

Hightstown Planning Board
Regular Meeting
November 12, 2019, 7:30 p.m.

OPEN SESSION

Fred Montferrat, Chairman, called the meeting to order at 7:32 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. Asselstine	X		
Ms. Colavecchio		X	
Ms. Jackson	X		
Mr. Rosenberg	X		
Mr. Searing	X		
Mr. Cicalese	X		
Mr. Balcewicz, Alt. #1		X	
Mr. Cabot, Alt. #2		X	

Also in attendance: Sandy Belan, Planning Board Secretary, Jolanta Maziarz, Planning Board Attorney Carmela Roberts, Planning Board Engineer and Brian Slaugh, Planning Board Planner.

APPROVAL OF AGENDA

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

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr. Rosenberg, Mr. Searing, and Mr. Cicalese. Mr. Balcewicz, Ms. Colavecchio and Mr. Cabot were absent. Motion passed 8-0.

APPROVAL OF MINUTES

Mr. Montferrat asked if there were any corrections or comments to the minutes of the October 15, 2019, Regular Meeting.

Motion made by Mr. Cicalese and seconded by Mr. Rosenberg to approve the October 15, 2019, Planning Board minutes.

Roll Call Vote: Mr. Montferrat, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr. Rosenberg, Mr. Searing and Mr. Cicalese. Mayor Quattrone abstained. Mr. Balcewicz, Ms. Colavecchio and Mr. Cabot were absent. Motion passed 7-0, one abstention.

PUBLIC COMMENT

Mr. Montferrat opened the floor for any public comments.

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

MEMORIALIZE RESOLUTIONS

- 1) Resolution #2019-11 – Minor Subdivision with Variances, 421 North Main St., Block 12, Lot 8, Application #2019-03

No additional comments or discussion.

Motion made by Mr. Misiura and seconded by Mr. Cicalese to adopt Resolution #2019-11 – Minor Subdivision with Variances, 421 North Main St., Block 12, Lot 8, Application #2019-03.

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Mr. Misiura, Ms. Asselstine, Ms. Jackson, Mr. Rosenberg, Mr. Searing, and Mr. Cicalese. Mr. Balcewicz, Ms. Colavecchio and Mr. Cabot were absent. Motion passed 8-0.

- 2) Resolution #2019-12 - Preliminary & Final Site Plan Application, with Variances and Waivers, Peddie School, Swig Arts Center Addition, South Main St., Block 53, Lot 1.02, Application #2019-06

No additional comments or discussion.

Motion made by Mayor Quattrone and seconded by Mr. Searing to approve Resolution #2019-12 - Preliminary & Final Site Plan Application, with Variances and Waivers, Peddie School, Swig Arts Center Addition, South Main St., Block 53, Lot 1.02, Application #2019-06

Roll Call Vote: Mr. Montferrat, Mayor Quattrone, Ms. Asselstine, Ms. Jackson, Mr. Rosenberg, Mr. Searing, and Mr. Cicalese. Mr. Misiura abstained. Mr. Balcewicz, Ms. Colavecchio and Mr. Cabot were absent. Motion passed 7-0, one abstention.

OLD BUSINESS – NONE

NEW BUSINESS

- 1) Draft Preliminary Investigation of An Area in Need of Redevelopment – Main Street Redevelopment Bank Street Sub-Area 1, Second Expansion, Block 8, Lots 12, 13 and 14; Block 18, Lots 8-12

Brian Slauch reviewed the draft which the Planning Board received via email prior to the meeting (attached).

Overview – This pertains to the new developer for the Rug Mill property and their plans for redevelopment. Current owners, PRC Group, have also purchased the house on the corner of Academy and Bank St. (Block 8, Lot 12) – which they plan to use as a community center. Also considering townhouses on one side (Bank St.) which would face across Bank St. to the other townhouses previously approved with the prior developer.

We are also looking at the criteria that might apply to this municipal property, which is five lots – Area in Need of Condemnation Redevelopment. The Borough is moving ahead with the development of the YMCA for municipal offices.

The Historic Society property would be a logical place to have additional redevelopment which goes along with the Phase II of the Rug Mill. The Historic Society needs additional space (storage, etc.).

First Aid Squad Building is obsolete – many different levels which are not handicap accessible, lack of storage and funds to improve the building. It would be better served by a new facility. Deed for this property – was originally JCP&L property used for servicing power grid in the area. Property does not meet modern EMS standards. If the first aid squad vacates that property, it reverts back to JCP&L. There is a title issue that impedes the ability to put redevelopment in place there. The redevelopment attorney is reviewing the question of whether municipalities can condemn public utility land.

Municipal properties are eligible based on Criterion C – Land that is owned by the municipality, the county, a local housing authority...”

Hightstown Borough is also in a “smart growth” area, which was identified in the State plan. We are under a number of different criteria in the local redevelopment housing law. In my opinion the additional land to be added to the Bank Street Subarea would qualify.

