



The Borough of Hightstown Planning Board

156 Bank Street, Hightstown, New Jersey 08520
609-490-5100, extension 617

PLANNING BOARD MEETING AGENDA January 9, 2017 – 7:30 P.M.

Meeting call to order by Fred Montferrat

STATEMENT: Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Laws 1975, Chapter 231. Said notice was advertised in the, Trenton Times and Windsor-Hights Herald as required by law, and is posted in the Borough Clerk's Office.

Flag Salute

Roll Call – Planning Board

Approval of Agenda

Nominations - Chairperson and Vice Chairperson

Oath of Office: Steve Misiura, Class III
 Bill Searing, Class II
 Dodie Colavecchio
 Ronald Hansen
 Joshua Jackson
 Raymond Cabot – Alt. #2

Approval of Minutes December 12, 2016 Regular Meeting

Public Comment

Resolutions 2017-01 - Meeting Schedule 2017
 2017-02 - Newspaper Designation
 2017-03 - Appointing the Planning Board Secretary
 2017-04 - Appointing the Planning Board Engineer
 2017-05 - Appointing the Planning Board Attorney

Old Business:

Finalize proposed Master Plan Amendments:

- a. Route 33 Ordinance Parameters - Tamara Lee
- b. COAH – Housing Element and Fair Share Plan – Tamara Lee
- c. Amendments for the Master Plan – Cultural Arts Commission Public Arts Master Plan and Hightstown Downtown Design Manual – Tamara Lee

New Business

Committee and Professional Reports

Chairman and Board Member Comments

Next Meeting – February 13, 2017

Adjournment

Hightstown Planning Board
 Regular Meeting
 December 12, 2016, 7:30 p.m.

OPEN SESSION

Fred Montferrat, Chairman, called the meeting to order at 7:33 p.m. and read the Open Public Meetings Act statement: "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act, pursuant to Public Law 1975, Chapter 231. Said notice was sent to the Trenton Times and the Windsor-Hights Herald, and is posted in the Borough Clerk's office."

Flag Salute

Roll Call

	PRESENT	ABSENT	LATE ARRIVAL
Mr. Montferrat, Chairman	X		
Mayor Quattrone	X		
Councilman Misiura	X		
Ms. Colavecchio	X		
Mr. Hansen	X		
Mr. Lane		X	
Mr. Musing	X		
Mr. Searing	X		
Mr. Balcewicz, Alt. #1	X		
Mr. Cabot, Alt. #2	X		
Mr. Jackson	X		

Also in attendance: Sandy Belan, Planning Board Secretary, Tamara Lee, Borough Planner and Jolanta Maziarz, Planning Board Attorney. Carmela Roberts, Borough Engineer was not present.

APPROVAL OF AGENDA

Mr. Montferrat asked for a motion to approve the agenda. Motion made by Mayor Quattrone to approve the agenda. Ms. Musing seconded.

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Colavecchio, Mr. Musing, Mr. Hansen, Mr. Searing, Mr. Balcewicz, Mr. Cabot and Mr. Jackson voted yes. Mr. Lane was absent. **Motion passed 10-0.**

APPROVAL OF MINUTES

Mr. Montferrat asked if there were any corrections or comments to the minutes of the November 14, 2016, Regular Meeting. Motion made by Mr. Balcewicz to approve the minutes. Mr. Hansen seconded.

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Colavecchio, Mr. Musing, Mr. Hansen, Mr. Searing, Mr. Balcewicz, Mr. Cabot and Mr. Jackson voted yes. Mr. Musing abstained. Mr. Lane was absent. **Motion passed 9-0, with one abstention.**

Mr. Montferrat asked if there were any corrections or comments to the minutes of the November 14, 2016, Executive Session. Motion made by Mr. Cabot to approve the minutes. Mr. Balcewicz seconded.

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Colavecchio, Mr. Musing, Mr. Hansen, Mr. Searing, Mr. Balcewicz, Mr. Cabot and Mr. Jackson voted yes. Mr. Musing abstained. Mr. Lane was absent. **Motion passed 9-0, with one abstention.**

PUBLIC COMMENT

Mr. Montferrat opened the floor for any public comments on any items not on the agenda.

Ms. Maziarz introduced Robin Wright who works with her. In the event Ms. Maziarz has a conflict and is not able to attend a meeting, Ms. Wright will be present. Mr. Montferrat welcomed Robin Wright.

There being no further comments, Mr. Montferrat closed the public comments.

NEW BUSINESS:

- 1) Memorialization of Resolution 2016-16 – Granting Extension of Resolution 2015-08 – Teckno Properties, LLC – Minor Subdivision Approval Block 47, Lots 5 & 6, 314 Second Avenue, Hightstown.

