

* 5/13/14 *

FLEMINGTON BOROUGH
PLANNING/ZONING BOARD MEETING
MONDAY, APRIL 29, 2014 – 7:00 PM

MINUTES

The meeting was called to order at 7:00 PM by Board Chair Todd Cook.

Roll Call:

Present: Mr. Greiner, Ms. Melfi, Mr. Cook, Mayor Edwards, Mrs. Pedrick, Mr. Budney, Mr. Hain,
Attorney Gianos, Planner McManus, Engineer Clerico
Mrs. Engelhardt entered at 7:05 p.m.

Absent: Ms. Kenoyer, Mr. Wachter

Professionals excused: Traffic Engineer Rocciola

1. **Public comments** (7:00 – 7:15 PM) None.
2. **Approval of minutes from the April 7, 2014**, regular meeting
Motion to approve: Melfi; second: Greiner

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

Nays: (None)

Abstain: Hain

Motion passed: 6-0-1

3. **HPC Applications:**

- HPC 2014-04 accept April 16, 2014 recommendation for 128-130 Main Street, Don Shuman

Mr. Greiner discussed the application including that the shingles were to be replaced with the accepted 'hardyplank' and noted that the replacement of the windows had been deferred.

Motion to approve: Greiner; second: Melfi

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

Nays: (None)

Abstain: (None)

Motion passed: 8-0-0

- HPC 2014-05 accept April 16, 2014 recommendation for 18 Pennsylvania Avenue, Gema Castenada

Mr. Greiner discussed the application for replacement of the shingles.

Motion to approve: Greiner; second: Melfi

Ayes: Greiner, Melfi, Edwards, Cook, Pedrick, Budney, Hain

Nays: (None)

Abstain: Engelhardt

Motion passed 7-0-1

4. **Ordinances:**

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- Ordinance 2014-8 to modify the approval process for certain banners:

Mr. Greiner stated that there had been some recent discussion over the coordination of approving and scheduling of banners across Main Street and that the Borough attorney had recommended rewording of the ordinance to make clear what banners are approved. Mr. Greiner stated that the number of banners had recently increased and that the Borough and the FBID were inundated with trying to manage the quantity of banners. Mr. Greiner read the proposed banner ordinance including *"If the banner is being hung across Main Street between the Historic Courthouse and the Union Hotel, the banner shall be hung for no more than 14 days for a one-time event that promotes the general economic development of Flemington, including but not limited to holiday parades or fireworks, car shows, craft fairs, or restaurant week, , and not any individual commercial business, nonprofit entity or person, or any religious or political event or interests of a non-commercial nature"*. The Board discussed the modifications and stated their concerns regarding the approval or denial of banners including which organizations and what constitutes 'general economic development' and suggested reducing the display period of each banner to 1 week.

Ms. Melfi asked what the current process was, Mr. Greiner stated that the zoning officer reviews the banner application and if approved the banner was scheduled to be displayed and hung by the FBID and if the banner was denied the applicant had the option to appeal the decision to Council.

Mrs. Engelhardt stated that the wording in the last sentence reading *"An applicant who is denied permission to hang a banner across Main Street may appeal the denial to the Borough Council."* Mrs. Engelhardt suggested that the word 'denial' was too harsh and suggested it be changed to ...may appeal the 'decision' to the Borough Council.

Mr. Hain stated that there were other sites in the Borough where banners could be placed with the consent of the property owner. Mr. Greiner stated that procedure would not change.

Ms. Elaine Gorman, asked if the modifications would result in a banner being denied for an for an upcoming Tricentennial event, Mr. Greiner stated that technically that it would, Mayor Edwards stated that an exception could be made for a Borough sponsored event. Ms. Gorman asked about a banner for the Historic House Tour which was sponsored by the Borough, Mr. Greiner stated that it might conflict with the craft fair, in which case an alternate location could be used for the banner.

Chris Englehart , 182 Main Street, asked about a banner for the Stangl House auction, Mr. Greiner that a single-business would not be appropriate for a Main Street banner.

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Mr. Cook stated that approval of the banners was subjective and should have a general economic benefit to Flemington adding that he would not want to see a banner in place every week across Main Street.

- Ordinance 2014-4 to allow outdoor dining in DB zone.
- Ordinance 2014-5 to allow outdoor dining in DBII zone.
- Ordinance 2014-6 to allow outdoor dining in TC zone.
- Ordinance 2014-7 to allow outdoor dining in VAS zone.

Mr. Greiner stated that the last four ordinances were essentially the same and noted that the only revision was to replace the word 'in front' of a building for the location of outdoor dining to read 'adjacent' to any building for the location of outdoor dining. Ms. Melfi asked if this would affect any existing outdoor dining, Mr. Greiner stated that all existing dining would still be permitted being adjacent to the building. The Board discussed and accepted the changes.

Mr. Greiner stated that he would bring the recommendations back to Council.

5. Discussion: 'Downtown Strategic Plan Report' prepared & presented by Tim Delorm of Terra Noble Design, PA

Mr. Cook discussed the presentation and asked the Board to list the pros and cons and try to define the next steps to move forward in the short and long term and what needs to be set in place with input from the FBID.

