meeting

Motion to approve: Melfi; second: Greiner

Mrs. Engelhardt noted revisions to the minutes

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

Nays: (None)

Abstain: Kenoyer, Wachter

Motion passed 6-0-2

3. **Approval of minutes from the January 6, 2014**, executive session minutes

Motion to approve: Melfi; second: Budney

Mayor Edwards noted revisions to the minutes

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

Nays: (None)

Abstain: Kenoyer, Wachter

Motion passed 6-0-2

4. **Resolution: Redevelopment Study of South of the Union Hotel**

'Properties located at 78 Main Street, 80 Main Street, 82 Main Street, 90-100 Main Street, 104 Main Street, 110 Main Street, 7 Spring Street, 19 Spring Street, 3 Chorister Place and 6 Chorister Place, identified on the Borough of Flemington Tax Map, as Block 22, Lots 5, 6, 7, 8, 9, 10 and 12, Block 23, Lots 1 and 7 (the "Study Area").'

Ms. Melfi stated that the parcel that was originally designated as an area in need of redevelopment known as the Union Hotel was separate from this study which was expanding the area in need of redevelopment south of the Union Hotel and further clarified that the original study did not include any designation regarding eminent domain. Ms. Melfi stated that the intent of the Planning Board was to recommend that the entire area not be subject to eminent domain and should be one area.

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Mayor Edwards stated that the law did not require a designation regarding whether or not the area would be subject to eminent domain at the time the original study for the Union Hotel was done.

Ms. Melfi stated that there was logic in including eminent domain in the study area for Hunter Hills but that there was no reason for it regarding this area. Ms. Melfi asked the Council members to turn to the Borough professionals to have none of the properties in the Union Hotel or expanded area be subject to eminent domain and be clear that it is one area of redevelopment.

Mr. Greiner stated that he thought there was a memorandum of understanding with the Union Hotel developers that the Borough would not use eminent domain and would look into it further.

Ms. Melfi stated her concern that if the current developers were to back out and the Borough had to start all over again that it might be difficult to find a developer if the original Union Hotel area was separate and unclear if it was subject to eminent domain. Mr. Budney stated that areas should be consistent in their intent and agreed that the area should not be subject to eminent domain.

Mr. Gianos explained that the Board could only deal with the resolution that was being presented tonight for approval further stating that he did not believe the Board would have the authority to change the original resolution regarding the Union Hotel area. Mr. Gianos stated that Council had jurisdiction over the matter and that the Board was charged with providing recommendations to Council.

Ms. Melfi stated that she was glad the study came back for the expanded areas and thought this was smartest area of redevelopment in the Borough and asked that the representatives from Council state the Board's recommendations at the next Council meeting.

Mrs. Engelhardt stated on the record that she had listened to the tape of the public hearing on December 16, 2013 and was therefore eligible to vote. Mr. Gianos asked Ms. Parks to provide a certification for Mrs. Engelhardt to sign that she had listened to the recording.

Motion to approve the resolution: Greiner; second: Melfi
Ayes: Engelhardt, Greiner, Melfi, Edwards, Wachter, Budney, Hain
Nays: (None)
Abstain: (None)
Motion passed 7-0-0

5. **HPC Applications:** HPC 2014-01 accept January 15, 2014 recommendation for 38 Maple Avenue, Christine Guhl

Mr. Greiner discussed the application and deferred to Ms. Gorman for any questions as he was still at the presentation of the FBID during the application discussion at the HPC meeting.

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Elaine Gorman, Chair of the HPC, discussed the application to install a fence noting that it was straight forward and there was no objections from the HPC.

Mr. Budney recused himself from the application

Motion to approve: Greiner; second: Melfi

Ayes: Engelhardt, Kenoyer, Greiner, Melfi, Edwards, Pedrick, Wachter

Nays: (None)

Abstain: (None)

Motion passed 7-0-0

- 6. Council Items:** Mr. Greiner discussed the FBID workshop that he attended on January 16, 2014 including the concerns of the residents of Park Avenue regarding the extension of the roadway to Brown Street including traffic problems and quality of life issues. Mr. Greiner stated that the FBID would refer to the Planning Board regarding changes in zoning or Master Plan issues and suggested that the Board members review the plans on the website if they did not attend the workshop. Mayor Edwards stated that the FBID would be providing copies of the proposed redevelopment areas in the Borough for review. Ms. Melfi asked if the FBID were coming back to the Planning Board. Mr. Greiner stated that another workshop was being planned for the end of February. Mr. Budney stated that a redevelopment subcommittee was to be formed after the next workshop including members of the public, council and planning board to work on short and long term projects including revisions to the Master Plan and zoning regulations. Mr. Budney stated that the FBID thought the zoning regulations were antiquated especially in regards to building height and density. Mrs. Engelhardt stated that the zoning was not so much antiquated as not appropriate for the Borough. Mrs. Engelhardt suggested that the date of the workshop be announced as early as possible to allow residents to attend, Ms. Gorman agreed.

- 7. Chair items:** Ms. Parks stated that there were no agenda items for the February 3, 2014 meeting.

Motion to cancel the February 3, 2014 meeting: Budney; second: Melfi

Ayes: All were in favor

Nays: (None)

Motion passed 8-0-0

Mr. Gianos asked if there was any applications submitted for the February 25, 2014, Ms. Parks stated that Dallas Bellin had provided some compliance information but that no application or request had been submitted yet.

- 8. Bills:**

Motion to approve: Greiner; second: Kenoyer

*** 2/11/14 ***

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Ayes: Engelhardt, Kenoyer, Greiner, Melfi, Edwards, Pedrick, Wachter, Budney
Nays: (None)
Motion passed 8-0-0

9. **Adjourn**

Motion to adjourn at 7:33 p.m.: Melfi; second: Greiner
Ayes: All were in favor
Nays: (None)
Motion passed 8-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary

These minutes were approved February 25, 2014