PLEASE TURN OFF ALL CELL PHONES DURING YOUR ATTENDANCE AT THIS MEETING TO AVOID SOUNDS, RINGING OR CONVERSATIONS THAT MAY INTERFERE WITH THE RECORDING OR THE ABILITY OF ATTENDEES TO HEAR THE PROCEEDINGS. THANK YOU FOR YOUR COOPERATION.

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

Approval of Minutes October 9, 2018

Public Comment

New Business

1) Discussion – Amending Chapter 29, Entitled “Signs,” Section 29-5, Entitled “Prohibited Signs” of the Revised General Ordinance of the Borough of Hightstown

2) Best Practices, as issued by the State of New Jersey – “In the past year, has your municipality analyzed whether changes to its master plan and zoning ordinances could improve flood and storm resiliency?”

Old Business

1) Ordinance – Accessory Use – treehouse, gazebo, arbor, etc.

Professional & Committee Reports

Board Members and Chairman Comments

Adjournment
Hightstown Planning Board
Planning Board Meeting
October 9, 2018, 7:30 p.m.

OPEN SESSION

Fred Montferrat, Chairman, called the meeting to order at 7:34 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

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<td>Mr. Montferrat, Chairman</td>
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<td>Mayor Quattrone</td>
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<td>Mr. Balcewicz, Alt. #1</td>
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Also in attendance: Sandy Belan, Planning Board Secretary, Jolanta Maziarz, Attorney and Brian Slaugh, Planning Board Planner and Cameron Corini, P.E. Roberts Engineering Group.

APPROVAL OF AGENDA

Mr. Montferrat asked for a motion to adopt the October 9, 2018, Agenda.

Motion made by Mr. Cabot and seconded by Mr. Cicalese to approve the October 13th agenda.

ROLL CALL VOTE: Mr. Montferrat, Mayor Quattrone, Mr. Jackson, Ms. Asselstine, Mr. Cicalese, Mr. Balcewicz and Mr. Cabot voted yes. Mr. Misiura, Mr. Colavecchio and Mr. Searing were absent. Vote: 7-0

APPROVAL OF MINUTES:

Mr. Montferrat asked if there were any corrections or comments to the minutes of the September 10, 2018 Regular Meeting. Motion made by Mr. Mayor Quattrone and seconded by Mr. Jackson to approve the minutes.

ROLL CALL VOTE: Mayor Quattrone, Mr. Jackson, Ms. Asselstine, Mr. Cicalese and Mr. Cabot voted yes. Mr. Montferrat and Mr. Balcewicz abstained. Mr. Misiura, Mr. Colavecchio and Mr. Searing were absent. Vote: 5-0 and two abstentions.

October 13, 2018

Planning Board
PUBLIC COMMENT:

Mr. Montferrat opened the Public Comment portion of the meeting.

There being no public present, Mr. Montferrat closed the public portion of the meeting.

New Business

1) Discussion Proposed Rental Assistance Demonstration (RAD) Conversion of the Housing Authority – Keith LePrevost, Executive Director, Hightstown Housing Authority;

Keith LePrevost, 213 Greeley Street, Executive Director, Hightstown Housing Authority – Councilman Lee Stulits suggested that Mr. LePrevost make a presentation to the Planning Board to discuss the possible conversion of the housing authority away from the public housing program to a new program to make it a modern privately held residential community.

Mr. LePrevost reviewed the attached presentation to the Board which included the following:

a) What is RAD?
b) How does RAD Work?
c) What are the steps in a RAD Conversion?
d) The Financing Plan
e) HAA Conversion from Public Housing

Mr. LePrevost is requesting that the Planning Board Planner review this issue: meet with the Housing Authority and State appointed Master to discuss our plans and the various scenarios and see how we can make this transition to the benefit of Hightstown.

Mr. Slough reviewed the Borough Affordable Housing numbers – 39 units obligation for rehabilitation. There are several components: rehabilitation, prior round and third round numbers. Borough qualifies for vacant land adjustment analysis. Combining the two previous rounds redevelopment potential of 47 units.

Mr. LePrevost noted that the Borough’s published number is 152 units.

Mr. Slough – There is no affordable housing attached to growth. There is no affordable housing on the Rug Mill site. There is a limit on the number of rental bonus credits you would be able to obtain (23-24). If the Housing Authority uses its funds to rehabilitate the units during this third round period, that would count and has been accepted in other declaratory judgement actions by the courts, as fulfilling the rehabilitation component.

Mr. LePrevost discussed the proposed rent structure for the units.

Planning Board suggested that the Affordable Housing Subcommittee review Mr. LePrevost’s proposed conversion of the Housing Authority.

