

Hightstown Planning Board
 Regular Meeting
 August 8, 2016, 7:30 p.m.

OPEN SESSION

Fred Montferrat, Chairman, called the meeting to order at 7:402 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		
Mr. Mulleavey, Vice 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		

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

APPROVAL OF AGENDA

Mr. Montferrat asked for a motion to approve the agenda. Mr. Musing made a motion to approve the agenda. Mr. Lane seconded.

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Colavecchio, Mr. Lane, Mr. Musing, Mr. Searing and Mr. Cabot voted yes. Mr. Mulleavey, Mr. Hansen and Mr. Balcewicz were absent. **Motion passed 8-0.**

APPROVAL OF MINUTES

Mr. Montferrat asked if there were any corrections or comments to the minutes of the June 13, 2016, Regular Meeting. Motion made by Mr. Lane to approve the minutes. Mr. Searing seconded.

Roll Call Vote: Mr. Montferrat, Mr. Misiura, Ms. Colavecchio, Mr. Lane, Mr. Musing, Mr. Searing and Mr. Cabot voted yes. Mayor Quattrone abstained. Mr. Mulleavey, Mr. Hansen and Mr. Balcewicz were absent. **Motion passed 7-0, one abstention.**

PUBLIC COMMENT

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

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

NEW BUSINESS

- 1) Conceptual Review – El Zorro LLC, Block 31, Lot 6, Church Street - Joe Mannino, Mannino's Pizza, 124 Main Street – Mr. Mannino purchased this property on Stockton and Church Street three years ago and would like to build a multi-family dwelling (4-family house) on the vacant lot. This process is very new to Mr. Mannino and he is seeking the Board's advice. The units would be rented to professionals.

The Board received copies of the conceptual plat plan and professionals did review the documents.

Ms. Lee – Two zones on this site – RPO (residential professional office) and the rear portion is R-4 (small lot, single family). Ms. Lee reviewed the current and proposed zoning on this property.

The R-4 portion of this site is difficult to develop as an R-4 because it is sandwiched between Residential Professional Office and the multifamily. What Mr. Mannino is proposing would require a Use Variance because the multifamily zoning is "proposed zoning" not existing. They are proposing multifamily in an R-4 zone. In order to proceed, Mr. Mannino will need to apply for a Use Variance. You would need to overcome the discrepancy between your proposed plan and the current policy.

Ms. Maziarz – A Use Variance is a question of law. When it is a use variance, this Board doesn't act as a Planning Board, this Board acts as a Zoning Board of Adjustment. There is a difference between a Planning Board and a Zoning Board of Adjustment. The Planning Board cannot give advice regarding a Use Variance. This Board can only give advice regarding the concept, however, in order to get to the concept you have to first satisfy all the proofs for the Use Variance. This Board will act almost like a court when they review the application. They cannot prejudge or give advice with regard to the Use Variance. Your attorney and planner will evaluate and give you advice regarding the use variance.

Mr. Witte, Roberts Engineering – The applicant received a copy of the engineer's comments. Some items to be addressed – setbacks, building height and utilities.

Ms. Lee – Discuss with your professionals, when you apply for a use variance, you have the option of a "bifurcated application" – which means you can apply for the use variance first and do the site plan work later. The Zoning Board of Adjustment would need to receive some additional site plan information, but not a complete site plan application.

- 2) Road Improvements – Cameron Corini, Roberts Engineering Group was present to review road improvements for East Ward Street (from Main Street to Borough border). Van Cleff Engineering prepared the plans and provided them to the Board this week. Road improvements – full depth road, only curbs, sidewalks and driveways if needed will be replaced. Most of the work is to accommodate deteriorated plat work, grading and drainage issues. Improvements going from South Main Street to the Borough limits – approximately 2,000 feet. No changes to stormwater, updating inlets to current standards, not adding any more structure to piping. Plan to complete the

review this week and submit comment letter to Mayor and Council. Copies of the plans are available in the Planning Board Office. They are proposing a total reconstruction. However, not all roads may require total reconstruct. Roberts Engineering will review the plans. This is one of the DOT projects and all DOT projects are currently on hold per the Governor's Office.

OLD BUSINESS

1) Memorialization of Resolution 2016-14 – Yash Auto Services Inc. Extension of Resolution 2014-13

Motion made to approve the Memorialization of Resolution 2016-14 – Yash Auto Services Inc., Extension of Resolution 2014-13. Motion made by Mr. Musing and seconded by Mr. Lane. Only the members who voted yes on the original application may vote on this Resolution. They are required to comply with all the conditions of the previous resolution and in addition maintain the property in accordance with the Borough Ordinance.

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

Motion passed 6-0: one not eligible and four absent.

2) Route 33 Ordinance Parameters – Ms. Lee's will send revised Route 33 Ordinance Parameters to the subcommittee for their review (Mr. Montferrat, Mr. Misiura and Mr. Musing). Ms. Lee reviewed her initial draft:

- 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

Ms. Lee - These two districts have their own parking standards different from the rest of the Borough. The Borough may want to begin experimenting with parking standards that are more geared toward Borough development (center development). Believe that the Borough can require fewer parking spaces. There are several studies to support this. This is an opportunity to put some different standards in place and see how they work.

Additional discusses required on some items and open questions.

3) COAH Housing Element – Ms. Lee will make a presentation to the Borough Council on August 15, 2016.

BOARD MEMBERS COMMENTS

Ms. Colavecchio - Historic Preservation Commission did not meet last month, a meeting is scheduled in August.

Cultural Arts Commission Master Plan – The Board suggested inviting the chairman of the Cultural Arts Commission to a Planning Board meeting to review the Master Plan. The Board Secretary will invite the Cultural Arts Commission Chairman to attend either the September or October Planning Board Meeting.

Mayor Quattrone – suggested that during the summer the Board meet earlier, consensus of the Board was 7:30 p.m. was better for most.

Mr. Musing – Minute Maid property – several trucks still parked in the area. Some concerns: entrance, number of trucks and overall appearance of the area. Use of the property is contingent upon compliance with resolution and the settlement agreement. September agenda – follow up to the Minute Maid property Settlement Agreement/Resolution.

Mr. Misiura noted that the Borough Council approved and Mayor has signed the Developer's Agreement with the Rug Mill Property.

Mr. Musing congratulated the Mayor and Borough Council in finalizing the developer's agreement for the Rug Mill Property.

There being no further business Mr. Montferrat asked for a motion to adjourn. Motion made by Mr. Lane and seconded by Mr. Musing. All ayes. Meeting adjourned at 8:26 p.m.

Respectfully submitted,



Sandra Belan
Planning Board Secretary