A Public Hearing will be scheduled for the December 9, 2019 Meeting. Notices of the Hearing will run in the newspapers twice (November 22 and November 29) and all property owners (Hightstown Borough, PRC Group and First Aid Squad) will be mailed a certified and regular Notice of Hearing at least ten days prior to the December 9th Meeting.

Mr. Slaugh reviewed the hearing process – sworn testimony by Mr. Slaugh followed by questions from the public and the Planning Board. Finding of facts will be forwarded to the Borough Council for their action

There is a resolution with Council to add the additional properties. The resolution will be acted upon by the time we have the public hearing. The current Resolution #2019-122 dated June 17, 2019, does not include the additional municipal properties.

Ms. Roberts and Mr. Slaugh will review Sub Area 3 for accuracy.

Mr. Slaugh reviewed the benefits of designating areas as redevelopment and/or condemnation. Provides the municipality with tools to control what a developer does specifically. Also, allow municipality to give tax benefits to developers as an incentive to build.

- 2) Zoning Map – Extend zone per 2014 Master Plan Re-Examination Report (8/11/2014) - Expansion of the proposed new DTC and DTG lots. September 2019 Revised Zoning Map is based on

Ordinance 2019-15 – An Ordinance of the Borough of Hightstown Re-Zoning Certain Properties, Adopting an Updated Zoning Map, and Amending and Supplementing Chapter 28, “Zoning,” of the “Revised General Ordinances of the Borough of Hightstown adopted October 21, 2019.

The consensus of the Planning Board is that a new ordinance be adopted by the Borough Council that would be consistent with the 2014 Proposed Zoning Map extending the DTC and DTG as noted in the 2014 Master Plan Re-Examination Report and remove the GR zone, which is no longer applicable.

Brief discussion of formed based zoning and Route 33 Corridor – possible discussion next year.

3) Undersized Vacant Lots

Mr. Slaugh – as currently written, it does not have a lot threshold. This theoretically could apply to any size lot.

Mr. Montferrat noted that would be determined by Zoning Officer.

Ms. Maziarz informed the Board that there is a theory of merger – if two lots are in common ownership and they are not buildable lots (undersized lots), they merge by operation of law. Unless they were subdivided at some point, where it was legal to have tiny lots and after the map filing law was in effect. Subdivisions that were done by plat, do not merge. The old lots that were created, if they are in common ownership the law says they merge, and it is up to the property owner to show that they have not merged for some reason.

Mr. Misiura – George Chin, Zoning Office, was seeing small lots scattered throughout the Borough not under common ownership. Undersized lots – R-4 Lincoln, Hutchinson, Morrison, Mercer and Academy Streets; R-3 Stockton – lots that do not meet the bulk size requirement. Provide some relief for these homeowners.

Proposed Ordinance Change for Undersized Vacant Lot, Subsection 28-28-2 Continuation; Enlargement; Rebuilding; Change of Use – Planning Board suggested the following minor changes to the ordinance:

- a) k. Owners of existing undersized vacant lots, as of the date of the adoption of this ordinance, can avoid appearing before the Planning Board for a Bulk Variance to build a new house if they meet all of the following conditions...
- b) #6. The proposed house and accessory structure will be reviewed is approved by the Planning Board Architectural Review Committee.
- c) #7. The proposed house and accessory structure will be reviewed is approved by the Hightstown Historic Preservation Commission.

Committee and Professional Reports

Mr. Slaugh informed the Board that the Habitat for Humanity two townhouses on South Academy Street – require street trees to be planted between the sidewalk and curb. This is a narrow planting strip which cannot accommodate trees in that strip. Instead the trees (ornamental or medium-sized trees) will be

planted in the front yard. The Environmental Commission has approved. This was a condition by the prior Planner.

Ms. Maziarz - Governor Murphy signed a new law which to encourage municipalities to plan for electric vehicle infrastructure. The law amends the Municipal Land Use Law (MLUL) to include as a required land use element of the municipal master plan, "showing the existing and proposed location of public electric vehicle charging infrastructure."

Mr. Cicalese – The Complete Street Committee will be meet with Ms. Roberts on Wed., November 13, to discuss 2020 projects. Borough received Silver Certification for Safe Routes to School. Mr. Cicalese was elected to the Borough Council. This will be his last Planning Board meeting.

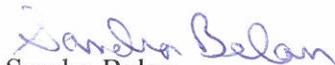
Ms. Asselstine – A Mobility Plan Kick Off will be held next month.

Chairman and Board Member Comments

Ms. Asselstine – properties on Franklin Street to the Borough line over to Maxwell are being sold. These properties are in the downtown gateway and these properties should be maintained.

There being no further business Mr. Montferrat asked for a motion to adjourn. Motion made by Ms. Asselstine and seconded by Mr. Cicalese. All ayes. Meeting adjourned at 8:56 p.m.

Respectfully submitted,


Sandra Belan
Planning Board Secretary