2) Capital Project Presentation (First Avenue from Summit Street to Outcalt Street) – Cameron Corini, PE presented an overview of Carmela Roberts’ memo dated October 1st regarding Improvements to First Avenue (attached).
This is a follow up to water main replacement between Center and Outcalt Streets. The Roadway Improvements is funded by DOT with a $265,000.00 grant received in 2016.

The proposed improvements include the following:

a) Replacement of all existing curb, sidewalk and driveway aprons between Summit and Outcalt Streets.
b) Construction of new sidewalk on the south side of First Avenue between Summit Street and Center Street where none currently exists.
c) Construction of a new curb ramp on the southeast corner of Summit Street and First Avenue.
d) A new storm sewer; 335-ft. of piping and new inlets at the Water Tower draining toward Summit.
e) Replacement of one (1) fire hydrant near the Water Tower driveway.
f) Construction of sanitary sewer cleanouts at all sewer laterals.
g) Construction of two (2) sanitary manholes at deadends on the existing main near the Water Tower driveway.
h) Replace most of the signage and regulatory signage between Summit and Outcalt Streets

Plan to advertise and receive bids before the end of the year. Construction to being Spring or early summer 2019.

We have asked the Environmental Commission to review these trees and provide a recommendation on how to proceed with the tree removal/new plantings. Do not anticipate the removal of any existing trees. Three small trees (8-10-inch diameter) near intersection of Outcalt St. which may be damaged during construction due to their size and location. We will replace any trees that are removed.

The Planning Board suggested that cleanout stubs also be installed on the vacant properties.

Motion made by Mr. Jackson and seconded by Mr. Cicalese to approve the proposed Improvements to First Avenue with the following recommendation from the Planning Board:

a) Provide stubs both water and sewer for vacant lots.

ROLL CALL VOTE: Mr. Montferrat, Mayor Quattrone, Mr. Jackson, Ms. Asselstine, Mr. Cicalese, Mr. Balcewicz and Mr. Cabot voted yes. Mr. Misiura, Mr. Colavecchio and Mr. Searing were absent. Vote: 7-0

Mr. Corini reviewed ongoing projects throughout the Borough which should be completed by 2019.

Old Business

1) Ordinance – Accessory Use - treehouse, gazebo, arbor, etc. – Tabled to the November 13th Planning Board Meeting.

Ms. Maziarz suggested restrictions on accessory structure without giving specific details. Have a concern with zoning permit for treehouse. If denied the applicant would be required to come before the Zoning Board. What type of variance would be required? Suggested that the accessory use definition should not be so specific – more general terms.

Mr. Slaugh suggested limit floor area in relationship to house size.

October 13, 2018 Planning Board
Chairman Montferrat suggested that the Subcommittee meet to review George Chin’s proposed changes and review at the next meeting.

Ms. Maziarz and Mr. Slaugh will both be attending the League of Municipalities in Atlantic City on November 13, the next Planning Board Meeting.

Ms. Maziarz informed the Board that Jeff Bond is withdrawing his application for proposed coffee shop on Mercer St. until they receive permission from the Department of Transportation for the use of the proposed property. Mr. Bond’s planner requested a special meeting the end of October to review the application. To date, Ms. Maziarz has not heard further from the applicant.

Professional & Committee Reports

Ms. Asselstine updated the Board on the following:

a) Launch of Hightstown PACE Car Program – car magnet – pledge to obey traffic signs and speed limits. Pledges are available in the Borough Hall and library.

b) Walking on it – Downtown Hightstown. Representatives from County and State tour the Downtown and identify and make recommendations to improve intersections in the Downtown area – late November.

c) Mobility Planning Grant writer will be hired. Improve safety around town. Decal in the downtown area on sidewalks.

Mr. Jackson – Environmental Commission increased Sustainable New Jersey certification from bronze to silver certification. One of the action items for Sustainable NJ was a “Green Check List” (attached) – Mr. Slaugh and Ms. Maziarz will review and discuss at the next meeting.

Mr. Cicalese asked about a public transportation subcommittee – there is a shared services agreement with East Windsor for senior citizens programs and transportation.

There being no further business Mr. Montferrat asked for a motion to adjourn. Motion made by Ms. Asselstine and seconded by Mr. Cabot. All ayes. Meeting adjourned at 9:02 p.m.

Respectfully submitted,

Sandra Belan
Planning Board Secretary

October 13, 2018
ORDINANCE 2018-22
BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING CHAPTER 29, ENTITLED “SIGNS”, SECTION 29-5, ENTITLED “PROHIBITED SIGNS” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN

WHEREAS, The Cultural Arts Commission’s goals and purposes are the development of artistic and cultural appreciation and expression and the presentation of cultural/arts events and programs, and establishment of art installation sites and venues; and

WHEREAS, The Cultural Arts Commission has requested exemption from the restriction regarding murals in the Borough to enhance and promote the artistic culture in the Borough; and

WHEREAS, Any such project shall be approved by the Borough Council prior to execution; and

WHEREAS, The Mayor and Council of Hightstown Borough agree with said recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

1. Section 1. Chapter 29, entitled “Signs”, Section 29-5, entitled “Prohibited Signs” of the Revised General Ordinances of the Borough of Hightstown is hereby amended as follows (deletions are crossed out; additions are underlined):

29-5. Prohibited Signs.