Ms. Melfi stated that the Borough had outdated zoning ordinances and master plan and should work with the FBID to move forward and suggested that a member of the FBID be present at the Board meetings and that a Board members attend meetings at the FBID.

Mr. Greiner referred to the six sites recommended in the report for redevelopment and stated that if that was the kind of projects the Borough wanted then the town would need to get ordinances in place to attract developers to invest in Flemington.

Robert Shore, Chairman of the FBID, stated that he was a voice for the business community and was a resource for the Planning Board and looked to build a partnership.

Mrs. Engelhardt discussed her concerns and comments regarding the presentation including that she wanted to calm public concerns that the plans shown in the report are not set in stone. Mrs. Engelhardt stated that she thought the ordinance was not outdated but perhaps too suburban for Flemington and suggested a more concise master plan including images to help define the goals of

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the ordinance. Mrs. Engelhardt stated that there was a boom in housing industry and that Flemington should take advantage of that noting that Flemington had room for all kinds of housing. Mrs. Engelhardt discussed the individual redevelopment sites listed in the report and stated that zoning adjustments should be made to those site including the sites that have site plan approvals in case they were not built. Mrs. Engelhardt noted her concerns that the town did not implement the zoning overlay in the area of the egg auction and Steve's store.

Mr. Delorm introduced Phil Evans, president of The Lanwin Group, LLC, Mr. Evans gave his input on what he looked at for development opportunities including an indication if a town wanted change which needed to be consistent from the governing body, the planning board and members of the public and stated that the master plans should include what densities the town wants. Mr. Evans stated that creating a sense of place with a good streetscape pulls a town together and encourages economic growth. The Board discussed development issues with Mr. Evans including trying to educate the public.

Mr. Budney suggested that the report be incorporated into the re-examination of the master plan noting that the town was nearly built out and asked if the infrastructure including water and sewer could support the development and the densities indicated in the report. Mayor Edwards stated that the town was continually working to increase water capacity. Mr. Budney stated the main issues with the ordinance included density, setbacks and building height.

Mr. Hain asked to get investment in the town what comes first housing or retail, Mr. Evans said the town needed more rooftops and walk-ability to town, noting that 30-40 year olds want lifestyle environments with 5-6 restaurant in walking distance and a movie theatre while developers need extra density to pay for the quality construction and design. Mrs. Engelhardt asked if a form based code was written into a plan, Mr. Evans stated that it was in the developer's agreement. Mrs. Engelhardt asked if there was a timeline the Mr. Evans looked for approvals, Mr. Evans stated that he looks for a good indication of approval from the town within 120 days with an investment of approximately \$25,000 maximum. Mr. Greiner asked if an area designated as an area in need of redevelopment helped or hurt in a search for a developer of a site, Mr. Evans said that was not what he looked for but other developers may want that noting that he generally looked for sites with approvals in place and further added that Flemington has the opportunities to create a lifestyle sense of place that developers were looking for.

Mrs. Pedrick stated that her concerns were that the report only looked at long term improvements whereas business owners were looking for something sooner, Mr. Delorm stated that although the plan looked at 10-20 year projects the town could see improvements within 2 years noting that

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every 100 extra residents increase the town's income. Mrs. Pedrick stated that you had to start somewhere and that the town will need to educate the public.

9:20 p.m. the Board took a break.

9:30 p.m. the Board reconvened.

Mr. Cook stated that it looked like the Board was in agreement and asked for the Board's professionals for comments.

Ms. McManus stated that the Board could incorporate the report into a new master plan that should be Borough-wide with 2, 5, 10 & 20 year steps including changes to densities and height requirements noting that the board would need to have the details regarding infrastructure.

Mr. Clerico stated that the Board would need to look at water capacity to supply the higher density and look at circulation patterns. Mr. Clerico stated that a general development plan was also an option to move things forward or Council could adopt ordinance without board approvals with a supermajority vote.

Mr. Greiner stated that a master plan would take some time and funding and that the Council should discuss. Mayor Edwards agreed and noted that the developers would drive change. Mr. Hain suggested that the Board work closely with the FBID to implement a plan.

Mr. Shore suggested the Board outline the process of how to move forward perhaps creating a subcommittee. Mr. Evans stated that developers want to see if change was happening in a town. Mr. Delorm suggested that the Board develop a strategy to implement the plan with perhaps overlay zones that are consistent with the plan first or prepare GDP to get shovels in the ground as soon as possible. Robert Benjamin stated that the town and board need to make it easier for developers stating that anything west of Branchburg was considered risky to developers.

Mr. Shore stated that the FBID had submitted recommended changes to the zoning ordinances and application procedures, Mayor Edwards stated that those suggestions had been distributed to the Board members and was on the agenda for discussion on the May 5, 2014 regular board meeting.

6. Council Items: None

7. Chair items:

Mr. Cook stated that he would not be able to attend the June 2 meeting and went over some possible agenda items for the May 27 meeting.

8. Bills:

Motion to approve: Greiner; second: Hain

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Ayes: All were in favor
Nays: (None)
Motion passed 8-0-0

9. **Adjourn**

Motion to adjourn at 10:25 p.m.: Melfi; second: Hain
Ayes: All were in favor
Nays: (None)
Motion passed 8-0-0

Respectfully submitted

Eileen Parks
Planning Board Secretary

These minutes were approved May 27, 2014