Ms. Maziarz informed the Board that there are insufficient escrow funds for professional services. She suggested that the Board should memorialize the resolution and adopt its decision. However, the deed should not be signed by the Board Secretary until escrow funds are replenished. The applicant's attorney will be informed that they must comply with the resolution and everything needs to be done (all accounts paid in full) before the deed will be signed.

Mr. Balcewicz – Item c of the Resolution states “The applicant shall pay in full any and all taxes, fees and any other sums owed to the Borough before any certificate of occupancy shall be issued for the Property.” Should the resolution specifically state that escrow funds need to be replenished?

Ms. Maziarz – The statement in the resolution is sufficient enforcement should they not fulfill their financial obligation.

Motion made by Mayor Quattrone to approve Resolution 2016-16 – Granting Extension of Resolution 2015-08 – Teckno Properties, LLC – Minor Subdivision Approval Block 47, Lots 5 & 6, 314 Second Avenue, Hightstown. Mr. Balcewicz seconded the motion.

Roll Call Vote: Mr. Quattrone, Mr. Misiura, Mr. Searing, Mr. Balcewicz and Mr. Cabot voted Yes; Not Eligible: Mr. Montferrat, Ms. Colavecchio, Mr. Hansen, Mr. Lane and Mr. Jackson; Absent: Mr. Musing.

OLD BUSINESS:

- 1) Route 33 Ordinance Parameters – The subcommittee reviewed their proposed changes to the GR Gateway Retail and OC Office Campus Zoning District which outlines the following for each zone:
 - a) Permitted Uses
 - b) Zoning Restrictions (variances)
 - c) Site Design Restrictions (waivers)
 - d) Design Guidelines (review considerations)
 - e) Standards for Conditional Uses
 - f) Parking Standards

Board Discussion

GR Gateway Retail District

- a) Do not permit drive through/24-hour restaurants
- b) Hotels & motels – Ms. Lee - Lakefront vision project suggests a motel or hotel in downtown to attract more out of town business. There could be an argument that if you want it in downtown you don't allow it on the edge of town. This would be a policy decision. You could make it a conditional use (motels are usually smaller than hotels). Previously discussed out of town business, Peddie School visiting parents and Hightstown as a destination. Re-examination report suggests additional bed and breakfasts within the larger homes.
Mr. Misiura – The benefit of a small hotel would be a restaurant with a liquor license which would be appropriate for both zones.
Keep motels and hotels in this zone
- c) Educational (test prep or tutoring) fall under “personal use” or is it something that could be added?
Ms. Lee – I use the NAICS (North American Industry Classification System) which gives an objective listing and categorization of different uses. Educational and personal services are two completely different categories. However, it could be added either as a permitted or conditional use. Determine what type of use the Board wants and if someone comes in with something similar it would be up to them to prove that they fit within the category. Anything else would come before the Board for interpretation or use variance. I will use the NAICS as a guide to make sure we tailor the ordinance specifically to what you want. Will add this under conditional use
- d) Parking – What is more important protecting the appearance of the streetscape or having courtesy parking in front? Downtown parking – studies show that parking meters are better for business – set up in concentric rings (30-minute parking closer to downtown; 45-minute parking further out; 1-hour parking further out). Reviewed proposed Parking Standards – in built up communities do not require as much parking as you do in suburbs.
- e) Site Design Restrictions – would require site plan waiver. Loading zones – add shared loading zones (businesses within 500 feet). Restrict truck traffic delivery – too restrictive and may cause traffic delays and backups.

OC Office Campus District

- a) Add tutoring facilities to Office Campus
- b) Conditional Uses – limit number of beds (120) both assisted living facilities and nursing homes.

- c) Building height – Ms. Lee will design a cross section to show the Board. Additional set back to help offset the building height. Board expressed concern with the neighbors regarding the building height.
- d) Commercial buildings you use FAR (floor area ratio) – which helps to control the intensity (traffic and parking). FAR is a safety net, without it developers will look at all the other regulations and fit in as much as possible because there is no overall control regarding the size of the building. Board recommended that FAR be removed and rely on open space.
- e) Site Design Restrictions – Board questioned whether the minimum ground floor height being twelve feet – Remove.

Ms. Lee will update the ordinance parameters to include the Board’s suggestions and develop the cross section for the Board to review at the January Meeting.

- 2) COAH – Housing Element and Fair Share Plan –All Planning Board members received updated copies of the following documents:
 - a) Housing Element and Fair Share Plan with Spending Plan dated November 9, 2016
 - b) Vacant Land Analysis dated October 26, 2016

Received updated Affordable Housing Funds numbers from George Lang, CFO, and Ms. Lee will update that information in the Spending Plan. Ms. Lee reviewed the spending plan portion of the Housing Element. Discussion on the status of the Holly House: is it a group home; do they get funds from Department of Developmental Disabled. If the group is subsidized by the DDD, they usually require deed restriction. If they are subsidized by the state and are deed restricted, the Borough should receive credit for the group home. Mayor Quattrone will ask Henry Underhill to determine the status of the Holly House with regard to deed restriction and inform Ms. Lee.