Any sign that is not permitted by the provisions of this chapter is hereby prohibited, with the following signs specifically prohibited:

A. A flashing, blinking, twinkling, animated, moving or projected sign of any type or a sign that presents the illusion of movement, with the exception of time-and-temperature displays and barber poles as otherwise permitted or signs which emit smoke, noise or visible vapor.

B. Banners, pennants, streamers, spinners or similar devices constructed of cloth, light fabric, cardboard, plastic, vinyl, or other like material, and lights and searchlights, displayed for the purpose of attracting the attention of pedestrians or motorists, except as permitted for special events not to exceed four times per year for a maximum 2-week period and not exceeding 16 square feet.

C. Any sign so erected, constructed or maintained as to obstruct any fire escape, window, door or other opening used as a means of ingress and egress.

D. Any portable or bench sign, or signs that emit smoke, vapor or noise, except as permitted in Section 29-17.

E. Any sign which, when applying contemporary community standards, has a dominant theme or purpose which is obscene or offensive.

F. Off-premises signs.

G. Signs using red, green, blue or amber illumination in a beam, beacon or flashing form resembling
an emergency light or traffic signal.

H. Neon signs.
I. Signs attached to the exterior glass of a building.

J. Permanent marquees extending over the sidewalk beyond the street line.

K. Signs posted or painted on posts, utility poles, tanks, towers, smokestacks, trees, rocks or any natural feature of the environment.

L. Signs posted on Borough property except where specifically authorized by the Borough.

M. Signs installed or painted on sidewalks, curbs and benches, except as permitted in Section 29-18.

N. Signs on abutments, retaining walls and embankments.

O. Murals and signs painted on buildings. Signs painted directly on buildings or which obstruct any windows except those painted as a Cultural Arts Commission project and specifically authorized by the Borough.

P. Roof signs.

Q. Signs which constitute a hazard to pedestrian or the traveling public by obstructing access, obstructing driving vision or by obstructing regulatory or directional signs or signals, or which may confuse or distract the attention of the operator of a motor vehicle, or otherwise constitute a safety hazard.

R. Pylon signs, except as permitted herein.

S. All outside lighted signs operating after 1:00 a.m. with the exception of signs in the commercial zones. Lighted signs are those signs for which the source of light is internal.

T. Illuminated signs where the source of light is directly visible from adjoining properties or streets. Illuminated signs are signs that are lighted by an external source.

U. All temporary signs, except as set forth herein.

V. Any sign using the term "going out of business sale" or terms substantially similar to "going out of business sale" which does not coincide with the permitted time frames for such sales, as set forth in N.J.S.A. 56:8-2.8, whether or not a permit for such sign may have been issued pursuant to this chapter.

W. Signs advertising room or rooms for rent for any property in the Borough of Hightstown for which no license has been issued in accord with Sections 4-1, 13-8, and 13-10 of this Code to qualify that property as a boarding house, rooming house, or rooming unit.

X. Signs advertising an apartment or house for rent for any property in the Borough of Hightstown for which a Rental Certificate of Compliance has not been issued by the Housing Inspector, in accord with Subsection 13-8-1 of this Code.

Y. Signs advertising the rental of any room, apartment or house, unless the sign is located on the property that is being advertised, and the owner of the property has taken all necessary steps to make sure that such advertising is otherwise in accord with the provisions of this Code.

(Ord. No. 2010-06)

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.
Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction: October 15, 2018

Adoption:

ATTEST:

DEBRA L. SOPRONYI  
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE  
MAYOR
Subsection 28-2-2 Definitions.

As used in this chapter:

- Arbor shall mean an accessory shelter that is made by growing plants or vines over a frame.

- Gazebo shall mean an accessory building consisting of a detached, covered, freestanding, open-air structure.

- Pergola shall mean an accessory structure of parallel colonnades supporting an open roof of crossing rafters or trelliswork.

Subsection 28-3-5 R-1 Residential District.

a. Permitted Uses. In the R-1 Residential District, the following uses, and no others, shall be permitted:

1. Principal Uses:

2. Accessory Uses:

   (a) Carports, accessory garages and/or open parking spaces with necessary driveways for vehicles belonging to residents on the premises and their guests.