Borough Council has reviewed the Housing Element and Fair Share Plan. These two documents will be amended to the Master Plan. The Board will have a final review at the January meeting.

Next step would be for the Planning Board to review and discuss; hold a public hearing to adopt these documents as amendments to the Master Plan.

- 3) Amendments to the Master Plan:
 - a) Cultural Arts Commission Public Arts Master Plan – Board will review and hearing will be held.
 - b) Hightstown Downtown Design Manual - minor change page 8 third paragraph remove last sentence, “These inappropriate architectural design changes have contributed to a decline in property values and reduced prosperity of commercial and residential neighborhoods and the Hightstown community as a whole.”

A public hearing for the amendments (COAH – Housing Element and Fair Share Plan, Cultural Arts Commission Public Arts Master Plan and Hightstown Downtown Design Manual) will be held at the February 13 Planning Board Meeting. Each item will have a separate resolution.

COMMITTEE AND PROFESSIONAL REPORTS

Ms. Colavecchio – The Historic Preservation Commission is scheduled to meet on Tuesday, Dec. 20th.

Mr. Jackson – Environmental Commission – continuing the work on the Sustainable New Jersey Grant.

Mr. Musing – The Sign Subcommittee plan to meet again to further discuss interior and exterior lighted signs and clutter in windows.

BOARD MEMBERS COMMENTS

- 1) Minute Maid Property – Ms. Maziarz – At this point it goes to litigation, handled by the Borough Attorney. There is a settlement agreement and notice of violation has been issued.
- 2) Mayor Quattrone, Henry Underhill, Lee Stults and Carmela Roberts (Borough Engineer) recently met with DOT regarding parking and signage in the downtown area. Very receptive and positive meeting.
- 3) Mr. Misiura – proceedings have begun for eminent domain for a portion of the Rug Mill property.

There being no further business Mr. Montferrat asked for a motion to adjourn. Motion made by Mr. Balcewicz and seconded by Mr. Musing. All ayes. Meeting adjourned at 9:36 p.m.

Respectfully submitted,

Sandra Belan
Planning Board Secretary

Resolution 2017-01

*BOROUGH OF HIGHTSTOWN PLANNING BOARD
COUNTY OF MERCER
STATE OF NEW JERSEY*

2017 MEETING SCHEDULE

BE IT RESOLVED by the Planning Board of the Borough of Hightstown that the meetings of the Planning Board for the remainder of 2017 and for the first meeting in 2018, will be held at **7:30 p. m.**, at the Hightstown Engine Co. #1 Firehouse Hall, 140 North Main Street, Hightstown, on the following dates:

2017

Monday	February 13, 2017
Monday	March 13, 2017
Monday	April 10, 2017
Monday	May 8, 2017
Monday	June 12, 2017
Monday	July 10, 2017
Monday	August 14, 2017
Monday	September 11, 2017
Tuesday	October 10, 2017
Monday	November 13, 2017
Monday	December 11, 2017

2018

Monday	January 8, 2018
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CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on January 9, 2017.

Sandra Belan, Planning Board Secretary

Resolution 2017-02

*BOROUGH OF HIGHTSTOWN PLANNING BOARD
COUNTY OF MERCER
STATE OF NEW JERSEY*

DESIGNATING OFFICIAL NEWSPAPERS

BE IT RESOLVED by the Planning Board of the Borough of Hightstown that the *Trenton Times* and the *Windsor-Hights Herald* are hereby designated as the official newspapers for the year 2017.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on January 9, 2017.

*Sandra S. Belan
Planning Board Secretary*

Resolution 2017-03

*BOROUGH OF HIGHTSTOWN PLANNING BOARD
COUNTY OF MERCER
STATE OF NEW JERSEY*

APPOINTING PLANNING BOARD SECRETARY

WHEREAS, there exists a need for a Planning Board Secretary for the Borough of Hightstown Planning Board; and

WHEREAS, it is the desire of the Planning Board to appoint Sandra S. Belan to this position; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Hightstown, as follows:

1. Sandra S. Belan is hereby appointed as Planning Board Secretary for the year 2017 at the rate of \$18.00 per hour.
2. A copy of this Resolution shall be placed on file with the Borough Clerk.
3. A notice of this action shall be published once in an official newspaper of the Borough as required by law.
4. This Resolution is contingent upon the provision of funding in the Borough's 2017 budget, where funds are being made available.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on January 9, 2017.