   (b) Noncommercial solariums and home swimming pools, provided that suitable protective fencing at least four (4') feet high shall surround the pool.

   (c) Home-based occupations as defined in Section 28-10-6 and professional offices, provided that the professional resides on the premises, and further provided that no more than one nonresident employee shall be permitted.

   (d) Signs as provided in subsection 28-3.5b, 12.

   (e) Fences and walls.

   (f) Subject to lot coverage requirements, no more than two (2) storage sheds are permitted on a lot.

   (g) Satellite dishes, subject to the restrictions and requirements set forth in subsection 28-10.18.

   (h) Roofed structures to include gazebos, pergolas or arbors, subject to the restrictions and requirements set forth in subsection 28-10.20.

   (i) Tree houses, subject to the restrictions and requirements set forth in subsection 28-10.21.
Section 28-10

SPECIAL USE REGULATIONS

Subsections:

28-10-00 Special Use Regulations.
28-10-1 Schools.
28-10-2 Places of Worship.
28-10-3 Professional Offices; Private Schools.
28-10-4 Fences, Walls and Small Sheds.
28-10-5 Swimming Pools.
28-10-6 Home-Based Occupations.
28-10-8 Sight Triangles.
28-10-9 Laundries; Dry-Cleaning Establishments.
28-10-10 Off-Street Parking and Off-Street Loading Facilities.
28-10-12 Automobile Repair Establishments.
28-10-13 Hotels and Motels.
28-10-14 Shopping Centers.
28-10-15 Portable Toilets.
28-10-16 Portable Storage Units and Dumpsters.
28-10-17 Temporary Trailers.
28-10-18 Satellite Dishes.
28-10-19 Permanently Installed Standby Generators.
Roofed Structures

a. Roofed structures include free standing gazebos, pergolas or arbors.

b. Roofed structures are permitted only in the rear yard and cannot be closer than 10'-0" to any property line.

This is the same setback as required for swimming pools. Sheds and garages have a 5' minimum setback, but people do not sit or lounge in them. The 10' setback will provide a more personal comfort buffer to the neighbors.

c. The maximum size is 256 square feet or 20% of the rear yard, whichever is smaller. The maximum height is sixteen (16) feet.

256 sq feet is a 16' x 16' structure. The R-4 zone has the smallest lots, with a lot width of 50' x 35' rear yard setback or 1750 sq ft. Other towns use 25% of the rear yard, which comes out to 437 sq ft. 20% comes out to 350 sq ft. The 20% maximum is to keep the roof structure from overwhelming the rear yard. Rear yards smaller than 1280 sq ft (about 36' wide x 35' rear yard setback) will start to be limited by 20% of the rear yard requirement or the 10' minimum property line setback.

It should be noted that there are properties on Monmouth St with only a 20' width. These properties will not be able to have a roofed structure unless the property line setback is reduced.

The maximum height of 16 feet is similar to the maximum height for other accessory structures and it will permit a double roof with a cupola.

d. The roofed structures with completely covered roofs will be included in the total lot coverage of all buildings. The roofed structures with open roofs or lattice will be included in the total lot coverage of all structures and other improvements.
To help prevent this.

28-10-21

Tree Houses

a. The tree house is permitted only in the rear yard and cannot be closer than 10'-0" to any property line.

   *This is the same setback as required for swimming pools. There was a complaint once from a resident that the neighbor's kids were peeping into his window from their property. This would add a buffer.*

b. Maximum size of the tree house is eighty (80) square feet. Maximum height to the highest element of the tree house is twelve 12 feet.

   *This would be an 8' x 10' tree house. The maximum height of a platform would be 9'-6" above the ground if it had a railing. It would be lower if a roof was built.*

c. The tree must be a mature, healthy deciduous or coniferous tree with a trunk diameter of sufficient size to be able to support the tree house. Anchorage and supports cannot damage the tree.

   *Revised from the last submission to be more performance based.*

d. Platforms require railings or wall enclosure a minimum of thirty (30) inches above the platform. The bottom of any window or opening must be thirty (30) inches above the platform.

   *To help prevent children from falling off of the platform.*
e. Electric, plumbing or lighting is not allowed in or on the tree house or tree.

f. The zoning permit is only to allow the tree house to be built. Hightstown Borough is not responsible for the structural integrity of the tree house. Hightstown Borough assumes no responsibility for how the tree house is used. The zoning permit for a tree house is good for only one year. It must be renewed annually. The tree house must come down when it is not longer being used.

Ridgewood requires renewal every 5 years. A yearly renewal will help speed up the removal of the tree house when it is no longer being used. It could also be required to be removed if the house is sold, but a nice tree house may be a selling point for the house for a buyer with children.

g. Since the tree house will be visible to the neighbors, it will also be governed by the Hightstown Borough Property Maintenance Code.