*Sandra S. Belan
Planning Board Secretary*

Resolution 2017-04

*BOROUGH OF HIGHTSTOWN PLANNING BOARD
COUNTY OF MERCER
STATE OF NEW JERSEY*

APPOINTING PLANNING BOARD ENGINEER

WHEREAS, there exists a need for engineering services for the Planning Board of the Borough of Hightstown, and

WHEREAS, Carmela Roberts, Roberts Engineering Group, LLC has served in the previous years as both the Borough Engineer and the Planning Board Engineer, and

WHEREAS, the Planning Board desires the continued services of Ms. Roberts for the 2017 year as the Planning Board Engineer as stated in her "Hourly Fee Schedule" previously approved by Borough Council.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Hightstown, as follows:

1. Carmela Roberts is hereby appointed Planning Board Engineer for the 2017 year.
2. A copy of this Resolution shall be placed on file with the Borough Clerk.
3. A notice of this action shall be published once in an official newspaper of the Borough as required by law.
4. This Resolution is contingent upon the provision of funding in the Borough's 2017 budget, where funds are being made available.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on January 9, 2017.

*Sandra S. Belan
Planning Board Secretary*

Resolution 2017-05

BOROUGH OF HIGHTSTOWN PLANNING BOARD
COUNTY OF MERCER
STATE OF NEW JERSEY

APPOINTING AND AUTHORIZING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES – WOOLSON ANDERSON MAZIARZ, P.C.

WHEREAS, there exists the need for specialized legal services for the Planning Board during 2017; and

WHEREAS, it is the desire of Planning Board to appoint **Woolson Anderson Maziarz, P.C.**, of Somerville, New Jersey, as Planning Board Attorney for the year 2017; and

WHEREAS, the cost for the proposed services shall be as stated in the “2017 Hourly Fee Schedule” as approved by the Planning Board; and

WHEREAS, funds for this purpose will be made available in the 2017 budget; and,

WHEREAS, the anticipated term of this contract is for the 2017 calendar year, and it may only be renewed upon further action of the Planning Board; and

WHEREAS, this contract is awarded as a “fair and open contract” pursuant to and in accordance with the Local Unit Pay-to-Play Law.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Planning Board of the Borough of Hightstown that the Planning Board Chairman is authorized to execute and the Planning Board Secretary to attest an agreement between the Borough of Hightstown and Woolson Anderson Maziarz, P.C. for professional legal services for the year 2017.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Hightstown, as follows:

1. The Chairman and Secretary are hereby authorized and directed to execute an Agreement with Jolanta Maziarz, Woolson Anderson Maziarz P.C., 11 East Cliff Street, Somerville, New Jersey 08876.
2. This Contract is awarded without competitive bidding as a “Professional Service” under the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(a)) as a contract for services to be performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A copy of this Resolution and Contract shall be placed on file in the Office of the Borough Clerk.
4. Notice of Adoption of this Resolution should be published in an official Borough newspaper.

CERTIFICATION

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Board at a meeting held on January 9, 2017.

Sandra S. Belan
Planning Board Secretary

PROFESSIONAL SERVICES AGREEMENT

Legal Services – Planning Board

THIS AGREEMENT, made this 9th day of January, 2017, by and between the Planning Board of the Borough of Hightstown, County of Mercer, State of New Jersey, hereinafter referred to as the Planning Board, and Jolanta Maziarz, Woolson Anderson Maziarz P.C., 11 East Cliff Street, Somerville, New Jersey 08876; and

WHEREAS, the Planning Board requires the services of an Attorney at Law of New Jersey to serve in the capacity of Planning Board Attorney; and

WHEREAS, the Planning Board has authorized the appointment of Jolanta Maziarz, Woolson Anderson Maziarz P.C., to serve as Planning Board Attorney during the Calendar Year 2017 as memorialized by adoption of Resolution 2017-05.

NOW, THEREFORE, BE IT HEREBY AGREED by the Planning Board and the Attorney that the Attorney will perform legal services for the Board and the Board will compensate the Attorney for such legal services as follows:

- | | | |
|----|---|----------------------|
| 1. | Attendance at all Planning Board meetings and work sessions | \$450.00 per meeting |
| 2. | All other legal services, including court time | \$140.00 per hour |
| 3. | Paralegal | \$60.00 per hour |
| 4. | Clerical | \$15.00 per hour |
| 5. | Any out-of-pocket disbursements | actual cost |

IN WITNESS WHEREOF, the Board and the Attorney have executed this Agreement as of the date first above written.

Attest by:

Hightstown Planning Board

Sandra Belan, Secretary
Planning Board

Fred Montferrat, Chairman
Planning Board

Jolanta Maziarz, Attorney